

## BAND ADMINISTRATION MANUAL



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# **BAND ADMINISTRATION MANUAL**

## **INTRODUCTION**

The Band Administration Manual was developed for Indian and Northern Affairs by the Saskatchewan Indian Institute of Technologies. The Band Administration Manual is meant to expand upon and replace the "Band Manager's Handbook", and to provide Bands with sample policies and procedures which may be used as a basis or guideline for developing individualized Band policies.

With Bands assuming increasing responsibilities in such areas as self-government, alternative funding arrangements, and the administration of services to their members, the development of detailed administrative policies has become increasingly important. Each Band should clearly define its administrative policies and procedures, and the roles and responsibilities of its employees. It is hoped that the sample policies contained in this Manual will assist Band governments in developing personalized policies to meet their Band's individualized needs.

The Band Administration Manual provides sample policy development guidelines in three major areas:

- Section One - Band Government Administration,
- Section Two - Personnel Administration, and
- Section Three - Financial Administration.

Section One, Band Government Administration, deals with the roles of the Chief and Council, Community Committees, Band Government personnel, and the Band membership. Sample Portfolio Councillor responsibilities are included, as well as guidelines for Band Council meetings and Minutes. Sample job descriptions for Band employees are categorized under the departmental headings of Administrative Services, Community Services, and Public Works. An organizational chart is included at the beginning of each departmental section, to provide an overview of services and personnel in that department.

Section Two, Personnel Administration, includes suggested personnel policies, which may be used as guidelines for Bands to adapt specific personnel policies for their own situation. This section includes such topics as a suggested Employee Code of Ethics contract, recruitment and hiring procedures, performance reviews, employee leave and disciplinary policies, benefits, and grievance procedures. Appendices to the Personnel Administration section may be useful to Bands as guidelines in developing administrative forms. They include a suggested Band Employment Application Form, Generic Contract of Employment, Employee Code of Ethics Contract, and other Personnel Administration Forms.

Section Three contains suggested policies for Bands in the area of Financial Administration. Financial regulations are required for the effective management and administration of Band Government services. They provide clear guidelines for Band staff, Council members, and the general Band membership regarding financial policies and procedures, and help to ensure sound management of financial resources for the benefit of all Band members.

A Table of Contents for all three sections is included at the beginning of the Manual, for the reader's convenience. A Table of Contents is also included at the front of each section. The module headings are also listed on the top of each page.

Additional publications produced under this contract were the Band Staff Procedures Manual, (which provides tips on office procedures, internal communications, and improving productivity), and How to Hold Effective Meetings, a guide for planning and holding meetings. These publications are available upon request from the Indian Management Support Division of INAC.

## ACKNOWLEDGEMENTS

The Saskatchewan Indian Institute of Technologies would like to acknowledge the assistance of the staff of Indian and Northern Affairs Canada in the preparation of these manuals. In addition to the Band Manager's Handbook, source materials also included various other INAC publications, including Alternative Funding Arrangements, Comprehensive Funding Arrangement, National Model, Introduction to Real Property Taxation on Reserve, Departmental Directive on the Delivery of Technical Services, Indian Band Membership, Program Directive 7.1, "Indian Pension Plan Funding Policy" (Draft), and "A Guide to Local Government on Indian Reserves". Health and Welfare publications were also used, including Pension Planning for Indian Employers - An Introduction, and "Program Directive 1/3 - Medical Transportation".

Policy, Administrative and Financial Guidelines for Indian Band Councils, a manual produced by the Alberta Tribal Employees Association, with the input of some Alberta Chiefs and Councillors, Band Managers, and Secretaries, was also used as a reference source. Also deserving of mention are the numerous Indian Bands in Saskatchewan, with whom SIIT has worked in the past in developing administrative policy manuals for their own Bands. Their work and experience is reflected in many areas of these manuals. The Prince Albert Tribal Council has also produced training manuals for Bands in their District; their Accounting System and Audit Preparation Manual was utilized for the section on Band audits.

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**BAND GOVERNMENT  
ADMINISTRATION**

## **BAND GOVERNMENT ADMINISTRATION MANUAL**

### **A. INTRODUCTION**

This manual has been prepared to assist Bands to develop their own Band Government Administration Manuals, by providing suggested general guidelines, policies, and job descriptions, which Bands may alter and adapt to suit their own situation. In order for any organization to function smoothly, it is necessary to clarify the responsibilities of each employee, department, and committee, as well as the relationships which exist among the various employees and programs. Specific supervisory and decision-making responsibilities must be clearly defined for each area. It is necessary to know who has the authority to make decisions in each area.

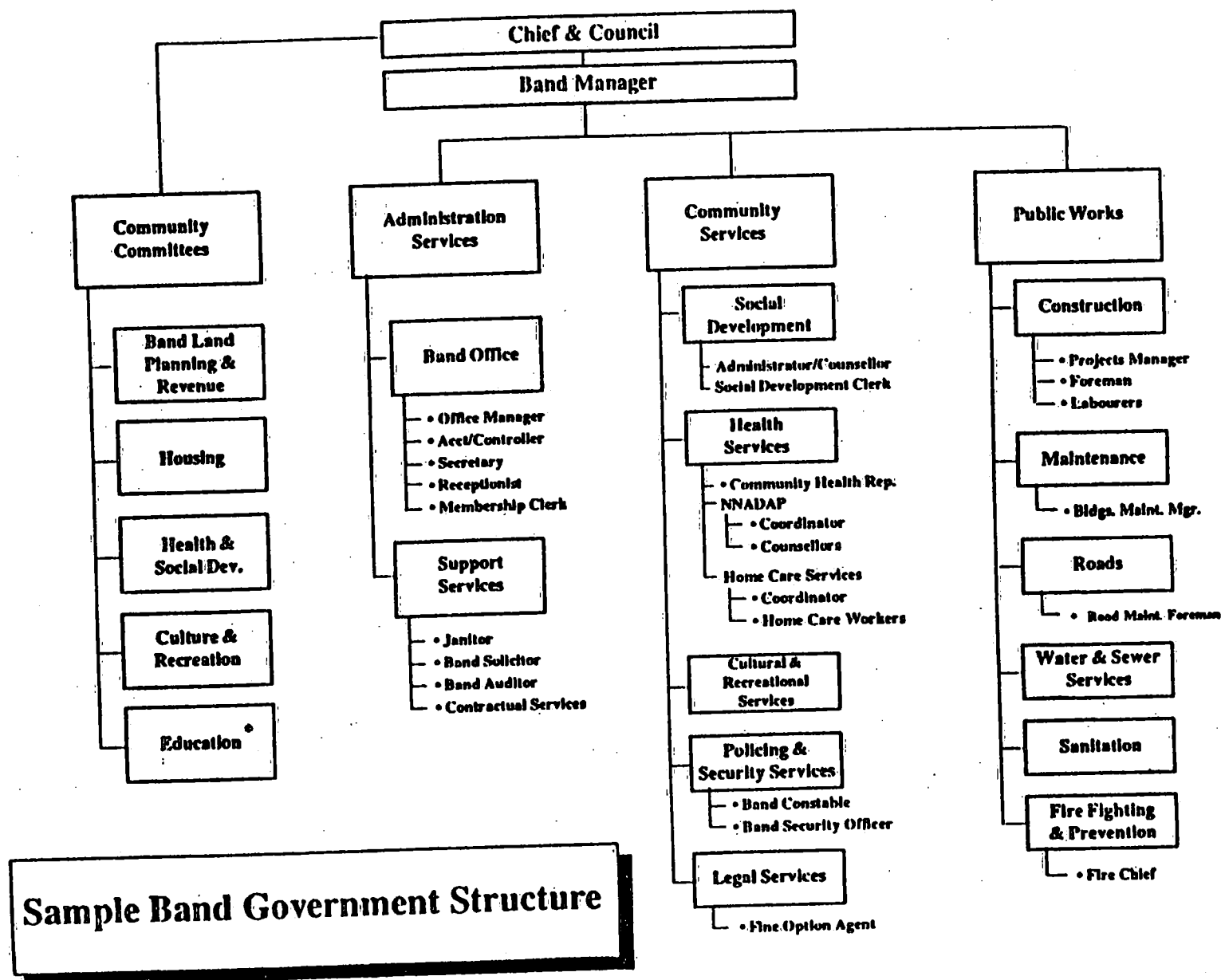
The guidelines in this Band Government Administration Manual are designed to assist Band Councils, employees, and community committees to clarify their duties, roles, and objectives. A Band Government Administration Manual assists the Chief and Council, Band employees, and Band members to understand their responsibilities, to carry out their duties efficiently and effectively, and to be aware of the relationships among the Band's programs, staff, Council members, and community committees.

This manual includes information on suggested roles and responsibilities of the Chief and Council, guidelines and procedures for Band Council Meetings, the importance of Band Council minutes, the development of Band Government policies, and sample Councillor portfolio responsibilities. The role of Band members in community government, methods of promoting community involvement, the role of community committees, and sample responsibilities of various community committees are also discussed.

The role of Band staff is described, as well as the difference between program and administrative. Suggested goals for the Band Departments of Administrative Services, Community Services, and Public Works are provided, as well as sample job descriptions for Band staff members in each of these departments.

Although it is not within the scope of this manual to discuss the area of Band Education in detail, Section H includes a brief introduction to this topic, a sample Band Education Chart, as well as suggested qualifications and a sample job description for the position of Education Coordinator. Also included in other appropriate sections of this manual are sample responsibilities for an Education Portfolio Councillor and an Education Committee/School Board.

The chart on the following page provides an overview of a sample Band Government administrative structure, and reflects the organization of material in this manual.



\* Note: A sample organizational chart for Band Education is included in Section II. of this manual.



## **B. BAND CHIEF AND COUNCIL**

### **1. Introduction**

The Chief and Council, as the elected representatives of the Band members, are the authorized government and the legal authority on the reserve. As such, they promote the community's culture and customs, and have important planning functions. They set goals and objectives for the Band, make or adopt policies and regulations which provide direction to Band employees, and ensure that employees carry out their decisions. The Chief and Council must also approve Band budgets and financial transactions. They may set up Community committees to assist them with their work. However, the areas to be delegated must be clearly defined.

This section includes information on the Council's general aims, the roles and responsibilities of the Chief and Council, guidelines and procedures for Band Council meetings, the proper recording of Band Council minutes, policy development, Band Council bylaws and resolutions, and suggested responsibilities for Band Councillor portfolios. Election/selection of Council is covered briefly; Appendix VI provides detailed Election Regulations under the Indian Act.

### **2. General Aims**

The general aims of the Chief and Council include the following:

- a) To foster progress in the economic development, education, social, recreational, and quality of life of the Band membership.
- b) To promote the culture and customs of the membership.
- c) To learn the operations, procedures, laws, powers and jurisdictions related to Council and the administration of Band programs, and any other information which will assist them to do their duties well.
- d) To promote, maintain, and protect First Nation, Treaty and Aboriginal rights for the Band membership.
- e) To cooperate and work with governmental authorities in matters pertaining to Indian interests.

### **3. Role of the Chief**

The Chief is the elected head of the Band Government, and as such, is the officer responsible for governing the Band. The Chief's role may vary greatly between Bands. Therefore, the Chief's responsibilities should be clearly defined for each Band.

In addition to the Chief's role as a Band Council member, key responsibilities may include the following:

- Acts as the Band's official spokesperson or representative at ceremonial and other special functions.
- May be called upon to speak for and express the opinions of the Band, either personally or through a spokesperson, when dealing with matters of Band concern.
- Makes decisions for the Band Council in times of emergency, when a decision must be made quickly and it is not possible to call the Council together. (In such cases, the Chief will report to the Band Council on these decisions at the Council's next meeting. The Chief should know the Councillors well enough that decisions made in emergencies will meet the approval of the Council.)
- May call emergency meetings of the Band Council to discuss important business, which cannot wait until the Council's next regular meeting. (The Chief shall summon a special meeting, if requested to do so by a majority of the Band Council.)
- Usually acts as Chairperson at Band Council meetings. The Chairperson's duties include:
  - Preparing agendas for meetings (usually with the assistance of the Band Manager). The agenda should include a list of items to be discussed, reports to be presented, and resolutions or bylaws to be passed.
  - Ensuring that Council meetings are conducted in an orderly and businesslike fashion; maintain order and decide all questions of procedure. (The Chairperson may expel or exclude from a meeting any person who causes a disturbance.)
  - Conducting the meeting in as neutral a manner as possible. (Because of the requirement that the Chairperson be "neutral" in conducting meetings, and only vote in case of a tie, some Chiefs have allocated the duty of Chairperson to another Band Councillor. In some bands, the duty of Chairperson is rotated among Band Councillors.)
  - If for any reason the Chief is unable to attend a Council meeting, another Councillor should be appointed to act as Chairperson.

- The Chief is officially a member of all community committees, but does not hold office or have the right to vote.

#### **4. Role of the Band Council**

##### **4.1 Introduction**

The Chief and Band Council are the elected representatives of the Band members, in accordance with Section 74 of the Indian Act, and their powers are delegated in Section 81 and 83 of the Act. As the Band's elected representatives, the Chief and Council are the authorized local government and the ultimate legal authority on the reserve.

The Chief and Council are responsible for setting policies and objectives, and seeing that these are properly administered by the Band staff. They are responsible for local administration of community services for residents on Band-controlled land, including roads, housing, welfare, sanitation, school buses, etc. The Council is also responsible for the interests of the Band membership regarding matters affecting Aboriginal rights, treaties, and Band capital and revenue funds in trust. In this respect, their jurisdiction extends to Band members who live off the reserve. Band Councils may also deal with matters involving non-Band members with respect to business and industrial interests, such as the regulation of land leases, oil royalties, lumber, tourism, etc.

##### **4.2 Roles and Responsibilities**

The specific roles and responsibilities of the Band Council, which should involve working towards attainment of the Council's general aims and objectives, are as follows:

###### **Professional Development:**

- Become familiar with any information which may help them to fulfill their roles as Councillors, such as:
  - the Council's authority, jurisdiction, and duties;
  - Band policies, procedures and operations;
  - the organizational structure of their Band Government; and
  - responsibilities of their portfolios (if applicable).
- Avail themselves of relevant training programs. (Management and administrative programs for Indian leaders and Band staff are offered by INAC, and are also available at training institutes across Canada. For a list of short training courses available to Bands from INAC, see "Training Available From INAC" in Personnel Administration, on page 189. For further information on Indian Management development training, consult regional or district INAC offices.)

**Management - General:**

- Define review the Band's objectives, policies, bylaws, regulations and procedures related to Band-administered programs and services, and ensure that they are followed and carried out.
- Define program and departmental-specific goals, objectives, and policies, in cooperation with program supervisors and community committees where applicable, and revise where appropriate.
- Ensure that all programs and services within their jurisdiction are efficiently administered, and that Band's policy guidelines, objectives, bylaws and regulations are followed.

**Management - Financial:**

- Plan and budget for the funds and resources required for the administration of Band Government services.
- Negotiate funding arrangements with Indian and Northern Affairs Canada and other government departments, for areas under the Band's jurisdiction, and for which the Band Council has assumed administrative responsibility.
- Monitor overall Band and departmental budgets and services, and approve financial transactions in accordance with the Band's financial administration policies.
- Ensure sound financial management of all Band government programs and services, and be fully accountable to Band members and to funding agencies.
- Ensure that all Band-controlled contractual agreements are met, according to contract/agreement specifications.

**Management - Personnel:**

- Define/ratify employee job descriptions and responsibilities.
- Confirm/ratify all Band staff hirings and terminations. Ensure that Band employees are adequately qualified for their job responsibilities, carry out their job duties according to their job description, and adhere to Band regulations. (The day-to-day responsibilities of this function are generally delegated to the Band Manager, who acts on the Band Council's behalf.)

- Establish a Code of Ethics and Discipline Policy for employees.
- Undertake a comprehensive annual evaluation of Band-controlled programs and Band staff/responsibilities, in cooperation with the Band Manager, program supervisors, and community committees, where applicable, and revise policies and objectives as required.

**Management - Public Works:**

- Approve and regularly review a community plan, which sets direction for community development.
- Establish or review housing policy, in consultation with the housing committee (if applicable) and public works staff. (See also Developing a Housing Policy, page 33.)
- Confirm standards for building programs, with the assistance of qualified professionals. (Many of these will be subject to standards set by funding agencies.)
- In consultation with professionals, plan and approve designs for capital projects, and invite and approve tenders for these projects. (See also Contracts and Tenders, on page 280).
- Direct staff and public works contractors to set and follow management principles; ratify management plans for the scheduling, budgeting, and quality objectives of public works construction, renovations, operating and maintenance plans, and ensure these plans are monitored.

**Political - External:**

- Represent the Band and the political concerns of its members at meetings and conferences, etc., and report back to Band members regarding key issues and concerns raised at such meetings.
- Liaise with all levels of government and other relevant agencies.
- The Chief and Council may, as they deem necessary, delegate authority to designated bodies at the regional, provincial, and national level, to speak on behalf of the Band on matters pertaining to Indian interests.

**Political - Internal - Accountability to Band Members:**

- Establish communication strategies with the Band membership regarding Band policies, program objectives, and services.
- Report to the Band membership, at least annually, on Band Government finances and program achievements.
- Also report to Band members regarding key issues, concerns, and developments on a district, regional, and national level.
- Permit Band members access, at reasonable times, to the minutes of Band and Council meetings, bylaws and resolutions, the annual budget, monthly financial statements, audit reports, and the Band's administration policies.

**General:**

- Attend all Band Council meetings, and follow proper meeting procedures. (See Guidelines and Procedures for Band Council meetings, page 18.)
- Chair committees as assigned by Council, and if a committee Chairperson, report that committee's progress at Council meetings, and submit copies of the committee's meeting minutes to Council.
- Adhere to a Code of Ethics. (See Appendix I for a Sample Contract of Office for Band Chief and Council, page 150.)

**4.3 Band Council Resolutions**

A resolution of Council is a method of expressing a Band Council decision, and is less formal than a bylaw. A Council resolution can be amended or overruled through a majority vote at another duly called meeting of Council. Resolutions must be read at a Council meeting, moved, seconded, then placed before the meeting by the Chairperson, discussed, and passed in a vote by a quorum (majority) of Councillors.

Resolutions are often extracted from the minutes of a Band Council meeting and typed on to a Departmentally-issued form, referred to as a BCR. A BCR form is often required to inform the Department of Indian Affairs of a formal Council decision, and to prompt the Department to act. A BCR conveys a Council's decision in a formal way. A quorum of Council signatures is required to validate a BCR form. All BCR's should be numbered in sequence (i.e. # 90-1), for easy reference. (See sample BCR's in Appendix V, page 163.)

## 4.4 Bylaws

### a) General

Bylaws are laws made for specific local purposes by authorized representatives of a local government, and are effective within the jurisdiction of that government. Bylaws are therefore a form of legislation.

Band Councils are authorized under Sections 81, 83, and 85.1 of the Indian Act to make specific types of bylaws. A Band bylaw is a law that applies on the reserve. All persons to whom the bylaw applies, whether they are Band members or not, are bound by that law.

Band bylaws must comply with the enabling legislation, the Indian Act, but they may override other statutes, both federal and provincial. Band bylaws are laws of Canada, subject only to court challenge, as are any other laws.

By choosing to exercise the authority to make bylaws, a Band Council assumes the reassociated with law-making. Therefore, with regard to bylaws, Band Councils are responsible for:

- identifying the contents of a bylaw;
- having the bylaw drafted;
- getting it passed;
- making any necessary amendments;
- seeing that the bylaw is enforced; and
- if challenged, defending it before the courts.

Band bylaws usually stand for some period of time, unless they are amended, cancelled, or overstep the authority provided under the Indian Act. All bylaws must be forwarded to the Minister of Indian Affairs for approval. It is recommended that important bylaws be reviewed or drawn up by the Band's lawyer. (The Band Council should obtain legal advice on any legal matters pertaining to the Band.)

### b) Section 81 Bylaws

Section 81 of the Indian Act lists over 20 purposes for which Councils may make bylaws. The Band Council may make bylaws about such things as the regulation of traffic on the reserve, the observance of law and order, prevention of disorderly conduct, dividing the reserve for land use purposes, and the removal and punishment of trespassers.

Section 81 bylaws made by Band Councils must be forwarded by mail to the Minister of Indian Affairs within four days of when they are passed. Unless a Section 81 bylaw is disallowed by the Minister within 40 days, it comes into

effect. However, the Minister may declare the bylaw to be in force at any time within the 40 day waiting period.

**c) Section 83 - Money Bylaws: Taxation and Licensing Powers**

Section 83 of the Indian Act authorizes Councils to make money bylaws for local purposes. Under this Section, Band Councils have broad taxation and licensing powers to support Band projects.

As a result of the 1988 amendments to the Indian Act, the taxation powers of First Nations/Bands were significantly strengthened and expanded. Band taxation powers now clearly apply to non-Indian as well as Indian interests, including leaseholds on reserves and designated (formerly conditionally surrendered) lands. Section 83 also provides a broad authority to license all businesses, professions, trades and occupations.

Basically, there are three different powers under Section 83. These include:

- 1) The right to pass bylaws taxing land use, interests, or rights related to land, which can apply to non-Indians, Indians, or both.
- 2) The authority to license (such as business licenses).
- 3) The authority to raise money from Band members for Band projects. (This might include such things as service fees for supplying water.)

Real property taxation is based on an assessment of the value of land and buildings or other improvements attached to the land. There are also other fair methods of calculating and assessing taxation of land or land use which can be authorized under Section 83.

The Band's detailed policy as to how any of these would be carried out would be stated in a Band money bylaw. Band Councils may find it useful to discuss drafts of proposed money bylaws with the Indian Taxation Advisory Board or its Secretariat, before they officially pass the bylaws.

Bylaws passed pursuant to Section 83 of the Indian Act (money bylaws) must, like other bylaws, be forwarded to the Minister for approval. However, there is no set time limit on the approval of Section 83 bylaws. The current process for approval involves approximately seven months from the date of receipt by the Indian Taxation Secretariat.



**d) Bylaw Training Available from INAC**

Indian and Northern Affairs Canada now offers a two day course for Bands, "Introduction to Bylaws", which provides an introduction to the preparation and processing of bylaws made under sections of the Indian Act. The course content includes definition, authorities, enacting, drafting, enforcing, and amending/appealing of bylaws. Band Administrators interested in further information can contact:

Lands, Revenue and Trusts Training  
Planning & Coordination  
Indian and Northern Affairs Canada  
1 - (819) - 997-8283

**e) Indian Taxation Advisory Board**

Many Band Councils are now considering using their new taxation powers. However, not all Bands may want to adopt taxation bylaws. The potential tax base may not be significant, the cost and trouble involved may not justify the returns, or service charges or negotiated agreements with potential taxpayers may be as effective.

For those Bands who decide to proceed, however, establishing a tax system is a major undertaking. For this reason, the government created the Indian Taxation Advisory Board (I.T.A.B.).

ITAB is the first Indian-controlled administrative Board to be involved in the exercise of decision-making powers under the Indian Act. The Board's responsibilities include:

- facilitating the use of taxation bylaws, by providing advice and assistance to Bands in making comprehensive, clear, and effective taxation bylaws, which meet specific requirements of the Indian Act;
- mediating as needed with affected parties, including other governments; and
- making formal recommendations to the Minister regarding the approval of bylaws, which gives them the force of law.

The Indian Taxation Advisory Board has produced a booklet entitled Introduction to Real Property Taxation on Reserve (QS-5260-000-BB-A1), for the benefit of Bands who are contemplating the use of their taxation powers.

This booklet includes:

- A basic introduction to property taxation under the Indian Act, including the essential elements of property taxation, its basic purposes, methods of calculating and assessing taxation of land or land use, different types of taxation, and appeals.
- An explanation of the new provisions of the Indian Act included in Bill C-115 (June 1988).
- The nature and requirements of taxation bylaws, the process for bylaw approval, the benefit of Bands interacting with the Board prior to the passage of a bylaw, and a schedule for the bylaw approval process.
- The role and mandate of the Indian Taxation Advisory Board.

Further information on Band property taxation is available from:

Indian Taxation Advisory Board  
10 Wellington Street  
Les Terrasses de la Chaudiere  
Ottawa, Ontario  
K1A 0H4

**f) Indian Taxation Secretariat**

The Indian Taxation Secretariat was established to serve the Indian Taxation Advisory Board's needs for technical and policy advice. The Secretariat is also INAC's centre for Indian taxation bylaw administration.

The Secretariat's duties involve assisting the Board with its advisory and analytical functions. The Secretariat reviews bylaws in detail and makes recommendations to the Board. Under the Board's direction, the Secretariat is able to help Band Councils develop sound, suitable bylaws, which have a good potential of receiving the Minister's approval.

## **4.5 Capital Projects/Technical Services**

### **a) Delineation Between Band Council and INAC Responsibilities**

The specific responsibilities of each Band Council and Indian and Northern Affairs Canada for the management and delivery of capital projects/technical services (including capital construction projects, housing, operation and maintenance, fire and safety, and related programs), depend on the funding mechanism selected for the delivery of programs.

A booklet entitled, "Departmental Directive on the Delivery of Technical Services (available from INAC) identifies the roles and responsibilities of Band Councils, Band Support and Capital Management staff, and INAC Technical Services staff, with regard to the delivery of technical services. The publication outlines the Department's directives pertaining to delivery of technical services, which came into effect April 1, 1990.

This publication includes information on:

- The Department's policy regarding the management and delivery of capital, housing, operation and maintenance, fire and safety, and related training programs;
- The main steps and activities involved in the various phases of program management and delivery;
- Who (the Band Council or INAC) is responsible for ensuring that any particular activity has occurred;
- The different Departmental funding mechanisms available for the delivery of programs;
- Available sources of funding for the provision of technical services, and options for the delivery of programs by Band Councils; and
- The respective roles and responsibilities of the Department and INAC Technical Services staff, relating to the delivery of programs.

The following Table: "Delivery of Technical Services - Responsibilities" outlines the major responsibilities of Band Councils (referred to in the chart as F.N. - First Nations) and the Department in key steps of the delivery of technical services under various funding mechanisms. These are categorized by those delivered by the Department (Votes 5 and 10), and those delivered by Band Councils (FNs) under Contribution Agreements and Flexible Transfer Payments, and Alternative Funding Arrangements. As indicated, detailed information on this area is available from INAC in the "Departmental Directive on the Delivery of Technical Services".

b) Table 1: Delivery of Technical Services - Responsibilities

MAJOR STEPS	DELIVERED BY		DELIVERED BY F.N.*			
	DEPARTMENT		CA & FTP		AFA	
	DIAND	F.N.*	DIAND	F.N.*	DIAND	F.N.*
<b>A. PROGRAM PLANNING PHASE</b>						
A.1 Prepare First Nation Capital Plan		X		X		X
A.2 Prepare First Nation O & M Plan		X		X		X
A.3 Approve First Nation Plans	X		X		X	
A.4 Prepare Departmental Capital O & M Plans	X		X		X	
A.5 Develop Funding Arrangement	N/A		X		X	
<b>B. PROJECT PLANNING PHASE</b>						
B.1 Establish Project Management Regime	X			X		X
B.2 Develop Project Brief	X			X		X
B.3 Do Feasibility Studies & Concept Plans	X			X		X
B.4 Approve Project Brief	X		X			X
B.5 Confirm Compliance with Terms & Conditions	N/A		X		N/A	
<b>C. PROJECT IMPLEMENTATION PHASE</b>						
C.1 Prepare Preliminary Design	X			X		X
C.2 Approve Preliminary Design	X			X		X
C.3 Prepare Detailed Design & Working Documents	X			X		X
C.4 Approve Detailed Design & Working Documents	X			X		X
C.5 Prepare and Award Construction Contract	X			X		X
C.6 Manage Construction	X			X		X
C.7 Transfer Facility to User / Operator	X			X		X
C.8 Confirm Compliance with Terms & Conditions	N/A		X		N/A	
<b>D. O &amp; M / ASSET MANAGEMENT PHASE</b>						
D.1 Manage and Deliver O & M Services	X			X		X
D.2 Maintain Asset Inventory	X			X		X
D.3 Inspect / Report on Asset Condition	X			X		X
D.4 Maintain DIAND C.A.I.S. and A.C.R.S.	X		X		X	
D.5 Confirm Compliance with Terms & Conditions	N/A		X		N/A	
<b>E. PROGRAM EVALUATION PHASE</b>	X		X		X	

\*Note: F.N. refers to First Nations.

Source: "Departmental Directive on the Delivery of Technical Services", INAC.

## **5. Election/Selection of Band Chief and Council**

### **5.1 Under the Indian Act**

Under Section 74(2) of the Indian Act, the Council, (unless otherwise authorized by the Minister,) must consist of one Chief, and one Councillor for every 100 Band members. However, there can only be one Chief, and the number of Councillors may not be less than two, or more than 12. (See Appendix VI for Election Regulations.)

### **5.2 According to Tribal Custom**

Bands have the option of holding elections according to the Band's Tribal Custom, provided the majority of the Band membership agrees. Bands are not subject to the electoral regulations of the Indian Act (Sections 74 to 79), if they receive approval from the Minister to elect their Chief and Council members according to Band custom. In order for a Band to do so, they must forward a Band Council Resolution to the Minister of Indian and Northern Affairs, describing the Band's custom in detail, and obtain the Minister's authority to use their Tribal Custom system.

### **5.3 Election Procedures Training**

INAC offers a two day course, "Introduction to Election Procedures", on procedures to follow when holding Band elections pursuant to the Indian Act. The course includes roleplaying, preparing for an election, nomination meetings, voting procedures, and election/ selection by Band Tribal custom versus Indian Act election procedures. Band administrators interested in attending this course may contact:

Lands, Revenues and Trusts Training  
Planning & Policy Coordination  
Indian & Northern Affairs Canada  
1-(819)-997-8283

## **6. Band Council Meetings**

### **6.1 Introduction**

This section provides guidelines for Band Council meetings, including setting meeting agendas, and proper meeting procedures. (The following section provides information on recording the minutes of Band Council meetings.)

### **6.2 Meeting Agenda**

The Chief, as Chairperson, should prepare agendas for Band Council meetings, and usually is assisted by the Band Manager. The agenda should include a list of items to be discussed, including resolutions to be passed, and the order in which items will be discussed. It is useful to allocate specific time periods for each discussion topic, to help the Councillors stay on course through the meeting.

The agenda provides the Council members with an overview of what will be discussed at the meeting, and in what order these items will be discussed. If background information relevant to the meeting is available when the agenda is distributed, these should also be attached to the agenda, to allow the Councillors time to read them through and to be prepared to discuss them at the meeting.

The agenda, the minutes from the previous meeting, and other relevant materials should be distributed to the Council at least one working day prior to the Council meeting, and preferably 2 days before the meeting.

A sample Band Council Meeting Agenda follows.

## **Sample Band Council Meeting Agenda**

### **Agenda for XXX Band Council Meeting Band Council Meeting Room March 6, 1990**

1. Reading, corrections and amendments (if any), and adoption of the minutes of the past Council meeting.
2. Unfinished business from the previous meeting:
  - a) Finish discussions regarding the recommendations of the Culture and Recreation Committee regarding a proposed budget for the Band sponsored Pow-Wow to be held on August 25 and 26, 1990.  
  
Resolution to be discussed:  
  
"That the XXX Band Council approve the recommendations of the Culture and Recreation Committee to proceed with the proposed budget of \$ 30,000 for the Band Pow-Wow to be held August 25 and 26, as detailed in the Culture and Recreation Committee's proposal, attached".
3. Presentation of February financial statements by Band Manager.
4. Presentation of reports and discussions:
  - a) Economic Development Portfolio Councillor: will present summer student employment creation proposal developed for the Band.
  - b) Housing Portfolio Councillor: will present the recommendations of the Housing Committee for 1990 housing renovations.
  - c) Health and Social Development Portfolio Councillor: will present the recommendations that the CHR and Nurse add an educational module on nutrition to their school education program.
  - d) Band Land Planning and Revenue Committee: will present their recommendations for budget allocations for the Band's fiscal year, 1990-91.
5. New business: request from Band member - Josephine Piche - to make a presentation regarding the development of a Band bylaw on dog control.
6. Adjournment.

### 6.3 Guidelines and Procedures for Band Council Meetings

All Council meetings should be held in a businesslike manner. It is very important, for legal reasons, that proper procedures be followed for Band Council meetings. It is up to the Council Chairperson - generally the Chief - to ensure that the agenda is followed and kept "on track", and that proper meeting procedures are followed. New Council members should familiarize themselves with the proper guidelines and procedures governing the Council Meetings.

Notwithstanding regulations respecting Band and Council meetings (Section 80 of the Indian Act), the following are suggested guidelines and procedures regarding Band Council meetings:

- 1) The first meetings of the Council shall be held not later than one month after its election, on a day, hour and place to be stated in a notice given to each member of the Council.
- 2) Meetings shall thereafter be held on such days and at such times as may be necessary for the business of the Council or the affairs of the Band.
- 3) The Chief, in conjunction with the Band Manager, shall prepare an agenda for each meeting. The agenda shall include a list of items to be discussed, reports to be presented, and Band Council resolutions or bylaws to be passed.
- 4) The agenda, the minutes from the previous meeting, and any relevant available background material for the meeting shall be distributed to the Council at least one working day prior to the regular Council meetings, and preferably 2 days before the meeting.
- 5) Meetings shall be scheduled at regular times, and all members shall be notified of the meeting in writing (as stated in 4).
- 6) Emergency or special meetings may be called by the Chief, who shall summon a special meeting if requested to do so by a majority of the Council.
- 7) A majority of the whole Council shall constitute a quorum, but if the Council consists of nine or more members, five members shall constitute a quorum.
- 8) If no quorum is present within one hour after the time appointed for the meeting, the Secretary shall take the names of the members then present, and the Council shall adjourn until the next meeting.

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Note: Band Council members may also refer to other procedural guidelines, such as Roberts Rules of Order, for further details on proper meeting procedures.



- 9) No Council member may be absent from three consecutive meetings of the Council without being authorized to do so by the Chief, and with the consent of the majority of the Band Councillors.
- 10) The Chief shall chair the meetings; if the Chief will be absent or late, a Councillor shall be appointed to act as Chairperson until the Chief is able to be present.
- 11) The Chairperson shall maintain order in the meetings and decide all questions of procedure.
- 12) The order of business at each regular meeting shall be as follows:
  - a) The reading of, corrections to, and adoption of the minutes of the previous meeting.
  - b) Unfinished business from the previous meeting.
  - c) Presentation and reading of correspondence.
  - d) Presentation of financial statements from previous month and accounts payable for approval.
  - e) Presentation and consideration of reports.
  - f) New business. (Presentations from individual Band members could be scheduled here).
  - g) Adjournment.
- 13) The financial statement and accounts payable shall be dealt with at each meeting, or at least once a month.
- 14) Councillors wishing to speak shall address their remarks to the Chairperson and confine themselves to the topic then before the meeting.
- 15) In the event of more than one Councillor wishing to speak at one time, the Chairperson shall determine who is entitled to speak.
- 16) Any member may appeal the decision of the Chairperson of the Council; all appeals shall be decided by a majority vote and without debate.
- 17) All questions before the Council shall be decided by a majority vote of the Councillors present.

- 18) The Chairperson shall not vote, except when the Council's votes are equal, at which time the Chairperson shall cast the deciding vote.
- 19) All Council members shall vote, unless they have a personal interest in the question, in which case they shall be excused from voting. (Council should adopt conflict of interest guidelines.)
- 20) A Council member who refuses to vote shall be deemed to vote in the affirmative.
- 21) On every vote taken, members shall announce their votes upon the question openly, and when requested by any member, the Secretary shall record the same.
- 22) Council members may request the question or resolution under discussion to be read for their information at any period during a debate, but should not interrupt a Councillor who is speaking, in making their requests.
- 23) Regular meetings shall be open to members of the Band, and no member shall be excluded, except for improper conduct. (Special in camera meetings - closed to the public - may be held for sensitive topics.)
- 24) The Chairperson may expel or exclude any person who causes a disturbance at a meeting.
- 25) The Council may appoint special committees on any matters as the interests of the Band may require.
- 26) The Chief of the Band shall be a member of all committees by virtue of office, but is not entitled to vote at these meetings or hold office in these committees; other members of the Council may attend committee meetings, and may take part in the discussions, with the committee's consent.
- 27) Band Council meetings shall be cancelled if: a) there is no quorum, or b) there is insufficient business, and it is not of a pressing nature. The Chief may use his/her discretionary powers in cancelling a meeting.

## **7. Minutes of Band Council Meetings**

### **7.1 Introduction**

The decisions of a Band Council, like those of other local government authorities, require effective recordkeeping and documentation. The minutes of Band Council meetings are important records of the Council's decisions on all administrative, financial and governmental matters within their jurisdiction. As such, they may be considered legal documents.

As a result, accurate, formal records must be kept of all Council meetings. All Council decisions, whether of a minor nature, expressed in the form of motions, or more major policy decisions in the form of resolutions or bylaws, must be accurately recorded in the Council minutes.

The minutes should record all decisions made by the Council, and the reasoning behind those decisions. Band Council minutes can be used as a method of informing staff, Band members, and government departments of the decisions which Council has made. If there is ever a requirement to ensure the legality of a Council decision, it is important that the Council minutes document that proper, legal procedures (such as proper voting procedures, a quorum of Councillors were present, etc.) were followed, and that the decision was accurately recorded.

Minutes of Band Council meetings should be signed by the Chief and the Band Manager on the last page; the Chief should initial all other pages of the minutes. Original signed copies of all minutes, bylaws, and BCRs should be filed in a safe place in the Band office; copies can be filed separately. Minutes of Council meetings should also be posted in a public place, so that Band members can review them and be kept up-to-date on Council decisions.

Minutes of the Council's last meeting, along with the meeting agenda and any other relevant materials, should be distributed at least one full business day prior to the Council meeting, and should be brought to the Council meeting. Each Council member should maintain a personal file of Band Council minutes and other relevant materials, for reference purposes.

## **7.2 Band Council Minutes**

The Band Secretary is usually assigned to take accurate minutes of Band Council meetings. It is therefore useful for the Secretary to have shorthand skills for recording the meetings. Some Secretaries have a tape recorder set up at meetings as a "back up", to ensure that all discussions, motions, etc., have been properly recorded. Minutes should be recorded in such a way that the reader can easily understand what went on in the meeting, what decisions were reached, and the reasoning behind them.

Minutes should include the following information:

- the date, time and location of the meeting;
- a list of those present, and those absent;
- matters discussed, item by item, including the opinions expressed by those who attended (at minimum, key discussion points);
- the names of those making motions and seconding them, as well as the results of the voting;
- action items assigned, to whom, with expected completion dates and results;
- matters not discussed, or decisions postponed, with an explanation;
- the date, time and place of next meeting.

The Secretary should sit next to the Chairperson, and when any motions or decisions are made, the Secretary should read them back aloud, to ensure they have been properly recorded. The Chairperson might assist by repeating key points.

## **7.3 Sample Band Council Minutes**

An example of minutes of a Band Council meeting follows. These sample minutes may help the Secretary (or other person assigned to record the minutes) to see how they might look, and give examples of key information from a Council meeting which should be included in the minutes.

MINUTES OF THE XXX BAND COUNCIL MEETING  
Band Council Meeting Room  
March 6, 1990

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Those Present: Chief Roy Iron  
Councillor Lorne Daniels  
Councillor Philip Young  
Councillor George Ledoux  
Councillor Wallace Bear  
Councillor Elizabeth Starr  
Councillor Don Martell  
Councillor Marie Bellegarde  
Councillor Wayne Paquachan  
Band Manager: Alan Poitras  
Secretary: Cathy Esperance

Those Absent: None

- The minutes of the last meeting were read aloud by the Secretary. It was moved by Councillor George Ledoux and seconded by Councillor Wallace Bear: "That the minutes of the February 6 Council Meeting be approved as read." The motion was passed unanimously.
- Unfinished business from last meeting: The Council completed discussing the recommendations of the Culture and Recreation Committee regarding the proposed budget and activities for the Band sponsored Pow-Wow to be held on August 25 and 26. Don Martell, Culture and Recreation Portfolio Councillor answered the questions of the Council regarding details of the proposed budget and activities, and reviewed the draft grant proposal to the Prov. Dept. of Culture and Recreation. Councillor Martell reported that he has discussed the draft proposal with the Provincial Dept. of Culture and Recreation, and the prospects for funding are good. The Band will receive confirmation of funding by March 31st.

Action: Councillor Don Martell and Band Manager Alan Poitras will complete the funding proposal to the Provincial Department of Culture and Recreation requesting a \$20,000 grant towards the Pow-Wow expenses, review it with the Chief, and submit it by March 15.

BCR #90-12:

"That the XXX Band Council approve the recommendations of the Culture and Recreation Committee to proceed with the proposed budget of \$30,000 for the Band

Pow-Wow to be held August 25 and 26, as detailed in the Culture and Recreation Committee's proposal attached, and contingent on confirmation of a \$20,000 grant from the Provincial Culture and Recreation Department."

Moved by Councillor Philip Young; seconded by Councillor Don Martell; carried unanimously.

- The Band Manager presented and reviewed the Band's financial statements and accounts payable for February, 1990, and answered several questions regarding the statements.

It was moved by Councillor Marie Bellegarde, seconded by Councillor Wayne Paquachan:

"That the financial statements as submitted by the Band Manager and attached to these Minutes be approved as submitted, including a total of \$ XXX in disbursements, a total of \$ XXX in receipts, and a total of \$ XXX in accounts payable approved for payment by the Council." Passed unanimously.

- Presentation of reports and discussions:

- a) Councillor Lorne Daniels presented the Summer Student Employment Creation which he and the Band Manager developed for submission to the Canada Employment and Immigration Commission. Councillor Wallace Bear commended Councillor Lorne Daniels and Band Manager Alan Poitras on the excellent job they had done on the proposal. Councillor Wayne Paquachan added that if approved, the proposal would provide good training opportunities for the students, while also providing some useful community services. He pointed out that the establishment of a community garden and greenhouse as provided in the proposal, if successful, could be maintained by the Band on an ongoing basis. Councillor Elizabeth Starr asked when the Council would hear as to whether the proposal would be accepted; Councillor Lorne Daniels said the proposals would be reviewed by CEIC in April, and that the Band could expect word by the end of May.

It was moved by Councillor Marie Bellegarde, seconded by Councillor Philip Young, that the following resolution be adopted:

BCR # 90-13:

"That the XXX Band Council adopt the Summer Student Employment Creation Proposal as developed by Councillor Lorne Daniels and Band Manager Alan

Poitras, and that the Band Manager proceed to submit it to Canada Employment and Immigration Commission for funding." Carried unanimously.

- b) Wallace Bear, the Housing Portfolio Councillor, presented the recommendations of the Housing Committee for 1990 housing renovations, and answered the Councillor's questions regarding the recommendations. Wallace Bear pointed out that these recommendations were based on the extensive housing survey carried out over the winter by the Housing Committee. He added that the renovations were listed in order of priority by need, as per the Band's Housing Policy, and that due to budgetary restrictions discussed with the Band Manager, less crucially needed renovations requested by Band members would be put forward to next year.

Moved by Councillor Lorne Daniels, seconded by Councillor Wayne Paquachan:

"That the recommendations of the Housing Committee for 1990 housing renovations, as listed in the attached report, be approved by the XXX Band Council, and that the Band's Construction Projects Manager be authorized to proceed with coordinating the renovations as listed and budgeted." Carried unanimously.

- c) Elizabeth Starr, Health and Social Development Portfolio Councillor, presented a report of the Health and Social Development Committee which recommended that the CHR and Nurse develop an educational module on nutrition for the health education program in the Band high school. Councillor Starr fielded questions from the Council. It was agreed that disease prevention through nutritional education is a good approach.

It was moved by Marie Bellegarde, seconded by George Ledoux:

"That the Band Council authorize Councillor Starr to coordinate the addition of an educational module on nutrition for the health education program in the Band high school, with the curriculum development to be undertaken by the Nurse and CHR." Carried unanimously.

- d) The Band Land Planning and Revenue Committee Chairman, Wayne Paquachan, presented the Committee's report and recommendations for budget allocations for the Band's fiscal year, 1990-91. He was assisted in his presentation by the Band Manager, Alan Poitras.

The Chief proposed that, since time was running short, that the Band Council review the budget proposals and meet in one week's time (March 13) to deal solely with the Band Land Planning and Revenue Committee's budget recommendations.

"That the XXX Band Council defer decision on adoption of the Band Land Planning and Revenue Committee's budget recommendations, and meet on March 13 at 9:30 a.m., to deal solely with these recommendations at that time." Carried unanimously.

The Chief stressed that all Councillors should thoroughly review the Committee's budget recommendations before the next meeting, and have a list of questions or concerns prepared for that time.

- e) New business: Josephine Piche made a presentation regarding the development of a Band bylaw on dog control. Mrs. Piche pointed out that there were several children bitten by dogs on the loose over the past year. She thinks a bylaw should be established which requires Band residents to keep their dogs on a leash, and the bylaw enforced by levying fines to Band members who do not adhere to the bylaw. She also suggested that the Band Buildings Maintenance Manager might serve as a part-time dog catcher, when required.

The Chief asked Mrs. Piche if she would be willing to conduct a door-to-door survey on the Reserve, to obtain a consensus of community opinion on this topic. Mrs. Piche said she would be willing to do this. The Band Manager was assigned to assist Mrs. Piche in drawing up a questionnaire, which the Secretary will type. Mrs. Piche will use this to conduct the survey, and will report back to the Council on the results of her survey when it is completed.

6. Adjournment:

It was moved by Councillor George Ledoux, seconded by Councillor Marie Bellegarde:

That the Council meeting be adjourned, to reconvene March 13 at 9:30 a.m." Carried unanimously.

(signature)

\_\_\_\_\_  
Allan Poitras, Band Manager

(signature)

\_\_\_\_\_  
Chief Roy Iron



## **8. POLICY DEVELOPMENT**

### **8.1 Introduction**

It is the responsibility of the Band Chief and Council to develop policies on various issues regarding Band Government operations, programs, and services. Important decisions made by the Chief and Council to do something, to have something done in a certain way, or to set out a course of action, are called policy. When bylaws are passed, or regulations are made, these are written words of policy. It is the responsibility of the Band Council, as the elected representatives of the people, to make policies and to see that these policies are carried out by the Band staff.

Policies should be developed through careful consideration of all the issues involved. The clarification of policies ensures that, in the case of a conflict or question arising with regard to any issue, a policy is in place to clearly guide the decision-making of both the Band Council and Band staff employees, in terms of how a particular issue should be dealt with. Such policies ensure that the Band Council does not have to meet to decide on every minor issue that arises; with policies established, decision-making guidelines are in place to assist Band administrators. Policies should also be clearly defined in writing and accessible to Band members.

Policies should reflect the wishes and concerns of the general Band membership, and be beneficial to the members overall. Community committees and community meetings can be utilized to ensure that community input is obtained into policy decision-making. Policies should be regularly examined and updated to reflect changing conditions and community concerns.

It should be noted that policy development must consider legal and contractual requirements by funding, regulatory or government agencies. For example, Medical Transportation policies must adhere to guidelines set by Health and Welfare Canada, Medical Services Branch. (See Appendix II for MSB Guidelines on Medical Transportation.)

### **8.2 General Guidelines for Developing Policies**

The development and review of policies should occur on an ongoing basis. Policy development generally involves the following four steps:

- 1) **Planning** - Most organizations go through a regular planning process - at least annually - which involves defining or reviewing their mission or purpose (overall, and for each area or department), goals, objectives, and strategies to reach those goals and objectives. A Band might develop plans for both the short term (one year) and long term (up to five years or longer). Such plans are often referred to as "operational plans".

This planning process often involves setting priorities, such as, which are the most important goals to accomplish in the short term? The policies and budgets of an organization would then reflect the decisions, objectives, and strategies which were established in this planning process. Policies for each department are used to determine how resources (staff and funding) will be used.

In the case of First Nations Governments, the wishes and priorities of the Band members may be an important part of the planning process. There are various ways to involve Band members in the planning and decision-making processes. (See C. Band Membership Involvement, on page 49).

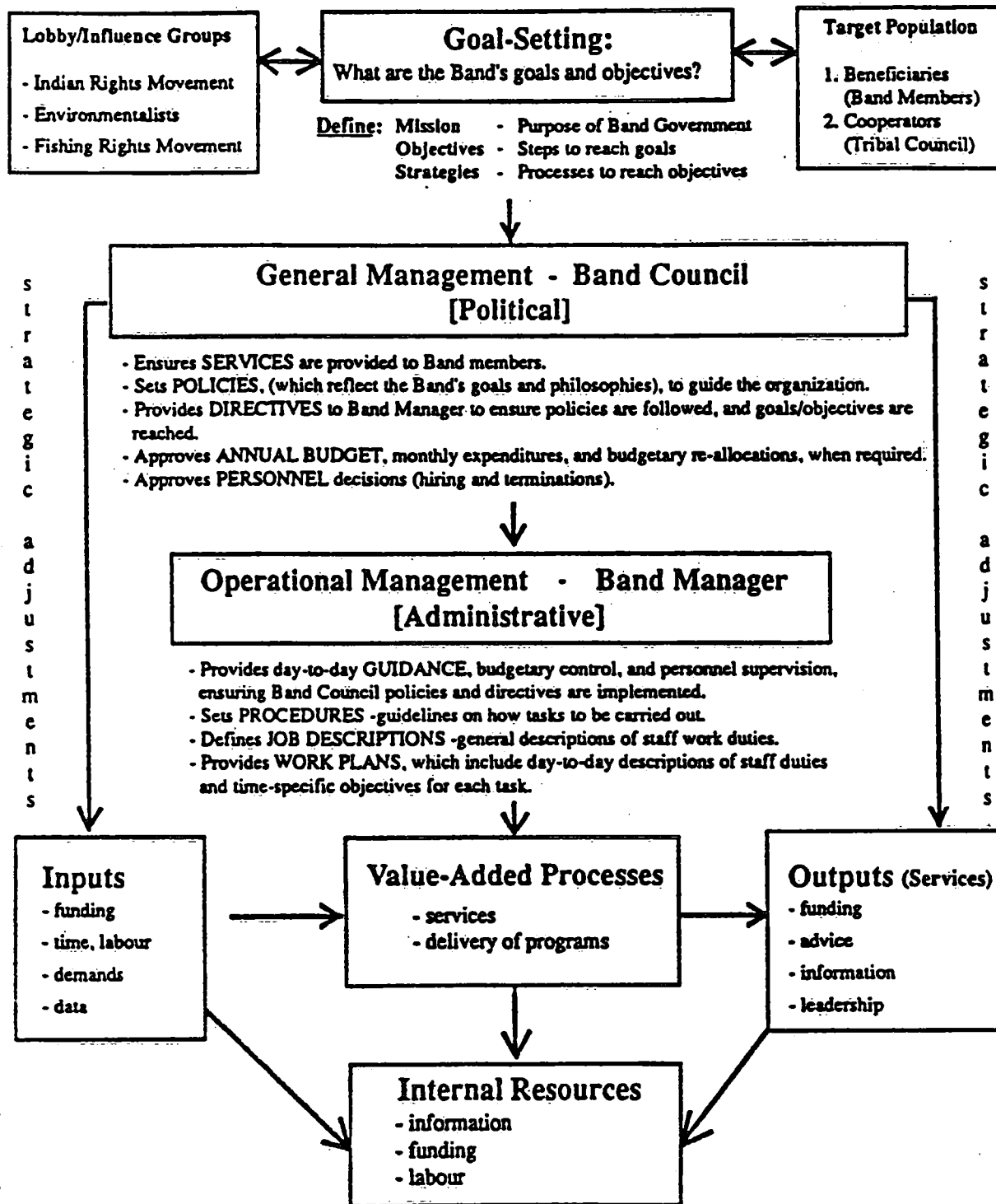
- 2) **Directing** - The staff of the organization must then be directed how to implement the goals, objectives and policies developed in the planning process. They would be provided with policy decisions, procedural guidelines, budgetary guidelines, and other directives which resulted from the planning process. They would be instructed as to what is expected of them, in terms of achievements and services.
- 3) **Supervising** - The senior management of the organization would be responsible for supervising the implementation of the operation plan on a day-to-day basis. This would involve the development of detailed objectives for specific departments, as well as job descriptions (general) and work plans (more specific) for individual staff members. The Band Manager, through individual and group staff meetings, can supervise and assess progress on an ongoing basis.
- 4) **Review** - Planning or operational reviews should also be conducted on a regular basis. It is important to review the success of the original plan. For example, an in-depth review of a one year operational plan might be conducted after six months. Factors which affect priorities for programs/projects, as well as the actual implementation of an operational plan, may change, and need to be reviewed. For various reasons, there may be a need to alter the original operational plan. Such reviews may result in changes or "strategic adjustments" to the plan.

Such reviews also entail a built-in evaluation process. The objectives defined for each program can be measured against what has been achieved. Similarly, objectives for each employee, as defined in their work plans, can also be evaluated. In this way, the staff, management, and Band Council have a more concrete way to evaluate their various services, and can, through these reviews, look for ways to improve them.

A chart on the following page, "Planning and Operational Components of an Indian Band" illustrates some of the factors and processes involved in the planning and implementation of Band Government operational plans and services.

**Chart 2: Planning and Operational Components Of An Indian Band**

Authorities: Federal Government, Indian Act, RCMP, Provincial Government, etc.



### 8.3 Sample Band Government Policies

This section contains sample Band Government policies, or guidelines for policy-making on:

- a) Band Membership
- b) Band Housing
- c) Seniors Assistance

Band Councils may find these sections useful when developing their own policies in these areas.

#### a) Developing a Band Membership Policy

##### 1. General

Bands which do not control their own membership are governed by the membership provisions outlined in Section 11 of the Indian Act. Under these provisions, anyone who is registered as an Indian and is affiliated with a particular Band automatically becomes a member of that Band.

Since changes were made to the Indian Act on June 28, 1985 (retroactive to April 17, 1985), Bands may acquire control of their own membership, should they decide to do so, in accordance with the amended version of this Act. With the new version of the Indian Act (which passed Bill C-31 into law), Indian Affairs will continue to maintain a list of all individuals entitled to Indian Status. However, Indian Status and Band membership will no longer go hand in hand. Being named on the Indian Register will not automatically entitle someone to membership in a Band, once the Band has assumed control of its own membership.

The new law which allows communities to gain control of their own membership requires that Bands have a complete understanding of the kind of individuals who are entitled to Indian Status and Band membership, those that are eligible to apply to Bands for membership, and the kind of rules that Bands might apply, upon assuming control of their membership.

A Band may assume control of its own membership once the following steps have been taken:

- 1) The Band's Government has given notice to its membership of its intent to assume control.
- 2) The majority of the community's electors have consented to assume the responsibilities of maintaining its own membership, and to the precise rules or code of membership developed.

- 3) The Band's Government has given notice to the Minister of Indian Affairs that the Band intends to assume control of its membership.

If these steps have been properly followed, and the Band's membership rules respect acquired rights, the Minister will transfer control of membership to the Band. It should be stressed, however, that community input and participation are crucial to the development of Band membership rules or codes. For a Band's membership rules to have federal recognition, they must be approved by a majority of Band electors. It is also advisable for Bands to obtain legal consultation in the development of membership policies and codes.

**2. Information, Training and Assistance Available from Indian and Northern Affairs**

**a) Indian Band Membership Booklet**

Detailed information regarding new Indian Band membership laws, guidelines regarding the preparation of Indian Band membership codes, and suggested methods for community participation in code development are available from Indian and Northern Affairs Canada in a booklet entitled, "Indian Band Membership".

**b) Band Membership Courses**

Two courses regarding Band membership are available from INAC. These include:

- **Indian Registry Reporting**

This five day course is designed to prepare Band Membership Administrators to accurately perform all duties related to the administration of their membership programs. Sessions cover every aspect of membership, and provide participants with exercises they may use for future references.

- **Membership Code Implementation**

This two day course is designed to provide Bands with a starting point in setting up their own membership systems, and insight into Departmental reporting procedures and formats.

For further information on these courses, contact:

Lands, Revenues and Trusts Training  
Planning & Policy Coordination  
Indian and Northern Affairs Canada  
Tel.: 1-(819)-997-8283

**c) Financial Assistance to Bands and Organizations**

Bands who wish to develop their own membership codes may receive grants to be applied against costs associated with the development of these codes.

The federal government has also identified funds for organizations to assist individuals in applying to have their rights restored, or to obtain their first-time registration. Organizations can apply to the government for financial contributions to:

- Provide information, guidance, assistance and advice to individuals who wish to apply for Indian status and Band membership;
- Assist applicants to gather the information required to support their applications; and
- Develop and implement programs to inform people of their rights.

## **b) Band Housing Policy**

### **Introduction**

Band Councils should develop clear policies and procedures to assist in the management of their housing program. This section will briefly provide information on:

- Band Council authorities to make bylaws regarding housing and other buildings on the reserve, and the advantage of putting housing policy in bylaw form;
- the three types of housing authorities on reserve;
- important factors to consider when developing a housing policy.

### **Powers of the Band Council**

Under Section 81 of the Indian Act, "Powers of the Council", Band Councils have the authority to make bylaws to regulate the construction, repair and use of buildings, whether owned by the Band or by individual members of the Band. When placed in the form of a bylaw, housing policy is legally binding upon all on-reserve residents, and like any other law, is enforceable through the justice system. The use of a Band Council Resolution, as an alternate mechanism, may not be the best approach, if the Council wishes to enforce its housing policy.

### **Housing Authority**

The three basic types of housing authorities are:

- |                            |   |
|----------------------------|---|
| 1. Chief and Council       | - The authority to administer housing policies remains with the Chief and Council.  |
| 2. Local Housing Committee | - The authority to administer housing policy is delegated to a locally-formed committee, composed of both elected and non-elected Band members. |
| 3. Tribal Council          | - The authority to administer housing issues is delegated to the District Tribal Council.   |

The size of a Band is the most significant factor in whether or not there is a need to allocate a specific body, apart from the Band Council, to be responsible for the delivery of Band housing.

- In smaller Bands, Band Councils will likely retain the responsibility for administering housing policy, particularly if only one or two housing units are constructed annually on the reserve.
- Band Councils representing larger Bands may decide to allocate a specific body (Local Housing Committee) to administer housing policy on their behalf, especially if they (the Chief and Council) have little or no time to adequately do so.
- Bands, regardless of size, may decide to delegate the responsibility of developing, implementing and managing their housing policy to a Tribal Council.

### **Developing a Housing Policy**

In consultation with Native representatives, the Housing Directorate of Indian and Northern Affairs Canada is developing a new housing policy. Native representatives have indicated the need to develop a flexible policy which allows Band Governments to address the unique situations of many reserves. In keeping with principles of self-determination and self-reliance, the new policy will encourage Band Councils to develop their own housing policies for application to their communities.

When developing a housing policy/bylaw, the Council should ensure that the Band's land allocation system complements its housing policy/bylaw. In addition, the housing policy/bylaw should not conflict with other Band policies or bylaws.

The Band Council may wish to consult a lawyer to assist in drafting their housing policy, or to review it. If the Band establishes housing policy in the form of a bylaw, the bylaw must be forwarded to the Minister for approval. The bylaw will come into force if it is not disallowed by the Minister within 40 days. (See also the section on bylaws, page 9).

Band Councils may wish to consider the following factors when developing a housing policy to best suit their particular circumstances. A housing policy should take all these points into account, and clearly define policies and procedures.

- 1) **Powers of a Band Council-** The Council should review and discuss Section 81 of the Indian Act, which defines Band Council powers to regulate the construction, repair, and use of all buildings on the reserve (Band-owned or privately-owned by Band members).
- 2) **Housing Committee -** There may be discussion on whether or not a Local Housing Committee should be established. If a decision is made to establish a Housing Committee, the composition, authorities, terms of reference, and role and responsibilities of the Committee would need to



be clearly defined. (See also Sample Housing Committee Responsibilities on page 56).

- 3) **Consideration of Other Band Policies and Bylaws** - The Band's housing policy/bylaw should complement its land allocation system, and should not conflict with other Band policies or bylaws.
- 4) **Acquired Rights** - How will acquired rights - those prior to the adoption of a housing policy/bylaw - be dealt with?
- 5) **Ownership** - What will the Band's policy be with regarding to ownership of:
  - Band-owned units;
  - individually-owned units;
  - commercially-owned units?
  - When, and under what conditions will ownership be transferred to an individual?
- 6) **Housing Allocations** - How will houses (new houses and vacancies) be allocated?
  - What will the eligibility criteria be?
  - Housing units should be allocated on the basis of "need". How will priorities be determined for those defined as in need?
  - In deciding upon "need" and prioritizing those in need, factors for consideration could include such things as family size, health, whether applicants are currently living on the reserve, overcrowding factors (the number of ft<sup>2</sup> per family member in current housing units), employment/stability factors, the age of housing units occupied by people in housing units not worth upgrading, etc.
- 7) **Separate Policies for Bill C-31 Members?** The Band may wish to adopt a separate policy/allocation priority criteria for Bill C-31 members. (INAC has policy directives in this area.)
- 8) **Housing Repairs and Renovations** - What will the Band's policy be with regard to housing repairs and renovations? (This relates to numbers 9 and 10 - how will the responsibilities be divided in this area, between the Band and the tenants?)
  - How will priorities be decided upon with regard to repairs and renovations which are the responsibility of the Band? Factors such as health and safety considerations, urgency of repair/renovation requirements, and the goal to maximize the life span of housing units

in a cost-efficient manner, are among the factors which should be considered.

9) **Responsibilities of the Band** - These must be clearly defined. This should include the Band's responsibilities regarding:

- Electricity
- Water
- Damages, and required renovations and repairs
- Insurance
- Snow removal
- Rubbish
  
- The Band may wish to have special policies for Band members on social assistance, senior citizens, old age pensioners, and those on spousal allowances.
  
- For example, with regard to utility charges, the Band may have a policy that its social development/assistance department will be responsible for all utilities (except telephone charges) for Band social assistance recipients.
  
- Similarly, the Band might assume financial responsibility for utility payments (except telephone) for senior citizens, old age pensioners, and persons on spousal allowances.

10) **Tenant Responsibilities** - These must be clearly defined, and could relate to the same items as in 9) above.

11) **Relocation of Existing Units** - What will the Band's policy be with regard to the relocation of existing housing units? This should consider such factors such as:

- Under what conditions?
- Approval process?
- Cost/cost allocation
- Siting (only on residential lots designated as such in the community plan?)

12) **Grievance Mechanism** - How will complaints be resolved? A grievance process should be clearly outlined.

13) **Structure of Rent Payments (if applicable)** - This should include:

- Method for determining rental fees;
- Schedule of payments; and
- What will the policy/procedure be when rent payments are not met?

- 14) **Tenant Agreement** (applicable only to Bands with housing policy bylaws) - If the Band has adopted and passed a housing policy bylaw, tenant agreement Contracts must be drawn up, and each tenant must sign a copy to indicate that he/she has read the bylaw and understands it.
- 15) **Penalty Provisions** (applicable only to Bands with housing policy bylaws) - If the Band has adopted and passed a housing policy bylaw, decisions must be made regarding penalties for contravening any part of the bylaw.
- 16) **Vacancies** - What will the policy be regarding vacancies?
  - What notice will be required for those tenants planning to vacate Band houses (either temporarily or permanently)?
  - Will there be provisions in place to help prevent vandalism on temporarily vacated units?
- 17) **Abandoned Units**
  - Under what conditions will a unit be defined as "abandoned"?
  - What will the process be for officially evicting absent tenants who have not provided notice, and notifying them that the unit which they occupied is being reallocated?
- 18) **Section 6 - CMHC Housing Program** - What portions of the Band Housing Policy will apply to houses constructed under Section 6 of the CMHC housing program? Are there any special policies required in this regard? For example:
  - Will the Band consider approving applications requiring an INAC Ministerial guarantee under Section 6 of the CMHC housing program?
- 19) **Construction Standards** - This would include policies such as:
  - Adoption of building codes, such as the National Building Code.
  - Policy regarding the inspection of units.
- 20) **Amendments** - Will there be a policy in place to regularly review the housing policy, and to implement amendments, where required?
  - This could be done through an annual housing policy review meeting, attended by the Band Council and membership.
  - Will amendments require a majority vote of the Band's electors at this meeting?

**c) Sample Seniors' Assistance Policy**

**Introduction**

In recognition of the important contributions made by seniors of the Band, some Bands have established a Seniors' Assistance Program. The objectives of such programs are to assist seniors in numerous ways to maintain their independence, and to help make their "golden years" as comfortable and enjoyable as possible.

A Seniors' Assistance Program would be the responsibility of the Band Manager, and would be planned in conjunction with the Band Council and relevant Band staff members.

The following is a list of services which might be provided for in a Seniors' Assistance Policy.

**Sample Program Services**

A Seniors' Assistance policy might consist of the following services:

- 1) Provision of wood, propane and electricity as required for heating and/or cooking purposes.
- 2) Assistance in the maintenance and upkeep of homes and gardens.
- 3) Assistance with meals, transportation and housekeeping, when such assistance is required. (This would partially be implemented under the Home/Special Care Services Branch.)
- 4) Construction and/or upgrading of housing where applicable, to ensure that seniors have indoor plumbing facilities and good living conditions.
- 5) Provision of transportation for medical and dental care, cultural and recreational events, etc. where required.
- 6) Assistance with any other tasks, where required.
- 7) Provision of suitable recreational/cultural facilities and programming for seniors.

## **9. COUNCILLOR PORTFOLIOS**

### **9.1 Introduction**

One of the systems which some Band governments work under is a "portfolio" system. Under this system, each Band Councillor is usually assigned one (or more) portfolio(s) - usually in a field or area in which the Councillor has the most experience and/or interest. The Councillor will then "specialize" in this portfolio area, by:

- studying relevant background material;
- communicating regularly with Band staff members working in the related department(s);
- taking short workshops/training available in this area;
- attending relevant conferences and meetings; and
- advising the Council regarding policy development, budgeting, and decision-making in this area.

An advantage of the portfolio system is that not all Councillors may have the time required to become thoroughly knowledgeable in all areas of community government; this system provides each Councillor with a specific area of responsibility to concentrate on becoming an "expert" in, (in addition to the Councillor's regular duties as a member of Council).

If the Band Council decides to establish a community committee to assist them in their work in any particular area, the relevant Portfolio Councillor is usually assigned as Chairperson of that committee. As committee Chairperson, that Councillor prepares agendas for committee meetings, ensures that meetings are conducted in an orderly and businesslike manner, and that minutes are accurately recorded.

The Councillor also acts as a link between the committee and Council, and regularly reports on the committee meetings by providing minutes of the meetings to Council (which should be signed by the Chairperson to indicate their accuracy). The Council can then discuss and ratify the recommendations and findings of the committees.

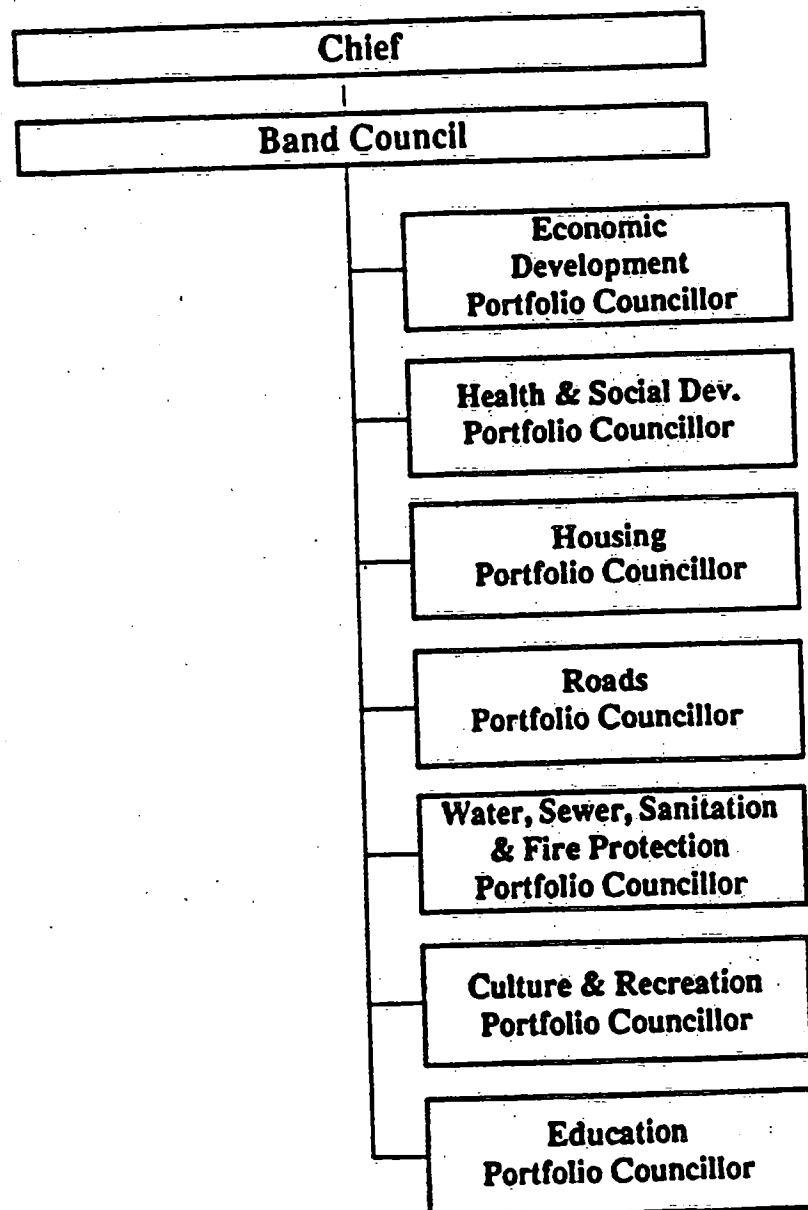
Another system, which is used in areas where the reserve covers a wide geographic area, is the ward system. For example, where a Band has five separate communities, a Councillor would be appointed, or would be elected from, a specific community or geographical area. Under this system, the Councillor for that area or ward would be responsible for all the services and programs in that area. This is another kind of "specialization" - a geographic one, where the Councillor is answerable to, and represents the concerns of all the Band members in that specific area. In this system, all Councillors do not have to thoroughly know all the issues in the entire, large geographic area - they can concentrate on the issues and programs in their own geographic area or ward.

The following section will provide examples of sample Councillor portfolio responsibilities in the areas of economic development; health and social development; housing; roads; water, sewer, sanitation and fire protection; culture and recreation; and education.

## 9.2 Sample Councillor Portfolio Responsibilities

The sample Councillor portfolio responsibilities provided in this section may be useful as guidelines in defining the roles and responsibilities of Councillors who are assigned Band Government portfolios. The following chart indicates sample Band Government portfolios. Suggested responsibilities for these portfolios follow.

### Sample Band Government Portfolios



**a) Health and Social Development Portfolio Councillor - Sample Responsibilities**

Subject to the stated objectives and policies of the Chief and Council, the Health and Social Development Portfolio Councillor will be responsible for overseeing the administration and coordination of all Health and Social Development programs on the reserve, to ensure that program objectives are being met. Specifically, the Health and Social Development Portfolio Councillor will:

- 1) Work with the Health and Social Development Committee (usually in the position of Committee Chairperson) to efficiently deliver a coordinated program on the reserve.
- 2) Along with the Band Manager and Committee, ensure that all programs and services in these areas are efficiently implemented and administered, are meeting their objectives, and are providing the required services, within budgetary guidelines.
- 3) Ensure that other relevant agencies and departments are aware of the Band's goals and objectives.
- 4) Ensure that other involved agencies provide reports on their areas of responsibility, to assist in coordinating Health and Social Development programs on the reserve.
- 5) Attempt to alleviate the high unemployment rate by identifying the training required, providing advice on available employment and training opportunities, and working with the Band Manager to prepare Work Opportunities Project and other employment creation proposals.
- 6) Ensure that education, prevention and/or rehabilitation programs are promoted, to help overcome and/or prevent some of the problems facing Band members.
- 7) Assist in the development of community facilities and services.
- 8) With the Band Manager and Committee, assist with the annual evaluation of the personnel, programs and services of the Health and Social Development Branches. The annual evaluation shall include a detailed annual report on the year's programming, developments, and recommendations, including a proposal for the next year's budget and programming.
- 9) Conduct any other relevant duties as requested by the Chief and Council.

**b) Housing Portfolio Councillor - Sample Responsibilities**

The role of the Housing Portfolio Councillor could include the following responsibilities:

- 1) To act as a liaison between the Housing Committee, the Band Council, and the general Band membership, with regard to Band housing policy. (See Band Housing Policy, page 33.)
- 2) To serve as Chairperson of the Housing Committee, fulfill responsibilities as a member of the Housing Committee (as listed on page 56), and to present the minutes of each Housing Committee meeting to the Band Council at their next meeting.
- 3) The Housing Portfolio Councillor, as well as other Housing Committee members, will regularly seek the views of Band members regarding housing policy, and will pass these on to the Band Council members.



**c) Roads Portfolio Councillor - Sample Responsibilities**

The responsibilities of the Roads Portfolio Councillor could include the following:

- 1) Act as a liaison between Band members, staff, and the Council with regards to road development and maintenance policy.
- 2) Make recommendations to the Band Council with regards to planning, budgeting, and scheduling of new road development and road maintenance, including gravelling, culvert installation and repair, and posting of signs along roads. (The Councillor may consult with relevant staff in this regard.)
- 3) Communicate with and solicit the concerns of the Band membership with regards to road development and maintenance policy, and pass these concerns to the Band Council.
- 4) Assist in solving any problems which are encountered in this area.
- 5) In cooperation with the Band Manager, and other relevant staff, prepare an annual report on the past year's accomplishments, and make recommendations regarding the coming year's objectives, policies and proposed budget in this department, for submission to the Band Council.

**d) Water, Sewer, Sanitation and Fire Protection Portfolio Councillor - Sample Responsibilities**

The role of the Water, Sewer, Sanitation and Fire Protection Portfolio Councillor could include the following responsibilities:

- 1) Act as a liaison between Band members, staff, and the Council with regards to water, sewer, sanitation and fire protection services and policies.
- 2) Communicate with and solicit the concerns of the Band membership with regards to water, sewer, sanitation, and fire protection services and policies, and pass these concerns to the Band Council.
- 3) Assist in solving any problems which are encountered in these areas.
- 4) Assist in negotiating mutual aid agreements with nearby municipalities, if applicable.
- 5) Be responsible for long- and short-range planning and budgeting in these areas; with the Band Manager and relevant staff, prepare annual reports on these areas and make recommendations to the Band Council annually on planning, objectives, and budgeting for the coming year.

**e) Culture and Recreation Portfolio Councillor - Sample Responsibilities**

The role of the Culture and Recreation Portfolio Councillor includes providing a liaison between the Culture and Recreation Committee, the Band Council, Band members, and off-Reserve recreational and cultural agencies, assisting in the planning and implementation of expanded facilities, services, and programming, and promoting the participation of Band members in recreational and cultural programs on the reserve. The Culture and Recreation Portfolio Counsellor is a facilitator, and is not required to coach or manage teams, unless he/she volunteers to do so.

Specifically, the Culture and Recreation Portfolio Councillor may be responsible for the following duties, in cooperation with the Culture and Recreation Committee:

- 1) Determine the recreational and cultural needs of the Band.
- 2) Encourage the participation of Band members in planning and organizing events.
- 3) Make recommendations to the Band Council regarding:
  - the yearly program;
  - the required budget and facilities;
  - the volunteer support required for each program.
- 4) Assist the Culture and Recreation Committee in setting program priorities, within budget restrictions.
- 5) Assist in organizing and implementing cultural and recreational programs which the Committee and Band Council determine should be provided to the Band, including:
  - facilities;
  - volunteer help;
  - coach and referee training;
  - scheduling of activities;
  - promoting events and activities;
  - obtaining sponsors for specified events, such as Sports Days;
  - ensuring that activities are coordinated, so that they do not conflict with other events/activities on the reserve or in the surrounding area.
- 6) Monitor programs and activities.
- 7) Encourage and support volunteers, coaches, referees, and participants.
- 8) Recommend to the Council any changes which should be made in the organization or prioritizing of activities.

- 9) Provide monthly reports to the Band Council on Culture and Recreation Committee meetings, and on programs, activities, difficulties encountered, etc.
- 10) Evaluate coaches, referees and participants, with a view to advanced training.
- 11) Ensure that opportunities for in-service training and leadership development are provided, so that the calibre of the recreation program is continually improved.
- 12) Ensure that Band members are well-informed of all recreational and cultural activities; encourage constructive feedback from Band members.
- 13) Ensure that both sexes and all age groups have programs available which are suitable for their needs.
- 14) Ensure that all organized recreational and cultural activities under the Band's auspices are channelled through the Culture and Recreation Portfolio Councillor.
- 15) Provide a detailed annual report on the year's programming, developments, and recommendations, including a proposal for the next year's budget and programming, in conjunction with the Culture and Recreation Committee.
- 16) In conjunction with the Culture and Recreation Committee, provide other detailed reports and recommendations regarding recreational and cultural facilities and/or programming to the Band Council, when requested.
- 17) Pursue personal professional development by attending relevant training workshops, seminars, and meetings when indicated.
- 18) Conduct any other relevant activities when indicated.

**f) Economic Development Portfolio Councillor - Sample Responsibilities**

The role of an Economic Development Portfolio Councillor is to coordinate and assist with the entrepreneurial and economic development efforts of the Band and its individual members, and to help increase the economic self-sufficiency of Band members. The suggested responsibilities for the Economic Development Portfolio Councillor include the following:

- 1) Assist and coordinate the economic development efforts of the Band.
- 2) Become knowledgeable and an information source/consultant on available employment, incentive, and business creation programs and financing options; advise the Band Council and Band members on same.
- 3) Assist with the development of new business strategies by the Band (including joint business ventures with other reserves), and individual Band members, on and off reserve; assist with business plans and proposals for funding agencies.
- 4) Act as a consultant to existing Band business operators wishing to expand or diversify their operations, and refer them to relevant agencies.
- 5) Maintain good relations and communications with relevant government and private agencies.
- 6) Assist in the preparation of Work Opportunities Projects and other employment creation projects.
- 7) Prepare reports on progress, activities, and recommendations in these areas and submit to the Chief and Council quarterly, or when new business/information arises.
- 8) Attend any relevant training workshops and meetings in this area, after obtaining permission from the Council, and report back to Council on these meetings/workshops.
- 9) Prepare an annual report regarding the economic development area, activities, and any recommendations for the coming year.
- 10) Conduct any other related activities as requested by the Band Council.

**g) Education Portfolio Councillor - Sample Responsibilities**

The Councillor with the Portfolio in Education is the liaison person between the School Board (or Education Committee) and the Band Council. The Education Portfolio Councillor usually serves as the School Board Chairperson. The following are sample responsibilities of an Education Portfolio Councillor.

- 1) To bring/communicate information from the School Board, such as Committee minutes, and education-related reports and decisions, to the Chief and Council; and to bring/communicate relevant information and decisions from the Chief and Council to the School Board, thereby maintaining an active communication link between the Chief and Council and the School Board.
- 2) To fulfill all the roles of Committee Chairperson of the School Board, including setting agendas for meetings (with the Education Coordinator), and calling emergency meetings if required.
- 3) To act as a liaison with the community, and communicate educational policy to the community. As well, the Councillor will pass on any community concerns regarding educational policies raised to him/her to both the School Board and to the Chief and Council.

## **C. BAND MEMBERSHIP INVOLVEMENT**

This section includes suggested responsibilities of the Band membership with regard to community government, methods of obtaining community involvement and participation, the role of community committees, and sample terms of reference for a number of community committees.

### **1. The Role of Band Members in Community Government**

Individual Band members also have responsibilities with relation to their Band government, and their participation can make a difference. They can influence how the reserve is governed by staying well-informed regarding policies and programs, seeing that policies and decisions are made in their best interests, and speaking up to Council members about any concerns they have, or changes they would like to see. Concerned Band members should be an active part of the democratic system, and make an effort to assume all or some of the following responsibilities.

- a) Nominate the most qualified people for the positions of Chief and Councillors.
- b) Vote for the people of choice, not because these people are friends or relatives, but because they are most able, knowledgeable, and fair in making decisions.
- c) Attend Band meetings, so that they will know what is going on with regard to community government programs and policies.
- d) Express their feelings and concerns to Band Council members, either individually, or as part of a group.
- e) Offer to serve as a member of a community committee, in an area in which they have special interest or knowledge.
- f) Read minutes of Band Council meetings, financial statements, and Band policy manuals, to become well-informed about Band policies and activities.

### **2. Promoting Community Involvement**

Band members should be as well-informed and as involved as possible in the development of Band Government policies. There are many methods to help keep the Band membership informed, and to obtain their input and feedback. In order to build community consensus in decision-making, mechanisms can be established to help promote the involvement of the general membership. Some of these are as follows:

### **Band Council Meetings:**

- Band members should be allowed to sit in on regular Band Council meetings, if they so wish. No Band member should be excluded, except for improper conduct. (The Band Council may, however, wish to hold special private meetings, closed to the public, to deal with sensitive topics.)
- Band members may request a personal hearing with the Council by approaching the Chief, a Councillor, or the Band Manager, in advance, and providing information on the nature of the request, so that the Council can schedule a presentation for their next meeting. The Band Council members should allow some time during their meetings to hear and address public concerns. If time does not permit, the presentation could be re-scheduled to the Council's next meeting.

### **Approaching Council Members:**

- Community members who have concerns regarding any government policy, action or decision, should be encouraged to approach members of the Band Council to express their concerns. The concern should be addressed to the Portfolio Councillor who is responsible for the area that the Band member wishes to express an opinion on (if the Band uses the Portfolio system).

### **Access:**

- The minutes of Band Council meetings should be posted in a public place, so that members may read about the issues discussed and decisions made at Council meetings.
- Band members should have access, during office hours, to Band Council minutes, policy manuals, etc.

### **Community Meetings:**

- If an important issue is to be decided upon, the Council might choose to hold a series of community meetings or workshops on the topic, so that everyone interested in the issue has an opportunity to voice their opinions, and a public consensus can be reached.
- Band Councils should hold meetings with their Band membership at least annually, to present reports regarding Band Government programs and finances, and provide updates on policies, as well as to obtain input and feedback from the community.



**Community Committees:**

- Community committees may also be established to set up a more formal mechanism for obtaining input from Band members. The following section deals with the possible roles of such community committees.

### 3. Community Committees

#### 3.1 Introduction

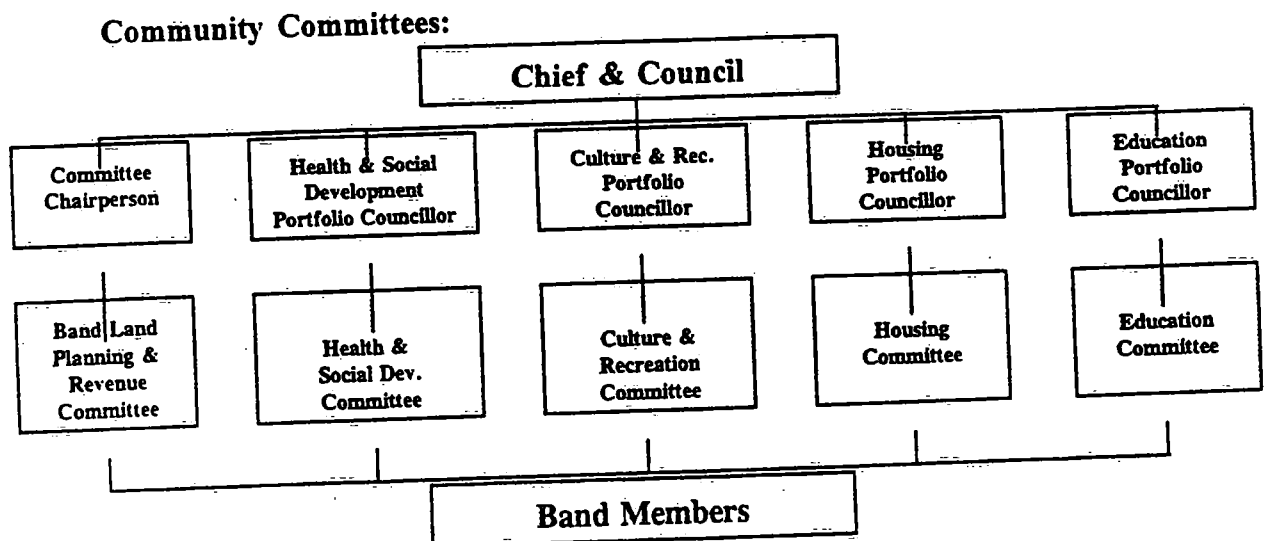
The Chief and Council may decide to establish community committees to assist them in their duties. The Council would delegate authority to a committee through a Band Council bylaw or resolution. The mandate and areas of responsibility delegated to committees should be clearly defined.

Committees may be set up on a permanent or temporary basis. Temporary committees are usually appointed by Council to do a particular job, or to gather information and make recommendations to Council. Committees can be made up entirely of Band Council members, of a mixed group of Council and Band members, or entirely of Band members.

Usually, at least one member of Council serves on each committee, in order to inform the committee regarding Band Council policy, and to report on the committee's progress at Council meetings. (The Chief is a member of all committees by virtue of his/her office, and has the right to vote, but not to hold office in any committee.)

Committees may, in turn, form sub-committees to delegate responsibilities for areas within their jurisdiction. The committees are responsible to, and report directly to the Chief and Council. The Chairperson of each committee presents copies of the minutes of the committee's meetings to the Band Council for discussion and adoption. Time is made available on the Council agenda for committee Chairpersons to present their reports. Recommendations and motions adopted at the committee meetings are discussed by the Band Council, and accepted or modified, at Council meetings.

The following chart indicates a sample Band structure of community committees, and their relationship to the Band Council.



### **3.2 Role of Community Committees**

Committees are primarily advisory in nature. They may be assigned by the Council to study a particular issue, program or service, and report their findings and recommendations back to the Council. Their work may involve information-gathering in the community, (such as workshops and interviews with community members), and in-depth discussions with Band staff in the area concerned. Band staff would be instructed by the Band Manager to cooperate with the committees and to assist them in undertaking their duties.

Because a Committee likely has more time than the Council as a whole to study an issue in depth, their recommendations are likely to be seriously considered by the Council. However, the final decision-making and ratification of their recommendations rests with the Band Council.

The general responsibilities of community committees may include such duties as the following:

- To meet regularly as directed by the Band Council, to monitor, discuss, and study Band services/programs, and to undertake responsibilities which have been assigned to them by the Council. (Procedures for committee meetings should follow the procedures cited earlier in this manual for Band Council meetings.)
- To hold meetings in the community, conduct interviews, etc., to formally obtain input and information from Band residents regarding issues and areas of concern, when so decided by the committee, or when assigned to do so by the Council.
- To regularly report their progress and findings, through the submission of minutes of their meetings to the Band Council.
- To make recommendations to the Chief and Council regarding programs, policies, annual budgets, bylaws, staffing, services, and prioritizing of services.
- To coordinate a general Band members' meeting annually to explain Band policies and programs in their area, and to invite community feedback.

### **3.3 Sample Community Committees**

This section includes terms of reference, and suggested roles and responsibilities for five sample Community Committees:

- a) Band Land, Planning and Revenue Committee
- b) Housing Committee
- c) Health and Social Development Committee
- d) Culture and Recreation Committee
- e) Band School Board/Education Committee

Bands may find these examples useful in designing guidelines and terms of reference for their own community committees.

**a) Band Land, Planning and Revenue Committee**

This section provides sample terms of reference, composition, and responsibilities for a Band Land, Planning and Revenue Committee.

**Introduction**

In order to provide for greater input from the community, and more accurately reflect the Band members' wishes, a Band Land, Planning and Revenue Committee has been established. The Committee's role includes making recommendations to the Chief and Council regarding long-term planning priorities for capital improvements, land use\*, and Band revenue and expenditures. The Committee will act as financial advisors; Committee members will review projected Band revenue and budget proposal submissions from various Band departments/community committees, and will make recommendations to the Chief and Council regarding actual allocations of Band revenue each year.

**Composition**

The Committee shall consist of six members, including:

- 1) The Band Manager, who shall ensure that the Committee is always provided with the required information on Band programs from the Band Administration Office and Program Supervisors.
- 2) A Band Councillor.
- 3) Four additional Band members, appointed by the Band Council.

**Roles and Responsibilities**

Upon the establishment of this Committee, the Committee will review these roles and responsibilities, and make recommendations to the Chief and Council regarding clarification or changes to any of their roles and responsibilities.

The suggested roles and responsibilities of this Committee are as follows:

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\* Committee members may wish to take the 2-day INAC course, "Introduction to Lands Administration." See also, Training Available from INAC, on page 189.

- 1) Annually, receive budget proposals and detailed breakdowns of these proposals from all Supervisors of Band-administered programs, and meet with Supervisors to discuss their budget proposals in detail.
- 2) Review the previous year's budget and Band revenues; make projections regarding the next year's Band revenues; and make recommendations regarding the expenditure allocations for the coming year. Submit a detailed report, including reasons for their recommendations, to the Band Council.
- 3) Examine priorities for long-term planning regarding Band revenue and expenditures, and make recommendations in this regard to the Chief and Council.
- 4) With the Chief and Council, be present to answer questions to the general Band membership at an annual meeting regarding the Band's expenditures, at which approval by the Band membership shall be obtained for the coming year's budget. At these meetings, the input of Band membership shall be obtained, including decisions on priorities for long-term budget and revenue planning. (For example, a vote/ plebiscite might be taken to determine the Band members' priorities on capital expenditures, such as a Band arena, fire hall, etc.)
- 5) Throughout the year, meet at least quarterly with senior Band staff to review budgets (revenues and expenditures), and discuss any variations from projected income/expenditures. Act as a sort of "watchdog" over Band revenue, expenditures and planning.
- 6) Communicate regularly with Band members, explain any questions regarding Band policy and programs, and ensure their views are communicated to the Council in minutes of the Committee's meetings.
- 7) The Committee members shall conduct their meetings in a business-like manner, and follow the procedural guidelines listed in this manual for Band Council meetings.
- 8) The Chairperson of the Committee shall present the Committee's reports at regular Band Council meetings, and the Committee shall meet in person with the Council when requested.
- 9) Perform additional duties as delegated by the Band Council.

## **b) Housing Committee**

This section provides a sample terms of reference, composition, and responsibilities for a Band Housing Committee.

### **Introduction**

In order to provide for greater input from the community, and more accurately reflect the Band members' wishes, a Housing Committee has been established. The Committee's role includes making recommendations to the Chief and Council regarding the development and ongoing review of a Band Housing Policy\*, explaining the policy to Band residents and obtaining their input, and overseeing the policy's implementation. As well, the Housing Committee may make recommendations to the Council regarding annual priorities for housing, renovations, and water systems, efficient use of budget monies, as well as long-term planning for the community. The Councillor with the Housing Portfolio will generally be the Chairperson of this Committee.

In consultation with this Committee, the Chief and Council will set policy and priorities, and ensure that housing programs are efficiently administered and implemented.

### **Composition**

Members of the Committee will be appointed by the Band Council. Housing Committee members may make suggestions to the Council for committee appointments. Committee members will consist of the Housing Portfolio Councillor and at least three additional Band members. Members will be appointed to the Committee for one year renewable terms, to a maximum of three years.

### **Roles and Responsibilities**

The Committee will meet every two months, or as otherwise determined by the Committee or Band Council. The roles and responsibilities of the Committee may include the following:

- 1) To make recommendations to the Band Council regarding housing policy and guidelines.
- 2) To communicate and explain Band housing policy to the general Band membership, and to ensure this policy is implemented.

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\* See also: "Band Housing Policy", on page 33.

- 3) To become familiar with CMHC and RRAP programs and their criteria, and to promote these and other relevant programs, where applicable.
- 4) To monitor the total capital budget in any given fiscal year, and make appropriate recommendations on the utilization of funds, new housing and major or minor renovations.
- 5) To monitor the housing program with regard to spending, purchase of material, and usage, and make recommendations for efficient budget usage where they deem advisable.
- 6) To undertake a housing needs survey based on the Band's reserve population and future needs, and ensure this is regularly updated.
- 7) To devise a workable priority list for Band housing and renovations.
- 8) To plan for future building and development, and prepare a workable plan for the hook-up of natural gas, water and sewer.
- 9) To attend relevant workshops and training sessions related to housing or construction.
- 10) Committee members may be appointed to sit on the hiring committee to interview candidates for employment positions in this area, and make recommendations to the Band Council in this regard.
- 11) Perform additional duties as delegated by the Band Council, such as the development and implementation of a rent collection policy.
- 12) The Committee members will hold a general meeting with Band members, at least once a year, to obtain their views and input into Band housing policy; these views will be submitted to the Council in an annual report, which includes recommendations regarding Band housing policy and guidelines.
- 13) Minutes of the Committee meetings, (which will usually be Chaired by the Housing Portfolio Councillor), will be recorded and presented to the Band Council for discussion and adoption.

**c) Health and Social Development Committee**

This section provides a sample terms of reference, composition, and responsibilities for a Band Health and Social Development Committee.

**Introduction**

In order to provide for greater input from the community, and more accurately reflect the Band members' wishes, a Community Health and Social Development Committee has been established. The Committee's role includes making recommendations to the Chief and Council regarding any changes which should be made in Health and Social Development Departments' program philosophy, objectives, policies and guidelines, as well as personnel recommendations (such as the need for additional staff). The Band Councillor with the Health and Social Development Portfolio will generally be Chairperson of this Committee.

In consultation with this Committee, the Chief and Council will set priorities, ensure that the programs are efficiently administered and implemented, and that each area is meeting its objectives and providing the required services.

**Composition**

- 1) Members of the Health and Social Development Committee will be appointed by the Chief and Council; the Committee may make recommendations to the Chief and Council for Committee appointments.
- 2) The Committee shall consist of five members, including:
  - a) A Band Councillor, who will usually be the Health and Social Development Portfolio Counsellor and the Committee Chairperson;
  - b) Four other Band members, appointed by the Chief and Council.
- 3) The Committee will meet every two months, or as otherwise decided by the Committee or Council. Minutes will be presented to the Council by the Chairperson for discussion and adoption.



## **Roles and Responsibilities**

The Committee's function will include providing support and encouragement to the employees in the Health and Social Development area. In addition to the general roles and responsibilities cited earlier, the duties delegated to the Committee by the Chief and Council may include the following:

- 1) Make recommendations regarding policy guidelines and implementation plans to maintain and improve health care and social development programs.
- 2) Consult with the Band Manager and the Health and Social Development program staff regarding the operation and delivery of specific programs, and assist in solving any problems encountered.
- 3) Assist with cross-cultural orientation for any non-Native staff, and help them to become knowledgeable regarding the Band's culture and values.
- 4) When employment vacancies occur in Health and Social Development program branches, committee members may be appointed to the selection/interview committee which recommends the best person for the position to the Band Council.
- 5) Obtain copies of monthly reports from the Program Supervisors, prior to their monthly meeting. Minutes will be kept of the meetings, and will be presented to Council, for discussion and ratification of motions and recommendations, by the Chairperson (the Health and Social Development Portfolio Councillor).
- 6) Prepare an Annual Report for the Chief and Council, including:
  - a) An evaluation of the programs and services in these areas;
  - b) Recommendations for programs, services, priorities, staffing, and budget for the coming year, as well as policy changes or modifications, if they decide these would be beneficial.
- 7) Conduct a general meeting with the Band members, at least once a year, to report on policies and programs in this area, and to encourage their discussion, input, and recommendations.
- 8) Carry out any additional duties delegated to them by the Band Chief and Council.

#### **d) Culture and Recreation Committee**

This section provides sample terms of reference, composition, and responsibilities for a Culture and Recreation Committee.

##### **Introduction**

In order to provide for greater input from the community, and more accurately reflect the Band members' wishes, a Culture and Recreation Committee was established. The Committee shall make recommendations to the Chief and Council regarding overall objectives and policies, the operation of facilities, and specific programming related to cultural and recreational activities and events. Until such time as a Recreation Director is hired, the Committee will also be responsible for organizing recreational and cultural events and activities, assisting in promotion, and coordinating the enlistment of volunteers required for these activities.

The Chief and Council, in consultation with the Culture and Recreation Committee, will set priorities for programming and the development of facilities; ensure that the programs are being efficiently administered, implemented, and publicized; and that the programs meet the varied needs of Band members.

##### **Composition**

- 1) The Culture and Recreation Committee members will be appointed by the Band Council. The Committee members may make recommendations for Committee appointments to the Chief and Council for their consideration.
- 2) The Committee will consist of six members, including:
  - a) A Band Councillor (the Culture and Recreation Portfolio Councillor, who is usually the Chairperson);
  - b) Five other Band members, appointed by the Chief and Council.

##### **Roles and Responsibilities**

The Culture and Recreation Committee will meet every two months, or as required. The Committee's chief function will be to provide motivation, support and encouragement to the community volunteers in the cultural and recreational services area. In addition to the general roles and responsibilities cited earlier, the Committee also has the following duties:

- 1) Assist with policy planning, regulations, and implementation plans to deliver the Band's various cultural and recreational programs.

- 2) Motivate and coordinate the functions of community volunteers who implement cultural and recreation programming and events.
- 3) Consult with relevant Band staff and volunteers regarding the delivery of specific programs, and assist in solving any problems encountered.
- 4) Assist in promoting events, and encourage participation by all members of the community in both the volunteer aspects of the activities and the actual activities.
- 5) Ensure that events and activities are available to meet the needs of all ages of residents.
- 6) Record minutes of their meetings; the Committee Chairperson will present them to Council, for discussion and ratification of their recommendations.
- 7) Prepare an Annual Report for the Chief and Council, including:
  - a) An evaluation of the programs, services and level of volunteer involvement in this area;
  - b) Recommendations for programs, services, priorities, and the budget for the coming year, as well as policy changes, if they decide these would be beneficial.
- 8) Conduct a meeting for the Band members, at least once a year, to report on policies and programs in this area, and to encourage their discussion, input, and recommendations.
- 9) Provide Council members with feedback from the community on a regular basis regarding views on cultural and recreational needs, programming, etc.
- 10) Carry out any additional duties as assigned to them by the Chief and Council.

**e) Band School Board/Education Committee**

**Introduction**

A Band School Board or Education Committee may be established to oversee the administration of the Band School and/or other education programs, on the Band Council's behalf. The Band Council may delegate this authority to the School Board by Band Council Resolution. The School Board would then be responsible to, and report to the Band Council. The roles and responsibilities of the School Board or Education Committee would be clearly defined.

**Composition**

The following is a sample policy for the composition of a Band's School Board.

- 1) Following the initial appointment of School Board members, the School Board may make recommendations for Committee appointments to the Chief and Council for their consideration. Appointments to the School Board will be made by the Band Council.
- 2) The Committee shall consist of:
  - a) A Band Councillor to act as Chairman.
  - b) Four parents to represent the Band's parents and students. (One of these parents will also represent the bus drivers.)
  - c) An elder shall also be on the Committee to represent the traditions of the Band.
  - d) The Principal, Guidance Counsellor, and Education Coordinator shall be part of the Committee, but will not have voting rights.

**Roles and Responsibilities**

The following are sample duties which might be delegated to the School Board by the Band Council:

- 1) Prepare recommendations to the Band Council, where advisable, regarding the school's educational policies, procedures, and regulations.
- 2) Recommend units of study pertaining to Indian language, culture and history, which supplement the provincial/territorial curriculum. (In some cases, Bands schools have students assist in researching community history, which can then be utilized in the school's curriculum.)

- 3) Assist with the planning and delivery of orientation and in-house education programs for the education staff, and help non-Native staff to understand Indian cultural values and life on the reserve.
- 4) Determine the days of operation of the school year.
- 5) Determine which classes and grades shall be maintained in the operation of the school.
- 6) Ensure transportation services (bus driver contracts) which meet safety requirements are provided for pupils to and from school, and for extracurricular activities.
- 7) Keep accurate records of the proceedings of Committee meetings and provide the Band Council with copies; indicate where Council decisions are required.
- 8) Regulate and control the uses of the school facilities outside of the regular school program.
- 9) Members of the School Board may be appointed to the Selection Committee to interview candidates for vacancies in teaching positions, curriculum development, or support staff, and recommend to the Council the candidate(s) best suited for the job.
- 10) Consult with the Principal and staff regarding the school's operation and disciplinary procedures.
- 11) Meet regularly during the school year to:
  - a) review progress reports from the Principal, Indian Curriculum Development Coordinator (if applicable), Guidance Counsellor; and financial statements from the Accountant/Controller;
  - b) discuss problems encountered during the month and assist staff in solving problems;
  - c) identify community resource people who can assist with the school's programming, particularly in cultural and extracurricular areas, and help to involve them; and
  - d) make recommendations to the Chief and Council for their endorsement, where required.
- 12) Assist in determining adult education needs and recommend priorities in this area to Council.
- 13) Organize a general Band members meeting a minimum of once a year, to explain the school education program, and invite feedback from the community.

## **D. ROLE OF BAND EMPLOYEES**

### **1. General**

Band employees play a very important role; they are responsible for carrying out the goals, objectives, and policies of the Band Council on a day-to-day basis. The cooperation and dedication of Band employees is essential for Band programs and services to succeed, and for the decisions of the Band Council to be implemented. All employees should make a personal commitment to work towards the Band's overall objective - that of increasing the quality of life on the reserve.

Band employees are reportable to the Council, often through a senior employee, such as the Band Manager. They should carry out their duties as defined and delegated, to the best of their abilities, follow the Band's policies and procedures, and adhere to the Band Employee Code of Ethics. Employees should work towards increasing their professional self-development and level of efficiency, and do their part to improve services on the reserve, wherever possible. (See also Section Two: Personnel Administration, for suggested policies and procedures with regards to Band personnel.)

### **2. Administrative Staff**

Administrative staff work in activities which support the Band Council and the Band's program staff. They coordinate administrative support for the Band's program activities, record the financial business of the Band, provide clerical assistance, and keep accurate records of the Band's affairs. Band administrative staff are sometimes referred to as "the Band administration".

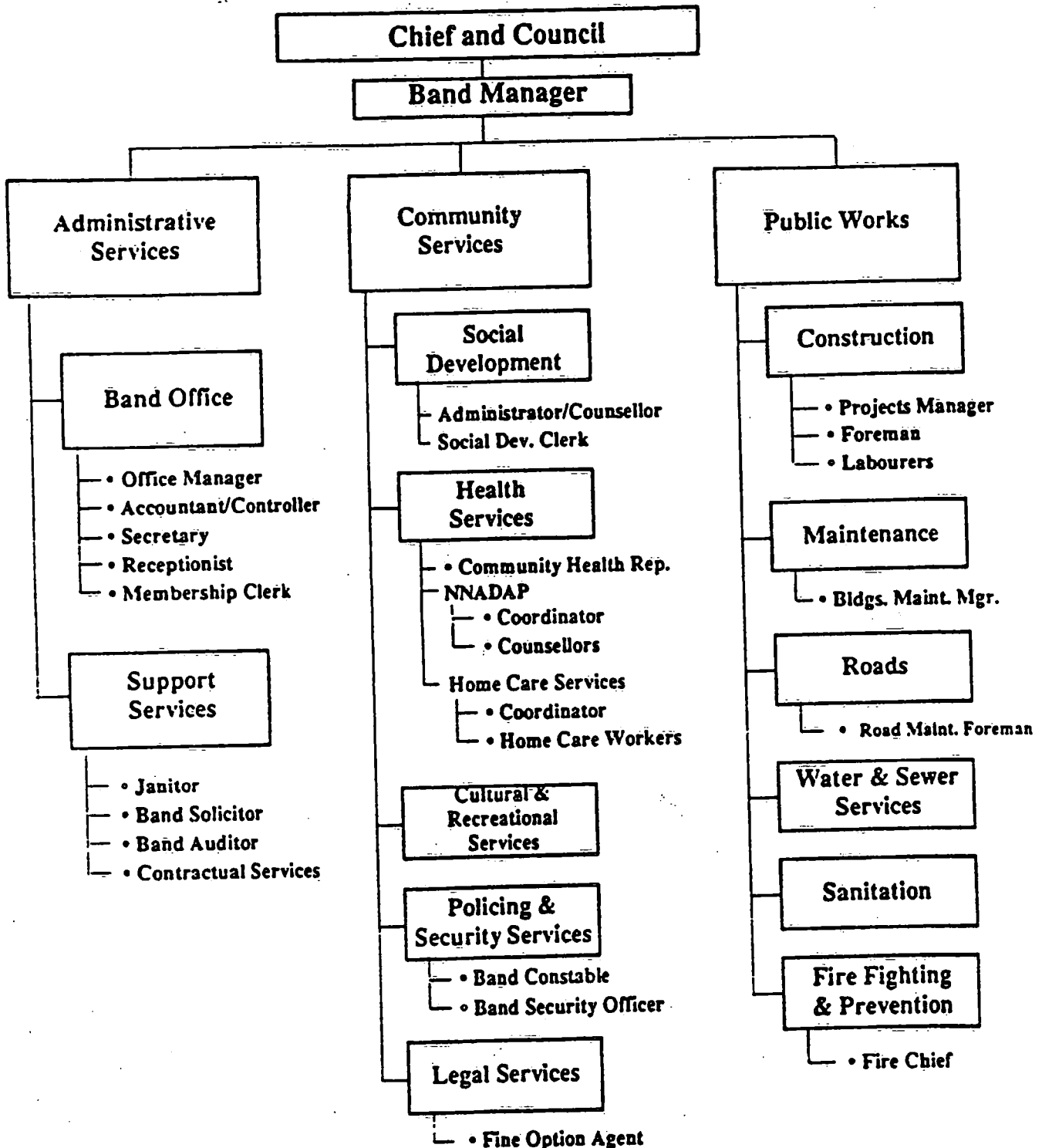
Administrative services staff include the Band Manager, Office Manager, Accountant/Controller, Receptionist, Janitor, and the Band Membership Clerk. In most Bands, administrative and program staff report to the Band Council through a senior administrative staff member, i.e. the Band Manager. In other Bands, senior administrative and program staff report directly to the Band Council.

### **3. Program Staff**

Program staff include those who work in a specific program or activity which is usually fairly easy to define, and which calls for a particular skill in that activity. Construction, Road Maintenance and Social Development are examples of program activities. In this manual, the job descriptions of program staff are included under the major headings of Community Services staff (F.) and Public Works staff (G.)

#### 4. Band Staff Chart

The following chart provides an overview of Band staff and services, under the general categories of Administrative Services, Community Services, and Public Works. It provides a sample organizational chart for Band staff. Bands may develop their own charts to reflect their unique organizational structures.



Note: A sample Band Education Chart is provided in Section H.

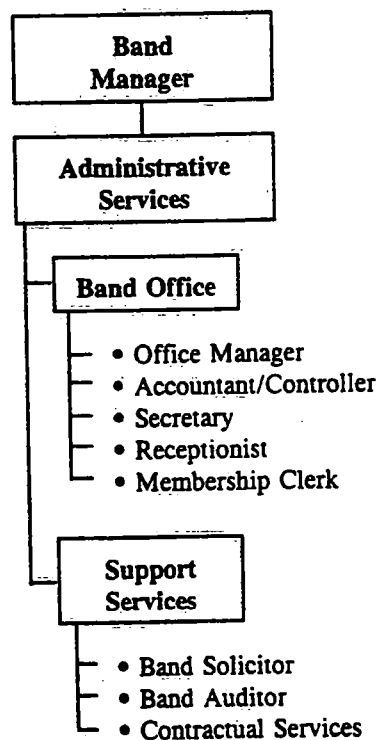
## E. ADMINISTRATIVE SERVICES

### 1. Introduction

As explained earlier, Administrative Services staff work in activities which support the Band Council and the Band's Program staff. These include facilitating and recording the Band's financial affairs, providing clerical assistance, and keeping accurate records of the Band's affairs and the decisions of the Band Chief and Council.

The following chart is a sample organizational chart for a Band Administrative Services Department.

**Administrative Services Chart**



The job descriptions for Administrative staff will be included in this section, with the exception of professional and contractual services, and the Accountant/Controller. The Accountant/Controller's job description, since it deals totally with financial matters, is included in Section Three, Financial Administration.

### 2. Goals

The general goals of the Administrative Services Department are:

- a) To ensure that the Band's administrative policies and regulations are adhered to by all staff members;
- b) To provide administrative services which assist the Band Council in its work and assist Band programs to run smoothly, efficiently, and within budgetary guidelines;
- c) To ensure accurate records (filing and bookkeeping) are kept of the Band's affairs and the decisions of the Chief and Council.



### **3. Band Manager**

The Band Manager, as Chief Executive Officer of the Band staff, holds a very important and responsible position. On behalf of the Band Council, the Band Manager is responsible for ensuring that Band Council policies and regulations are adhered to, and that Council's decisions are implemented; for overseeing the smooth running and operation of all Band programs; and for ensuring that programs are administered within budget. In most Bands, administrative staff and senior (supervisory) program staff are responsible to the Chief and Council through the Band Manager, for the performance of their job duties. The Band Manager is, in turn, responsible to the Chief and Council. It is suggested that the Band Manager report to the Chief and Council as a group, when it is in session, and/or report directly to the Chief, rather than to each Councillor individually.

#### **a) Qualifications**

The following qualifications are desirable in a Band Manager:

- Post-secondary education in Business Administration or Commerce would be desirable.
- A good knowledge of the programs, regulations and procedures of Indian and Northern Affairs Canada, (particularly as they relate to funding arrangements with the Band), as well as knowledge of funding available from other Federal and Provincial Government Departments is desirable, in order that the Band Manager can provide good advice to the Chief and Council on these areas.
- Knowledge of and experience in the use of computers would be desirable, particularly if the Band is planning to, or has already implemented computerized systems for the administration of Band programs and services.
- Good administrative, communication, and organizational skills, to facilitate the smooth running of administration services, effective supervision of Band employees, and preparation of correspondence and reports related to Band Government administration.
- Good working knowledge of financial accounting principles, in order to plan budgets, monitor expenditures to ensure they are kept within budget, and maintain budgetary and statistical records.
- Ability to communicate well with Band members in their Native language.
- A valid provincial driver's license, and the willingness to travel. (Work requires travel to various meetings, functions, workshops, etc.)
- Good knowledge of the socio-economic conditions of the Band.
- Must be bondable.

**3. Band Manager**

The Band Manager, as Chief Executive Officer of the Band staff, holds a very important and responsible position. On behalf of the Band Council, the Band Manager is responsible for ensuring that Band Council policies and regulations are adhered to, and that Council's decisions are implemented; for overseeing the smooth running and operation of all Band programs; and for ensuring that programs are administered within budget. In most Bands, administrative staff and senior (supervisory) program staff are responsible to the Chief and Council through the Band Manager, for the performance of their job duties. The Band Manager is, in turn, responsible to the Chief and Council. It is suggested that the Band Manager report to the Chief and Council as a group, when it is in session, and/or report directly to the Chief, rather than to each Councillor individually.

**a) Qualifications**

The following qualifications are desirable in a Band Manager:

- Post-secondary education in Business Administration or Commerce would be desirable.
- A good knowledge of the programs, regulations and procedures of Indian and Northern Affairs Canada, (particularly as they relate to funding arrangements with the Band), as well as knowledge of funding available from other Federal and Provincial Government Departments is desirable, in order that the Band Manager can provide good advice to the Chief and Council on these areas.
- Knowledge of and experience in the use of computers would be desirable, particularly if the Band is planning to, or has already implemented computerized systems for the administration of Band programs and services.
- Good administrative, communication, and organizational skills, to facilitate the smooth running of administration services, effective supervision of Band employees, and preparation of correspondence and reports related to Band Government administration.
- Good working knowledge of financial accounting principles, in order to plan budgets, monitor expenditures to ensure they are kept within budget, and maintain budgetary and statistical records.
- Ability to communicate well with Band members in their Native language.
- A valid provincial driver's license, and the willingness to travel. (Work requires travel to various meetings, functions, workshops, etc.)
- Good knowledge of the socio-economic conditions of the Band.
- Must be bondable.

**b) Band Manager - Sample Job Description**

The following is a sample job description for the Band Manager. The suggested responsibilities of the Band Manager are as follows:

- 1) Administrate and oversee Band programs and affairs such as public works, utilities, education, housing, social development, health, recreation, law enforcement, security, community planning, feasibility studies, contracts, economic development, land entitlement/land selection process, financial management, membership, Band functions, capital reserve improvements, and office services, through the following:
  - Supervise Band staff and programs, and ensure that the daily operations of Band government departments and services run smoothly and efficiently.
  - Meet weekly with Program Supervisors/Senior Band staff to review program activities, progress, priorities, budgets, and any other items of concern.
  - Directly supervise the Band's Administrative Services, and ensure that an efficient filing, financial, and employment records system is maintained, as detailed in the Band's Financial Administration Policy Manual.
  - Assist in implementing computerized systems for the administration of Band programs and services (if applicable).
  - Implement Band Council policies, decisions, and regulations.
  - Conduct research and correspondence, and complete reports, etc. arising from the decisions made by the Council, or as instructed by the Council.
  - Make recommendations for the efficient operation of all programs and activities.
  - Coordinate the work of Council Committees, and assist them in obtaining relevant information when requested.
  - Provide annual employee evaluations for the Administration Services staff, and for senior staff positions in other departments; assist with other employee evaluations when requested.
  - Ensure the proper maintenance, use and occupancy of Band buildings and equipment.
  - Handle crisis matters of a pressing nature which arise on a day-to-day basis, and pass on relevant information to the appropriate Band staff or Council member.

- Upon authorization, the Band Manager may negotiate agreements on behalf of the Chief and Council, with final approval of any contracts/agreements to be provided by the Chief and Council.

2) Undertake the following responsibilities with regards to Public Works:

- Monitor construction projects, in cooperation with the Construction Projects Manager; visit sites at least every second week and report to Council on the progress of projects in relation to management objectives (scheduling, quality, budgeting) set for the project. This will involve submitting project reports provided by the Construction Projects Manager.
- Consult with the Band's Construction Projects Manager regarding the purchase of equipment and materials, and work together to ensure that projects are completed within budgetary guidelines.
- Ensure that all work is completed on schedule, and that contracts and financial transactions adhere to the Band's Financial Administrative Guidelines.
- Work with the Housing Committee, Construction Projects Manager, Buildings Maintenance Manager, and other relevant staff to deliver an efficient, coordinated program of construction, maintenance and other Public Works services on the reserve.
- Assist the Housing Committee in preparing annual budgets and planning priorities for housing, and assist in budgeting and planning for other Public Works for the Band Council's consideration.
- Communicate to businesses the procedures regarding payment procedures when contracts and tenders are awarded. Payment schedules and procedures should be communicated in writing as part of the contracts. (See also Contracts & Tenders in Section Three.)
- Prepare service contracts with Indian and Northern Affairs Canada, and ensure they are carried out.
- Liaise with the Construction Projects Manager to ensure that contract terms are met and that all work has been completed to specifications, before payments are made.

3) Advise the Council on matters under their control and direction:

- Provide Council and Committees with background information to enable them to make sound, informed decisions.

- Attend Council meetings, and Committee meetings when requested.
  - Provide the Council with monthly reports on Band programs and operations, and detailed monthly financial statements.
  - Submit recommendations regarding Band facilities, services, programs and policies to the Council.
  - Seek alternate sources of funding, and upon direction from the Council, submit proposals to these sources.
- 4) Administer the finances of the Band:
- Ensure that all contracts and financial transactions are conducted according to Band policy, in matters within its jurisdiction.
  - Advise the Band Council on matters related to the Band's finances.
  - Establish lines of credit with various suppliers and agencies.
  - Ensure that all requirements are met for the annual financial audit, including up-to-date inventory lists.
  - Assist in drawing up annual budgets, and monitor all departments/programs to ensure that their expenditures do not exceed budgetary limits.
  - Supervise the Accountant/Controller's records of accounts to ensure a complete and accurate account of all financial transactions, including a system of budget control, and ensure that all records, books of accounts, invoices, vouchers, receipts, and other documents and papers related to financial operations are safely filed and stored.
  - Oversee and ensure the accuracy of financial statements, bank reconciliations, budgetary reports, etc., and ensure that funds are expended and accounted for in accordance with accounting procedures cited in the Financial Administration Policy Manual.
  - Authorize expenditures approved by the Band Council.
  - Provide the Council with detailed monthly financial statements as directed in the Financial Administration Policy Manual, and interpret financial information where requested.

5) Act as a clerk for the Band Council:

- Prepare an agenda for each Council or committee meeting in cooperation with the Chief or committee Chairperson, and ensure that a copy of the agenda, with required attachments and Minutes of the past meeting, are distributed to each Council or Committee member at least two days prior to each meeting.
- Ensure that all Band Council resolutions, minutes, decisions, regulations, policies, and other proceedings of the Band Council and its committees are recorded, properly signed, indexed, originals filed, and copies forwarded to the appropriate agencies when required.

6) Act as a liaison and public relations officer for the Band Council in matters of administration:

- Through communication with Indian Bands, organizations, and agencies; officials of federal, provincial and municipal government departments; and other relevant agencies.
- By publicizing Band Council programs and policies, and advising and counselling individual Band members regarding these matters.
- By preparing and submitting such statements, information and reports related to these duties as may be required.

7) Ensure professional development by attending workshops and training programs when approved by Council.

8) Conduct any other relevant duties, as instructed by the Band Council.

#### **4. Office Manager**

##### **4.1 Introduction**

Many Bands have found it necessary to establish the position of Office Manager, Administrative Assistant, or Assistant to the Band Manager. The exact job description of this position would vary, depending on how responsibilities were divided amongst personnel within the Band Administration Office. The Office Manager might also take on some of the responsibilities of the Accountant/Controller by assisting with filing, accounting, etc. The required qualifications for the position would also depend on the exact responsibilities of the position.

The following job description is a sample of the responsibilities which might be allocated to a Band "Office Manager". Individual Bands would tailor-design the job descriptions of their Office Manager to fit their situation.

#### **4.2 Office Manager - Sample Job Description**

Subject to the goals and objectives of the Band and the Administration Department, and under the direct supervision of the Band Manager, the responsibilities of the Office Manager shall be as follows:

- a) Supervise the administration staff on a day-to-day basis, on behalf of the Band Manager.
- b) Handle day-to-day inquiries (by telephone and in person) on behalf of the Band Manager.
- c) Assist the Band Manager in obtaining quotes for supplies, and arranging credit with suppliers.
- d) Maintain an up-to-date inventory of supplies and list of Band-owned capital assets, and order office supplies when required.
- e) Check incoming supplies and invoices to ensure shipments are complete, and that no extra charges are added, and distribute office supplies.
- f) Maintain CMHC accounting records, including RRAP and new housing construction, mortgage payments, record of subsidy payments, and rental revenue, and prepare necessary disbursements for mortgage payments, maintenance, etc.
- g) Maintain accurate accounting records for medical programs, including transportation for medical/ hospital trips, NNADAP and CHR program; prepare required forms and forward to Medical Services for reimbursement on a monthly basis.
- h) Assist in preparing and typing reports, statements, etc. for the Band Manager.
- i) Maintain an accurate filing system for Band information.
- j) Collect time/attendance sheets for all Band staff prior to payroll preparation for the Accountant/Controller.
- k) Undertake other assignments, as directed by the Band Manager.



## **5. Receptionist**

This section includes suggested job qualifications and a sample job description for the Band Receptionist.

### **5.1 Job Qualifications**

The suggested qualifications for the position of Band Receptionist include:

- a) Good verbal and written communication skills.
- b) Neat in appearance; outgoing, friendly, cooperative personality.
- c) Ability to assist with general clerical duties, when required, such as typing, filing, word processing, etc.
- d) A valid provincial driver's license is required.

## **5.2 Receptionist - Sample Job Description**

- a) Unlock the Band Office five minutes prior to office opening, and lock up the office upon leaving at office closing time. Ensure that lights, equipment, etc. are turned off, before leaving the office each night.
- b) Receive incoming telephone calls and answer routine enquiries; transfer calls to the appropriate personnel, or accurately record messages if the person is out of the office.
- c) Receive clients at the reception counter, answer routine inquiries, and make appointments when required. ("Walk-ins" should be informed that appointments are necessary, or they will have to wait until the individual they wish to see is available.) Receive clients and assist by showing them to the office of the Chief, Band Manager, etc.
- d) Record incoming mail, stamp the date received, and distribute to the appropriate personnel. For invoices, date stamp the back of each invoice copy. (Note: Some Band Managers have the Receptionist type a daily list of incoming mail, which includes the sender and nature of incoming correspondence, such information as cheque amounts (where relevant), who the correspondence is directed to, whether action is required, and if so, the action required and the deadline for response.)
- e) Stamp and post outgoing mail; maintain copies of outgoing correspondence in a master file. If postage stamps are used, the stamps should be stored in a safe place, such as a locked metal cash box.
- f) Make and keep accurate records of all outgoing long-distance telephone calls, to be billed to the appropriate program budget.
- g) Keep the Bulletin Board up-to-date; post relevant material, and remove information which is out of date.
- h) Ensure that all Band staff members who will be away from the office inform her of their itinerary, and record same on a chalk board or some similar system. (A board should list all employees, whether they are in or out, and if they are out, when they are expected to return.)
- i) Assist the Secretary with clerical duties, such as typing word processing and filing, etc., as time permits.
- j) Keep accurate daily records of employee attendance, sick leave, etc. on the forms provided, and submit them to the Accountant/Controller.
- k) Conduct any other relevant activities as requested by the Band Manager or the Band Council.

## **6. Secretary**

This section includes suggested job qualifications and a sample job description for the Band Secretary.

### **6.1 Job Qualifications**

The suggested job placement qualifications for the Band Secretary include the following:

- a) Typing skills of 50 words per minute (minimum), and word processing skills, if applicable.
- b) Shorthand of 85 words per minute (minimum).
- c) Possess a valid provincial driver's licence.
- d) Excellent verbal and written communication skills.
- e) Accurate and competent in recording and transcribing minutes of meetings, and in typing and/or word processing written reports and dictated material.
- f) Ability to quickly grasp new concepts and ideas.
- g) Neat in appearance; outgoing, friendly, cooperative personality.

## **6.2 Band Secretary - Sample Job Description**

- a) Pick up the Band mail daily each morning, and give to the Receptionist for sorting.
- b) Make travel reservations and bookings for the Chief, Council, and staff as required; type travel itinerary information and provide the Receptionist with a copy.
- c) Type the agendas for Band Council meetings, and distribute these and any required attachments to the Chief and Council, and other relevant persons who will attend, at least two working days prior to the meeting.
- d) Accurately record and transcribe Minutes of Band Council meetings and other Band-related meetings, as requested.
- e) Do typing and/or word processing for office staff and the Chief and Council as requested, including proposals, reports, letters, etc., from written copies, dictaphone tapes, or by taking dictation.
- f) Compile and maintain an up-to-date directory of frequently called telephone numbers and addresses.
- g) Set up and maintain an up-to-date office filing and index system.
- h) Duplicate and distribute bylaws, circulars, contracts, and other relevant materials as requested.
- i) Maintain confidentiality of all records and files, unless release of specific information is authorized by the Band Council.
- j) Keep track of meetings, etc. arranged, and remind staff/Council members a day before of the upcoming meeting; ensure that those with whom the meeting is arranged are telephoned ahead of time if the meeting must be cancelled.
- k) Conduct any other relevant duties as requested by the Chief, Council, or Band Manager.

## **7. Band Janitor**

This section includes suggested job qualifications and a sample job description for the Band Janitor. This position might be part-time, depending on the number of Band buildings. If there is not a Band-administered school on the reserve, and there are few buildings and offices, this position might be combined with another position, such as Band Buildings Maintenance Manager.

### **7.1 Job Qualifications**

The suggested job qualifications for this position include:

- a) Competent in performing janitorial duties.
- b) Valid provincial driver's license.

## **7.2 Band Janitor - Sample Job Description**

Reporting directly to the Band Manager, the Band Janitor shall be responsible for the following duties:

- a) Conduct janitorial duties daily to ensure that all Band offices and buildings are kept clean. Duties shall include the following:
  - Sweep, vacuum, and/or wash all floors as required.
  - Wax floors as required (at least monthly).
  - Remove garbage to a central place for disposal.
  - Clean and disinfect bathrooms (toilets, sinks, floor and walls).
  - Ensure the continued supply of bathroom accessories (soap, towels, toilet tissue, deodorizer).
  - Dust window sills, ledges, shelves, desks, and other furniture and equipment.
  - Encourage staff and Band members to cooperate in keeping the buildings clean.
- b) Ensure each morning that the exterior stairs of Band offices and buildings are swept or shovelled to keep them safe and free of snow and debris. Remove ice and snow from steps, walks, and roofs as required.
- c) Check doors and windows to ensure the buildings are locked, and that all equipment is turned off, after hours.
- d) Report any maintenance problems or required supplies to the Band Buildings Maintenance Manager or Band Manager.
- e) Promote pride of ownership and attitudes of responsibility regarding the use of Band property by all Band members

## **8. Band Membership Clerk**

If the Band has assumed control of its own membership (see Developing a Band Membership Policy on page 30), the Band Council will appoint an employee of the Band to carry out the responsibilities of Band Membership Clerk. In assuming control of membership, the Band will establish rules and regulations with regards to membership, and will likely establish a Membership Review Committee, as well as appeal procedures. The Band Membership Clerk would be required to facilitate and process Band Membership Applications, assist the Membership Review Committee to do its work, and keep proper records and files of such applications, accompanying documentation, appeals, etc.

If the Band has assumed control of its membership, the qualifications and job description of the Membership Clerk might be along the lines of the following.

### **8.1 Job Qualifications**

The Band Membership Clerk would be recommended to have the following qualifications:

- 1) A good understanding of the Band's Membership Policy.
- 2) Good clerical and recordkeeping skills.
- 3) Strong oral and written communication skills.

## **8.2 Membership Clerk - Sample Job Description**

Subject to the rules and regulations of the Band's Membership Policy, and reportable to the Band Council through the Band Manager, the duties of the Band Membership Clerk might include responsibilities similar to the following:

- a) Keep accurate and up-to-date records on all Band members, including records of births, deaths, reinstated members, and other additions or deletions of individual members.
- b) Provide application forms to those who wish to apply for membership in the Band.
- c) Receive applications for membership, keep records of these applications and the date received, and ensure that the required documentation is submitted. If necessary, request proof of parentage; certificates of birth, divorce or death; or any other information which may be required by the Membership Review Committee.
- d) Accept notices for appeals, and note the dates on which they were received.
- e) Refer applications and notices for appeals to the appropriate body.
- f) Maintain accurate files on all areas related to membership.
- g) Organize Band meetings for hearing of appeals within 60 days of receiving a notice of appeal, and post public notices of such hearings at least 14 days in advance of such hearings. This would vary, depending on the rules for appeals established by the Band in its Membership Rules and Regulations.
- h) Add and delete names from the membership list, as directed by the Review Committee and the Appeal Board, and note the dates when these occur.
- i) Assist the Review Committee, the Appeal Board, and the Council in other membership-related duties when requested.

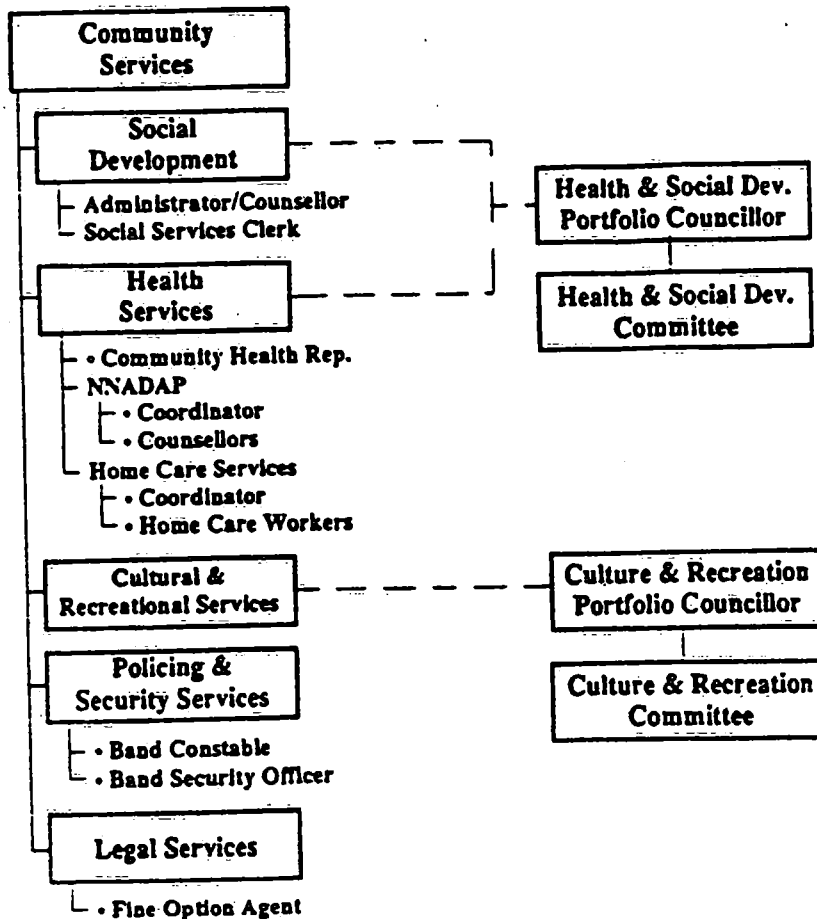


## F. COMMUNITY SERVICES BRANCH

### 1. Introduction

The following chart indicates the staff and services of the Band included under the category of Community Services in this manual.

Community Services Chart



Community Services staff should consider the goals of all the programs for which the Branch is responsible, and approach overall problems with a broad perspective. There are relationships between problems of unemployment, alcoholism, child neglect, lack of recreational facilities and activities, and unhealthy living conditions. Therefore, a wholistic approach is the most effective in improving the community's overall quality of life.

Sample departmental goals for each program category in Community Services, and job descriptions for Community Service staff will be included in this section.

## 2. Goals

The suggested general goals for the Community Services Branch include the following:

- a) To provide the best level of services to Band members.
- b) To coordinate and deliver all socially-oriented programs under the direction of the Band government.
- c) To promote pride and reliance among all Band members.
- d) To strive for the improvement of social and health conditions of the Band members.
- e) To plan and deliver preventive programs, to help prevent the development of potential problems.
- f) To achieve greater citizen involvement in the planning and delivery of all services.

### **3. SOCIAL DEVELOPMENT BRANCH**

#### **3.1 Introduction**

The Social Development Branch includes: 1) Social Assistance; and 2) Social Services programs. "Social Assistance" refers to the program which provides income support to individuals and heads of households who are unable to adequately provide basic necessities for themselves and their families. Some counselling is also provided to Social Assistance recipients. "Social Services" refers to programs such as Child Welfare, Adult Care, and other Social Services. The focus of Social Services is on care and services to individuals, as opposed to the payment of income benefits to the beneficiaries. In many Bands, the Social Assistance and Social Services functions are combined, while in others, the two functions are separate.

Most regions of INAC produce a Social Development Policy and Procedures Manual, a major component of which is the Social Assistance Manual. Some manuals include sections on Adult Care and Child Welfare. Since the situation in each region may differ, the Social Development manual should be obtained from the INAC regional office for regional details. (Indian Child and Family Services Agencies are, for example, being developed in some regions.)

This section includes suggested goals and objectives for the Band's Social Development Branch, and sample job qualifications and job descriptions for the positions of Social Development Administrator/Counsellor and Social Development Clerk. Since the situation may differ from region to region, and from Band to Band, the sample job descriptions offered in this section provide a basic outline, and may be personalized, revised and updated by each Band, as required.

#### **3.2 Goals**

The suggested goals of the Social Development Branch are to achieve results in the following areas of program administration, rehabilitation, and prevention:

- Administer the Social Assistance Program according to both the Program and Band regulations.
- Provide information to Band members on individual rights and entitlements regarding Social Assistance and other Social Services.
- Ensure accountability to the Chief and Council, the Social Development Department, the client, and Indian and Northern Affairs Canada.
- Work with other agencies to promote awareness of the problems associated with child neglect, abuse, and abandonment.

- Attempt to alleviate the high unemployment rate; identify the training required, and give advice on available employment opportunities.
- Work with the Band Manager and Health and Social Development Committee (if applicable) in preparing Work Opportunities Project and other similar job creation applications.
- Provide marital counselling to help keep conflict in the homes at a minimum.
- Work with personnel in the Recreation Unit to help provide recreational services and activities.
- Cooperate with National Native Alcohol and Drug Abuse (NNADAP) Counsellors in assisting with alcohol/drug counselling and reducing the incidence of alcohol/drug related problems.
- Work cooperatively with other agencies to instill pride in Band members and to provide rehabilitation services.

### **3.3 Social Development Administrator/Family Counsellor**

#### **a) Job Qualifications**

The Social Development Administrator/Family Counsellor should have the following qualifications:

- A degree in Social Work.
- Knowledge of local traditions, culture and language, to be able to fully understand the Band's social structure, appreciate the problems of clients, and be able to perform job duties without the aid of an interpreter.
- Experience in the use of interviewing techniques; ability to communicate well with persons of different interests and needs, and to counsel recipients of financial aid.
- Possess initiative and judgement, and be willing to look for permanent solutions which will lead to financial independence for recipients.
- Knowledge of the material and human resources available to raise the Band members' standard of living.
- Ability to work well with the Band Council, District or Regional Social Development personnel, community committees, families, other Band staff members, and relevant organizations.
- Good communications and interpersonal skills, and accounting abilities.
- Knowledge of Social Services and Social Assistance programs and provincial organizations.
- Ability to supervise assistants (Social Development Clerk), when applicable.

The Social Development Administrator/Family Counsellor must be able to communicate effectively, and indicate a willingness to listen and help with social problems. He/she will be required to cooperate with District Social Development staff, and to work closely with the Band Council, Health and Social Development Committee, and Band Health, Administration and Education staff on education, prevention, employment, and health programs.

**b) Social Development Administrator/Family Counsellor - Sample Job Description**

Subject to the stated objectives and policies of the Chief and Council, and under the general supervision of the Band Manager, the Social Development Administrator/Family Counsellor will work with District Social Development personnel, and be responsible for the administration of Social Development Programs in the following areas:

- Work towards fulfilling the goals and objectives of the Band's Social Services Branch.
- Administer and implement the Social Assistance Program on the reserve, in cooperation with District Social Development personnel, and in accordance with the Program and Band regulations.
- Be knowledgeable regarding provincial Social Service programs, regulations, and requirements.
- Work with the Band Council, Program staff, and families to strengthen the delivery of the Social Development program, so that it reflects the social and economic development goals and objectives of the Band Council and members.
- Receive and review applications for assistance to determine entitlement, and ensure that applicants are treated fairly and with respect.
- Encourage/assist clients to participate in programs of self-help and social/ economic development.
- Provide information to Band members as required, to ensure that they are well-informed of their rights regarding the Social Development programs
- Act as the Band representative on Social Development matters and interpret the programs in the community.
- Work closely with the Band Council, Administration staff, Education staff, culture and recreation staff/volunteers, NNADAP Counsellors, Guidance Counsellor, Community Health Representative, Nurse, Child Welfare Workers, and Health and Social Development Committee to plan and implement programs with the aim of preventing and/or overcoming some of the problems facing Band members, increasing Band members' standard of living, and working towards long-term solutions.
- Work closely with the NNADAP workers in delivering rehabilitation and education/ prevention programs.
- Cooperate with Band Manager and the Health and Social Development

Specifically, the duties of the Social Development Administrator/Family Counsellor shall include the following:

- 1) Interview clients applying for Social Assistance, and provide them with advice, information, and counselling.
- 2) Determine the eligibility and needs of applicants for Social Assistance. Complete the necessary documentation to determine if they qualify for assistance, and if they do, prepare budget and decision sheets for each transaction, including:
  - the amount the client is eligible for;
  - changes in the client's needs; and
  - any services included which may administered directly by the Band (e.g. utility payments).
- 3) If clients do not qualify for assistance, explain why, and inform them of their right to appeal.
- 4) Identify those needing professional assistance, and obtain such assistance.
- 5) Advise and assist those in need of income support, including Social Assistance, Disabled Persons Allowance, Old Age Security, Family Allowance, etc.; refer applicants to medical authorities for certification of physical disabilities, where indicated.
- 6) Provide advice and support to enable community members with special needs to function in the community, e.g. homemaker services, special appliances, etc.
- 7) Assist, coordinate, and liaise with government and private agencies in the field of social development whose programs relate to Band members.
- 8) Assist in the promotion of education, training, and employment opportunities which may lessen the need for social assistance.
- 9) Assist relevant agencies in duties related to Child Welfare and Protection Services, when indicated. (This may include interviews, research, social histories, attendance at family and juvenile courts, assisting in locating foster homes, making placements, and visiting children in foster homes.)
- 10) Work with parents in strengthening home life and improving home conditions for children.
- 11) Maintain or supervise maintenance of Social Assistance statistical information and records, including records of interviews and home

- 12) Compile or supervise the preparation of monthly statistical reports, including a monthly summary of cancellations, for review by the Band Council and the District or Regional Social Development Administrator; attend meetings when requested.
- 13) Provide advice to the Band Council on matters within their control on the general program by:
  - Attending all meetings related to Social Development, and Band Council meetings, when requested;
  - Submitting recommendations related to these duties in respect to amendments and additions to the program.
- 14) Prepare, adjust and sign Social Assistance budget and decision sheets; complete monthly data summaries as required in support of Social Assistance expenditure claims, and issue cheques to individual recipients.
- 15) Assist in seeking permanent solutions for recipients:
  - Determine clients' long-term needs, and become knowledgeable regarding resources available at the federal, provincial and local level to help meet these needs, including education, training, and employment opportunities.
  - Assist recipients to solve their problems by taking advantage of available resources, choosing the best course, and make the required arrangements.
- 16) Explain assistance available from other governmental agencies; assist with completing application forms and establishing eligibility for benefits such as Veterans Allowance, Old Age Security, Guaranteed Income Supplement, Child Tax Rebate, etc.
- 17) Administer Third Party Accounts on request from other governmental agencies such as Family Allowances, Old Age Security, and Guaranteed Income Supplement, by:
  - Determining the needs of clients through visits and correspondence, and dispersing the funds to meet these needs.
  - Recommending and advising the source agency on changes in circumstances and adjustment in assistance, as required.
- 18) Provide miscellaneous services, such as assisting the Band with



- 19) Pursue professional development by attending and participating in training workshops, courses, conferences, etc. where relevant and pertinent to the employee's responsibilities.
- 20) Maintain Work Opportunities Project and other related employment project records.
- 21) Prepare correspondence, reports, statements, and information related to these duties as required, and conduct any other relevant duties regarding Social Development, as requested by the Band Council or Administration.
- 22) Upkeep and maintain Band membership records. (This would be the responsibility of the Band's Membership Clerk on reserves where Bands have assumed control of their membership.)
- 23) Medical Transportation - Prepare forms and forward to Medical Services Branch for reimbursement on a monthly basis.

### **3.4 Social Development Clerk**

This section includes suggested job qualifications and a sample job description for the position of Social Development Clerk.

#### **a) Job Qualifications**

The Social Development Clerk should ideally have the following qualifications:

- Grade 12, and post-secondary training related to the field (a degree in Social Work is preferred), or formal training in Social Development on a reserve, and/or a number of years' experience in a related field.
- Knowledge of local traditions, culture, and language.
- Experience in interviewing; the ability to counsel and communicate well with clients.
- Good typing/word processing, accounting, filing, and organizational skills.
- Ability to work well with the Band staff and Departmental Social Development personnel.
- A working knowledge of Social Development programs and provincial organizations is preferable.

**b) Sample Job Description - Social Development Clerk**

Under the supervision of the Social Development Administrator/Family Counsellor, the responsibilities of the Social Development Clerk include the following:

- 1) Become knowledgeable regarding Social Development programs, regulations, and requirements.
- 2) Prepare budget decision sheets for each transaction, including:
  - the amount the client is eligible for;
  - changes in the client's needs; and
  - any services included which may be administered directly by the Band (e.g. utility payments).
- 3) Keep Social Assistance records and files up-to-date, maintaining an accurate case file on each client.
- 4) Prepare monthly statistical reports, including a monthly summary of cancellations, as directed.
- 5) Prepare Social Assistance cheques and record who picks up the cheques.
- 6) Prepare financial and reconciliation statements for Social Development, in accordance with the Band's Financial Regulations.
- 7) Complete typing and other clerical duties as requested.
- 8) Maintain Work Opportunities Project records and other related employment project records.
- 9) Pursue professional development by attending training workshops, courses, conferences, etc. which are relevant and pertinent to job responsibilities. (Permission to attend such programs must be obtained in advance from the Band Council, who, upon approval, will normally fund costs for travel, meals, and accommodation.)
- 10) Perform other relevant duties as instructed by the Social Development Administrator.

#### **4. HEALTH SERVICES**

##### **4.1 Introduction**

Health Services include the services provided to the community by the Community Health Representative (CHR), the Community Health Nurse, the National Native Alcohol and Drug Abuse Program (NNADAP) staff, transportation for medical and dental care, and Home Care Services, (if the Band provides these for elderly or infirm members). The Department of Health and Welfare, Medical Services Branch (M.S.B.), is responsible for the provision of health services to the Registered Indian population.

Bands are able to provide medical transportation benefits to assist Band members living on the reserve to access required medical services. Since such benefits are funded by the Medical Services Branch of Health and Welfare Canada, generally Band Medical Transportation policies would reflect the current policies of MSB in this regard. (See Appendix II: Health and Welfare, Medical Services Branch "Program Directive 1/3 - Medical Transportation" [01/03/90]).

Unless the Band has assumed control of its own Health Care Program, the Community Health Nurse reports to, and is paid by Medical Services. A Community Health Nurse may work solely in one reserve, or may service a number of reserves, depending on the number of Band members. The Nurse will communicate with and provide guidance to the Community Health Representative in implementing and planning activities.

This section includes:

- sample goals of a Band Health Services Branch;
- qualifications and sample job description for the Community Health Representative;
- information on the National Native Drug and Alcohol Abuse Program, and qualifications and job descriptions for the positions of NNADAP Coordinator and NNADAP Counsellor/Community Worker;
- sample goals for a Home Care Services Branch, and qualifications and ample job descriptions for the positions of Home Care Coordinator, and Home Care Workers.

## **4.2 Goals**

The goals of the Health Services Branch are to:

- a) Assist the members of the Band in working towards a state of optimum health and well-being.
- b) Educate Band members regarding health care and family planning, including good nutrition, a healthy lifestyle, prenatal and newborn care, and other preventive measures to assist them in achieving good health, to help prevent accidents and disease, and to reduce high infant mortality rates.
- c) Ensure that Band members receive good medical and dental care, and are provided with access (transportation) to such services, when they are required.
- d) Assist elderly Band members, and others in need of special/home care, to live as comfortably, independently, and as healthily as possible, through the provision of Home/Special Care services.
- e) Maintain good health records on Band members, including records of shots for childhood and communicable diseases, allergies, etc.
- f) Provide counselling, advice, and referrals for health-related problems.
- g) Provide emergency first aid, and instruct Band members in emergency procedures (treatments for shock, burns, and serious bleeding, cardio-pulmonary and cardio-vascular resuscitation, etc.)
- h) Ensure that hospitalized members of the Band are visited on a regular basis.
- i) Explain and or interpret health programs and services to Band members, as required.
- j) Promote and assist in the development of new community groups, or work with existing community groups to promote and improve good health in the overall community.
- k) Ensure a clean water supply; and have water samples analyzed for safe health practices when requested.

### **4.3 Community Health Representative**

#### **a) Introduction**

The role of the Community Health Representative (C.H.R.) is to provide a variety of health care and health education services to Band members, and to be a link between members and health care professionals. The general responsibilities of the CHR include an emphasis on home visits; school programs and liaison activities; interpreting and/or explaining available health programs and services; counselling and referrals; and assisting with the development and education of groups promoting improved community health.

#### **b) Qualifications**

The CHR will be required to undergo training as a Community Health Representative, in courses conducted or approved by Health and Welfare, Medical Services Branch. The CHR will also be expected to take CHR refresher training courses, when available, while employed in this position.

**c) Community Health Representative - Sample Job Description**

The Community Health Representative will be under the general guidance and direction of the Chief and Band Council. The CHR will be directly responsible to the CHR Supervisor on matters relating to the operation of his/her program. The activities of the CHR will be planned and implemented in consultation with the Community Health Nurse.

The specific duties and responsibilities of the CHR will include the following:

Home Visits

- 1) Make home visits to pregnant mothers, mothers with infants and young children, and other families in the community, to assist and educate them regarding good health care and preventive practices, including prenatal and child care, nutrition, family planning, healthy lifestyles, good hygiene and sanitation, communicable diseases, dental care, mental health, alcohol and drug abuse, etc.
- 2) Instruct and educate prenatals and new mothers with respect to body changes, diet, exercise, medical care, breast feeding, and newborn care.
- 3) Instruct household members on emergency care and treatment, in case of accidents, and in home nursing care for the sick and aged.
- 4) Assist with home and personal situations by listening and providing assistance with health-related problems, by counselling, advising, and referring them for further help or treatment when required.
- 5) Work with the Community Health Nurse and or physician to obtain and record personal health histories of Band members.
- 6) Record the weight, height, temperature, pulse, and blood pressure of individual Band members when indicated.
- 7) Provide information and advice to Band members regarding available health and social services, when required.
- 8) Obtain water samples for analysis when requested by Band members, or when indicated for safe health practices. Record the results of the analysis in the appropriate file, and inform the household of the results.
- 9) Provide emergency first aid when required.

School Program

- 10) Record height and weight, conduct gross vision examination and audiometer (hearing) testing of students as requested.
- 11) Work with the Nurse to conduct rapid class inspections and general physical examinations of students at the beginning of the school year.
- 12) Work in cooperation with the school's teaching staff and other health workers to instruct the students regarding health, prevention, nutrition, good personal hygiene, and other health class presentations.

Liaison Activities

- 13) Advise all health care personnel regarding local Indian culture and traditions, and advise them regarding the most acceptable approach to specific health problems of Band members.
- 14) Provide the Band Council and the CHR Supervisor with a written month-end report summarizing activities, and listing recommendations when appropriate.
- 15) Attend and participate in meetings of the Band Council and other appropriate agencies (such as inter-agency and health committee meetings), as requested.
- 16) Pursue ongoing professional development by attending continuing education sessions, and other health related meetings, conferences and seminars.
- 17) Participate in health clinics when directed.
- 18) Conduct educational workshops, short courses, and health education programs for Band members.
- 19) Assist in the promotion and development of health education-related community groups and assist current community groups/agencies wishing to improve the community's health.
- 20) Visit hospitalized members of the Band at least once a month, and assist in coordinating volunteer visits.
- 21) Ensure confidentiality of all information relating to clients.
- 22) Conduct other health-related duties as instructed by the Chief, Council,



#### **4.4 NATIONAL NATIVE DRUG AND ALCOHOL ABUSE PROGRAM (NNADAP)**

##### **a) Goals**

The general goal of the National Native Drug and Alcohol Abuse Program is to reduce the level and frequency of alcohol and drug abuse by providing community educational programs, facilitating treatment and rehabilitation for clients, and providing counselling and referral/follow-up programs.

##### **b) NNADAP Coordinator**

###### **Qualifications**

The required qualifications for the NNADAP Coordinator position include:

- Minimum 3 years sobriety.
- Grade 10 Education or GED Equivalency.
- Management experience. A valid provincial driver's licence.
- Good counselling and communication skills.

### **NNADAP Coordinator - Sample Job Description**

Under the general supervision of the Band Manager, and subject to the objectives and policies of the NNADAP Program and the Chief and Council, the responsibilities of the NNADAP Coordinator shall include the following:

- 1) Determine ongoing community program needs in prevention education, rehabilitation, and referral/follow-up programs.
- 2) Establish program objectives and work procedures, in keeping with program policies and priorities.
- 3) Plan daily/weekly activities for NNADAP Community Workers; assign duties, and provide advice and support.
- 4) Assist in conducting interviews for new staff; recommend staffing decisions to the Band Council.
- 5) Oversee program implementation, and ensure that NNADAP Community Workers are fulfilling their duties as instructed.
- 6) In conjunction with Community Workers, develop and/or gather, compile, and distribute educational information related to alcohol and drug abuse.
- 7) Plan and implement educational workshops related to alcohol and drug abuse, including audio-visual presentations, group discussions, and involvement in school programs, where applicable.
- 8) Represent NNADAP project concerns at general community information meetings, where indicated.
- 9) Establish and maintain an up-to-date list of available resources, agency and referral contacts.
- 10) Establish and maintain good communications with health and legal professionals, law enforcers, referral agencies, and the community.
- 11) Provide a continuing support system for clients during the post-treatment phase, including counselling, home visits, and attendance at court hearings, when applicable.
- 12) Ensure adequate transportation arrangements for clients, to and from treatment centres.

- 13) Ensure ongoing professional development of all NNADAP staff by participating in, and encouraging NNADAP workers to participate in available training programs, workshops, etc., related to counselling, personal development, and NNADAP-related training.
- 14) Encourage communication and liaison with other NNADAP Coordinators and attend all Coordinators' meetings, as well as other relevant meetings.
- 15) Maintain and submit attendance records for NNADAP staff to the Band Administration.
- 16) Control and ensure adequate documentation of program expenditures, following the Band's Financial Regulations.
- 17) Ensure the ongoing maintenance of records and statistics related to the program and its clients, including a daily activities log, weekly schedules of visits, long distance telephone charges, community meetings, and other educational activities, etc.
- 18) Ensure confidentiality of all information related to clients.
- 19) Provide financial statements and budget reports to Band officials and NNADAP, as required.
- 20) Develop and submit annual program and budget proposals, for submission to Band officials and NNADAP.
- 21) Submit monthly reports on the program's activities and progress to the Health and Social Development Portfolio Councillor and to the Band Manager.
- 22) Prepare annual program and staff evaluation reports for the Band Council.
- 23) Conduct any other relevant duties, as requested by the Band Council.

**c) NNADAP Counsellor/Community Worker**

**Qualifications**

The required qualifications for the NNADAP Counsellor/Community Worker position include:

- Minimum two years sobriety.
- Grade 8 Education or GED Equivalency.
- A valid provincial driver's licence.
- Good counselling and communication skills.
- NNADAP training, or the willingness to take training.

### **NNADAP Counsellor/Community Worker - Sample Job Description**

Under the general supervision of the NNADAP Coordinator, and subject to the objectives and policies of the NNADAP Program, the responsibilities of the NNADAP Counsellor/Community Worker shall include the following:

- 1) Keep up-to-date with current information in the field of alcohol and drug abuse by:
  - reading relevant articles, books, and newsletters;
  - attending staff development and training sessions as assigned;
  - participating in regular staff meetings, and sharing recent information on learning, counselling, etc.
- 2) Participate in educational programs which facilitate increased community awareness and information regarding alcohol and drug abuse and dependency, including:
  - lectures, audio-visual presentations, workshops and discussions conducted in the school and community;
  - distributing educational material related to alcohol and drug abuse;
  - with the teaching staff, discussing and preparing lesson plans and materials for the school curriculum, when advised;
  - in conjunction with recreation and culture staff and volunteers, facilitate and encourage the establishment of community groups and recreational/cultural activities which promote the positive and constructive use of leisure time.
- 3) Act as a liaison contact person, to facilitate the treatment process of clients when required:
  - Receive referrals of individuals who are experiencing difficulties due to alcohol and/or drug abuse.
  - Upon client consent, obtain/document any health or welfare related information required by the treatment centre.
  - Make formal referrals of individuals to a treatment program, where necessary.
  - Arrange for the required support services with Band officials to ensure that, in the absence of the client undergoing treatment, his/her family will be taken care of.

- Document the cases of clients who are referred for treatment.
- 4) Provide follow-up rehabilitation services for clients after their release from treatment, through the following:
- Upon the client's release, consult with the treatment centre counsellor.
  - Help the client to re-adapt to the community, and provide counselling on how to avoid peer pressure to again start drinking or abusing drugs.
  - Maintain contact with the clients and their families on a regular basis.
  - Develop a list of "temporary sponsors", to ensure early participation of clients in local Alcoholics Anonymous groups.
  - Encourage and facilitate client contact and group discussion/support groups with other clients who have undergone treatment.
  - Encourage clients' involvement in ongoing community programs and constructive activities.
  - Identify client needs in terms of support services.
  - Document follow-up services to clients and their families in order to provide continuity of counselling.
  - Assess the progress of clients' rehabilitation at regular intervals, and recommend when circumstances indicate that further follow-up is no longer necessary.
- 5) Abide by a professional code of ethics in performance of his/her duties:
- Learn and adhere to ethical standards established for the NNADAP program.
  - Ensure strict confidentiality of all personal matters relating to knowledge of the client and his/her family.
  - Conduct discussions regarding clients only with authorized personnel.
- 6) Prepare and submit monthly reports on activities to the NNADAP Coordinator.
- 7) Perform any other related duties as requested by the NNADAP Coordinator.

#### **4.5 HOME CARE SERVICES**

Some Bands have established Home Care Services on their reserves. This section includes suggested goals for the Home Care program, and suggested job descriptions for the Home Care Supervisor and Home Care Workers.

##### **a) Goals**

The goals of Home Care Services are:

- 1) To provide home and special care services to seniors on the reserve, to enable them to live as independently and healthily as possible.
- 2) To provide home and special care services to those youth and adults on the reserve who require such assistance, due to physical disabilities or chronic diseases.

##### **b) Home Care Supervisor**

###### **Qualifications**

The Home Care Supervisor will be required to have successfully completed a Home/ Special Care Aide course, or to undertake the completion of the course at the earliest possible time. In addition, she will be required to have a valid provincial driver's license, and good interpersonal and communication skills.

### **Home Care Supervisor - Sample Job Description**

Under the general supervision of the Band Manager, and in conjunction with the Nurse and Community Health Representative, the Home Care Supervisor will:

- 1) Design and implement a coordinated strategy for the delivery of a Home Care Services program, to meet the needs of the elderly and infirm residents of the Band in need of such care.
- 2) Set up and maintain an up-to-date filing system for all home/special care recipients, including personal health histories, any special requirements (such as diet); and a schedule and log of services delivered.
- 3) Set up and oversee a monthly and weekly schedule of home/special care services delivery for each Home Care Worker.
- 4) Prepare a monthly report on home/special care services, and submit this to the Health and Social Development Portfolio Councillor, the Band Manager, and the Community Health Nurse.
- 5) Attend and participate in Band Council and other relevant meetings when requested.
- 6) Ensure ongoing professional development by attending relevant training workshops, seminars and conferences.
- 7) Monitor the activities and performances of Home Care Workers; and prepare annual staff evaluations.
- 8) Recommend staffing decisions to the Band Council, as required.
- 9) Make home visits to home/special care recipients to monitor the program.
- 10) Assist with home/special care services programming as time permits, and fill in when Home Care Workers are sick or on holidays.
- 11) Submit expense claims and time sheets on Home Care Workers to the Band Administration.
- 12) Prepare an annual evaluation of the program, including recommendations for changes in policy, programming, etc. as required.



- 13) Maintain ongoing communication with home/special care recipients and Band members regarding the program; and be prepared to explain and discuss the program at general Band meetings at least annually, to encourage community feedback and discussion.
- 14) Monitor and determine ongoing program needs.
- 15) Ensure strict confidentiality of all personal knowledge relating to the patients and their families resulting from their employment; discuss personal/medical matters only with classified personnel.
- 16) Perform any other related duties as assigned by the Band Council or Community

**c) Home Care Worker**

**Qualifications**

Home Care Workers will be required to have successfully completed a Home/Special Care Aide course, or to undertake the completion of the course at the earliest possible time. In addition, they will be required to have a valid provincial driver's license, and good interpersonal and communication skills.

### **Home Care Workers - Sample Job Description**

Under the direct supervision of the Home Care Supervisor, the Home Care Workers shall:

- 1) Be responsible for carrying out their home/special care services duties via home visits, as per the weekly and monthly schedules and instructions provided them by the Home Care Supervisor.
- 2) Maintain up-to-date files on their patients, including details on home visits (dates, services rendered, comments, etc.)
- 3) Prepare and submit a monthly report on activities, including a daily log of home/ special care services and activities, recommendations, etc., to the Home Care Supervisor.
- 4) Pursue ongoing professional development by attending relevant training workshops, seminars conferences.
- 5) Ensure strict confidentiality of all personal knowledge relating to the patients and their families acquired on the job; discuss personal/medical matters only with classified personnel.
- 6) Conduct any other relevant duties as requested by the Home Care Supervisor.

## **5. POLICING AND SECURITY SERVICES**

This section includes sample job descriptions for the Band staff positions of Band Constable and Band Security Officer.

### **5.1 Band Constable**

#### **a) Introduction**

The Band Constable is an employee of the Band, and as such takes direction from the Chief and Council with regards to duties, hours of work, leave, discipline, and so on. As the enforcement arm of the Band, the Band Constable is responsible for areas of local concern which are not under the jurisdiction of the Royal Canadian Mounted Police (RCMP). This includes areas such as the enforcement of Band bylaws, educational and preventive work, maintaining order at Band functions and elections, and policing Band property.

The Band Constable is selected and appointed by the Chief and Council. Prior to selecting a Band Constable, the Chief and Council may request that the RCMP take fingerprints of candidates for the position, as well as provide character reports, and forward written copies of them to the Chief and Council and to the candidate(s).

Upon approval by the Director General of the Region, in cooperation with the RCMP and Provincial authorities, the Band Constable is issued a Certificate of Appointment by the RCMP or Provincial authorities. The Certificate of Appointment, which is issued for a one year period, and is renewable yearly, indicates the type of policing services which must be provided by the Band Constable.

#### **b) Qualifications and Training**

##### Training

It is crucial that the Band Constable receive adequate training for the position. Training may be obtained through contracts with the Provincial Police College (via the Provincial Attorney General's office), or through the RCMP.

Band Constables should receive their "Certificate of Appointment" prior to training, so that they may receive salaries during their training period. Costs of training, which include registration, course fees, and room and board, may be available from Indian and Northern Affairs Canada or other appropriate sources.

### Qualifications

The suggested qualifications for the position of Band Constable include:

- Good character references;
- Good physical health;
- Grade 10 to 12 Education (where circumstances warrant, Grade 8 may be accepted);
- Good communication skills; and
- Valid provincial driver's license.

### c) Goals

Band Constables should keep in mind that policing involves more than patrol and arrest functions. They should help to increase the community's understanding of and respect for law and order. The effectiveness of Band Constables will depend to a great extent upon the good will and respect of the people whom they serve. To this end, Band Constables not only perform enforcement and protection functions, they also must work in the areas of education, prevention, and public relations.

The goals of the Band Constable include:

- 1) To promote increased awareness and understanding in the community regarding the importance of, and respect for, law and order.
- 2) To undertake educational and public relations functions to assist in promoting law and order and preventing crime.
- 3) To enforce Band bylaws of a civil nature, maintain order in the community, and protect Band property.
- 4) To maintain a constructive and positive approach to his/her job, and be thoughtful and considerate in daily communications with Band members.
- 5) To ensure that effective policing services are provided in the community.

**d) Band Constable - Sample Job Description**

Band Constables are subject to the goals, policies, and objectives of the Chief and Council, to whom they are responsible. Band Constables report to the Band Council via the Band Manager. The duties of Band Constables include the following:

- 1) Responsibly fulfill all policing duties, as instructed by the Band Council, and indicated in the Certificate of Appointment, to the best of their abilities.
- 2) Conduct public relations and educational presentations in the community to promote an increased respect for law and order, as well as an improved understanding of the Band Constable's role. This could include visiting homes in the community, and making presentations in the school and to community groups.
- 3) Liaise with the RCMP, the Band Chief and Council, and all members of the community regarding law and order.
- 4) Educate the general Band membership regarding Band bylaws, and promote respect for and adherence to these bylaws, on behalf of the Band Council.
- 5) Make a special effort to work with the youth of the community in promoting responsible attitudes, constructive behaviour, and a respect for law and order.
- 6) Enforce Band bylaws of a civil nature, such as those relating to zoning, construction, sanitation, fencing, pounds, traffic regulations, and school zone crossings.
- 7) Maintain order at Band functions and elections.
- 8) Police and safeguard Band property.
- 9) Maintain a record of daily police activities, and prepare and submit a written monthly report of these activities to the Chief and Council (via the Band Manager) and to the RCMP, on the forms provided.
- 10) Meet with the Chief and Council and RCMP, upon request.
- 11) Maintain good relations with the RCMP, the community, the Band Council, and other relevant organizations and agencies.

- 12) Conduct any other activities as instructed by the Chief and Council.
- 13) Assist regular members of the RCMP in investigations, particularly in relation in the welfare of juveniles, and assist other law enforcement agencies when Band members are involved.
- 14) Recommend to Council changes to bylaws, and issuing of new bylaws, where deemed advisable.
- 15) Pursue professional development in this field by attending relevant available workshops, conferences, etc., with the approval of the Chief and Council.
- 16) Follow the regulations and Code of Ethics for all Band employees, as stated in the Band's Personnel Administration Manual.

## **5.2 Band Security Officer**

### **a) Introduction**

Band Security Officers are employees of the Band, and take their direction from the Chief and Council with regards to duties, hours of work, leave, discipline, and so on. Band Security Officers should remember that maintaining security involves more than patrol duties. The effectiveness of the Security Officer depends to a great extent upon the good will of the people. They should help promote an awareness, understanding, and respect in the community for security services.

### **b) Qualifications and Training**

#### **Training**

It is crucial that Band Security Officers receive adequate training for the position. Training may be obtained through contracts with institutions which specialize in Security Training. Costs of training, which include registration, course fees, and room and board, may be available from the Band, Indian and Northern Affairs Canada or other appropriate sources.

#### **Qualifications**

The required qualifications for the position of Band Security Officer include:

- Good character references;
- Good physical health;
- Grade 10 to 12 Education (where circumstances warrant, Grade 8 may be accepted);
- Good communication skills; and
- Valid provincial driver's license.

### **c) Goals**

Band Security Officers should keep in mind that maintaining security involves more than patrol functions. They should help to increase the community's understanding of and respect for security services. Their effectiveness as Band Security Officers will depend to a great extent upon the good will and respect of the people whom they serve. Band Security Officers should therefore also work in the areas of education, prevention, and public relations.



The goals of Band Security Officers include the following:

- 1) Ensure that effective security services are provided in the community.
- 2) Undertake educational and public relations functions to promote law and order and to help prevent theft, vandalism, and fires, by promoting increased respect for property and knowledge of fire safety regulations.
- 3) Protect the property of the reserve at all times against theft, and ensure that all safety regulations of the Band regarding the security of its property, and the property of employees and Band members, are adhered to.
- 4) Maintain a constructive and positive approach to their duties, and be thoughtful and considerate in daily communications with Band members.
- 5) Ensure that fire fighting equipment is in its designated location(s) and ready for efficient use when needed.

**d) Uniforms**

- 1) The Security Officers will perform their duties in the uniform provided by the Band Council, including shirt, collar, and tie. The wearing of plain or civilian clothes while on duty is only allowable with the special authorization of the Chief and Council.
- 2) Warm clothing for winter shall be provided by the Band Council. Black or dark blue scarves may be worn during inclement weather.
- 3) When Security Officers have two sets of uniforms, they shall wear the older uniforms for night duty.
- 4) The wearing of uniforms to and from duty is permitted, but uniform jackets and caps are not to be worn off the reserve, unless assigned elsewhere, or special authorization is received from the Council.
- 5) Uniforms are to be kept in clean and tidy condition.
- 6) If the uniforms are damaged through any willful act, omission or carelessness of the Officer to whom it was issued, the Band reserves the right to charge the Officer with the cost of replacement or repair, (taking into account the age of the garment, in the case of replacement).
- 7) Upon leaving employment with the Band, Security Officers will be required to return their uniforms to the Band in an acceptable condition, taking normal wear into consideration. If the uniform is not in an acceptable condition, the Band Council may exercise the right described in 6) above.

**e) Band Security Officer - Sample Job Description**

Subject to the goals, policies, and objectives of the Chief and Council, to whom Band Security Officers are responsible, and from whom they take orders, (via the Band Manager), the duties of Security Officers shall include the following:

- 1) Responsibly fulfill all security duties, as instructed by the Band Council, to the best of their abilities.
- 2) Plan and implement public relations and educational presentations in the community on a regular basis, to promote an increased respect for law, order, property, and security services as well as an improved understanding or the role of the Band Security Officer(s). This could involve visiting homes in the community, and making presentations in the school and to various community groups.
- 3) Liaise with the Band Chief and Council, the Band Constable, the RCMP, and members of the community regarding security services, but honor the confidentiality of security measures and instructions, and only discuss them with Band Councillors, the Band Constable, or other personnel specifically authorized by the Council. Any breach of this confidentiality will be dealt with as a serious offence, and will be subject to disciplinary measures as discussed in this Manual.
- 4) Liaise with the Band Chief and Council, the Band Constable, and the RCMP prior to Band functions such as community dances, pow-wows, Indian ceremonies and celebrations, sundances, sports days, ball games, rodeos, horse or chuckwagon racing, and follow instructions regarding the required security services for such activities/functions.
- 5) Regulate traffic, and organize and control the parking of vehicles at Band functions.
- 6) Assist in conducting searches of motor vehicles at Band functions, with the proper authorization of the Chief and Council and the RCMP, when instructed.
- 7) Work with the youth of the community to promote responsible attitudes, constructive behaviour, and a respect for law, order, and property.
- 8) Protect the property of the reserve at all times against possible theft, from both inside and outside the premises of public facilities, businesses, and Band houses.
- 9) Ensure that all safety regulations of the Band relating to the security of the Band's public and private (members') property are adhered to.
- 10) Ensure that all fire-fighting equipment is in its designated location, and is not treated in a manner which would negatively affect its efficient use

- 11) When made aware of any fires on the reserve, report them and take action where necessary, in accordance with instructions.
- 12) Report, in the manner directed, all accidents affecting Band members or property on the reserve.
- 13) Provide assistance to Band members in any emergencies.
- 14) Attend to the security of Band-owned and individual member-owned property located on sites for temporary periods, including construction sites, farm equipment etc. Report to the proper authorities if anyone wilfully disturbs, alters, defaces, damages, mutilates, vandalizes, or attempts to vandalize or destroy property on the reserve, or when there is possible theft.
- 15) Lost Property: Record in the relevant register all complaints regarding the loss of Band or personal property, together with relevant information (including details of the date, time, and place of loss). Ensure entries are signed by the complainants. Report thefts to the proper authorities, where necessary.
- 16) Found Property: Record in the relevant register all personal or Band property found on reserve premises, including a description of the property, together with the details of the date, time, and location where the property was found. The entries should be signed by the finder of the property in question. When found property is claimed, subject to proper identification, etc., the particulars shall again be recorded, and signed by the claimant.
- 17) Record all occurrences concerning security services and activities in the log book, for the information of management and other relevant persons. It is essential that full and accurate information be recorded.
- 18) Ensure that all visitors seeking directions on the reserve are courteously received and assisted.
- 19) Complete all required written reports prior to going off duty. (All activity reports should be maintained in the office.)
- 20) Prepare and submit a written monthly report of these activities to the Chief and Council at the end of each month.
- 21) Meet with the Chief and Council, Band Constable, and RCMP, when requested.
- 22) Maintain good relations with the Band Council, the Band Constable, the RCMP, the Band members, and other relevant organizations and

- 23) Pursue professional development in this field by attending relevant available workshops, conferences, etc., with the approval of the Chief and Council.
- 24) Any additions or amendments to the duties of Security Officers, (who will be provided with a list of these duties upon their appointment to the position), will be made in writing by the Chief and Council or by other officials in charge of the Security Staff and Services. Security Officers are expected to sign these written instructions and amendments concerning their duties, and to keep themselves informed of all instructions related to their duties.
- 25) Instructions to Security Officers will be given only by the Chief and Council, or a designated delegate responsible for their supervision. If Security Officers wish to discuss any problem relating to their duties, or are in doubt regarding action required, they should confer with the Chief and Council for direction.
- 26) Follow the regulations and Code of Ethics for all Band employees as stated in the Personnel Manual.
- 27) Upon relinquishing their position, Security Officers shall return their Band uniforms, in good condition, as well as the personal copy of their Security Duties.

These duties and instructions do not deal with every possible circumstance which may call for the attention of the Security Staff. Where a situation arises for which no specific instructions have been issued, the Security Staff are expected to use intelligence, common sense, and discretion.

## **6. LEGAL SERVICES - FINE OPTION PROGRAM**

### **6.1 Introduction**

Most provinces contract with Bands to administer a Fine Option Program. Fine Option Programs are administered through the provincial/territorial Justice Department. While policies would be similar from province to province, (as given in the suggested policies provided), variations will be found in each provincial program. For specific details, the Provincial Attorney General's office or Department of Justice should be contacted.

The benefits of a Band Council becoming a sponsoring agency for the Fine Option Program are two fold:

- a) Band members may then have the opportunity to work off their fines by doing community service work on their home reserve; and
- b) The community service work undertaken by participants in the Fine Option Program will benefit the community as a whole.

A fee for each community service order administered is also provided by the provincial/territorial Justice Department to the Fine Option Agent appointed by the sponsoring agency.

### **6.2 General Program Information**

The Fine Option Program Director (an employee of the provincial/territorial Department of Justice) may enter into agreements with agencies to administer the program within a specific area. Band Councils qualify as sponsoring agencies for the program. A Fine Option Agency is responsible for administering the program in accordance with regulations, and developing and maintaining an adequate supply of work placements in the geographic area it serves.

The Fine Option Program provides an option for an individual who has been fined to pay off all or part of the fine by doing community service work equivalent to the value of the fine. To compute the number of hours of community service work required, the amount of the fine would be divided by the provincial/territorial minimum wage rate. In the case of default of a fine payment or incompleteness of a community service order, the imprisonment of the individual would be reduced by the proportion worked off through the community service work.

"Community Service Work" is defined as an activity which:

- a) Is normally performed by volunteers, and does not negatively affect employment opportunities in the community;

- b) Benefits non-profit organizations, departments or agencies of the federal, provincial or territorial government, municipalities, or Indian Bands;
- c) Creates visible benefits in the community;
- d) Involves the offender in working with other citizens; and
- e) Does not include treatment or counselling.

All work performed in the program is considered of equal value, regardless of the tools, equipment or skills which the offender may use to perform the work.

The Fine Option Program may be applied to a person who has been convicted by a provincial court of an offence against the Criminal Code, or any other Act of the Parliament of Canada, any Act or Statute of the Province, or any municipal bylaw or regulation under any of them. The program may not include a "young person" as defined in the Young Offenders Act (Canada). (Stipulations for the program may vary from province to province, since the program is provincially-administered.)

An offender who is issued a notice of fine may register in the program by presenting the notice of fine to a Fine Option Agent at least seven days before the date of default, as set out on the notice of fine.

An offender who is incarcerated in a correctional facility because of an inability to pay a fine, may register in the program by filing an institutional notice with the Fine Option Agent. In such a case, working under the Institution Fine Option Program, the number of hours of work required of the offender would be determined by the correctional facility in which the person was incarcerated.

A Fine Option Program Coordinator, who is an employee of the provincial/territorial Department of Justice, provides instruction to Fine Option Agencies regarding the program's procedures and regulations, monitors their operations, and ensures that all parties have proper documentation so that courts are able to properly apply credits earned in the program.

A Band Council which wishes to become a sponsoring agency for the Fine Option Program may contact the provincial/territorial Justice Department for detailed information. Band Councils who become involved as a sponsoring agency must designate a Fine Option Agent, in cooperation with the Fine Option Program Coordinator, to administer the program on their behalf. A sample job description for a Fine Option Agent follows.

### **6.3 Fine Option Agent**

The Fine Option Agent is designated by the sponsoring agency (Band), in cooperation with the provincial/territorial Department of Justice, and is reportable both to the Band Council, and to the Fine Option Program Coordinator in the provincial/territorial Justice Department.

Ideally, the Fine Option Agent would be familiar with the provincial Fine Option Program, have good communication skills, and be familiar with potential work placement sponsors in the sponsoring agency's area. Upon hiring, the Fine Option Agent would be required to become fully knowledgeable regarding the rules, regulations and procedures pertaining to the Fine Option Program. The Agent would be assisted in orientation and training by the Fine Option Program Coordinator.

### **Fine Option Agent - Sample Job Description**

The details of the Fine Option Agent's responsibilities would be worked out in cooperation with the Fine Option Program Coordinator. The general duties of the Fine Option Agent, who would report both to the Band Council (through the Band Manager), and to the Fine Option Program Coordinator, include the following:

- a) Explain the Fine Option Program to Band members.
- b) Develop and/or maintain a list of work placement agencies for approval by the Fine Option Program Director.
- c) Receive applications for registrations to the program from Band members, and process applications as directed by the Fine Option Program Coordinator.
- d) Be responsible for work placements for those registered in the program; select an appropriate work placement for the offender (from a list of work placement agencies approved by the Program Director), after considering the individual's skills and work experience, closeness to work placement, etc. Verify the availability of the work activity and proper supervision.
- e) Inform the offender in writing of the starting time, the date, the location of the work placement, the number of hours required and the completion date. The completion date is established by considering each offender's circumstances, the supply of supervised community service work, and the number of hours required to settle the fine.
- f) Provide the work placement agency with the necessary forms, including the offender's work record.
- g) Assist in training an alternate Fine Option Agent, who could assist in that capacity or serve as an alternate Agent, when required.
- h) Perform other related duties, as directed by the Band Council or Fine Option Program Coordinator.



## **7. CULTURAL AND RECREATIONAL SERVICES BRANCH**

### **7.1 Introduction**

This section provides suggested goals for the Band's Cultural and Recreational Services Branch. The Culture and Recreational Services Branch provides important services which contribute to the health and quality of life of Band members. However, most Bands cannot afford a full-time Recreational/cultural Director. If the Band has assumed management of its own educational system, the Physical Education Teacher at the School may assume some of the responsibility for community recreational programming. In lieu of a full-time Recreational/Cultural Director, most Bands rely on volunteer community committees to plan and organize cultural and recreational programming and events, and to conduct fund-raising campaigns for required equipment and facilities.

The Culture and Recreation Portfolio Councillor\*, along with the Culture and Recreation Committee\*, may be responsible for the planning and organizing of community programming and special events, as well as for making recommendations to the Band Council regarding short and long-term budget planning for equipment, events, and facilities.

### **7.2 Goals**

The goals of the Cultural and Recreational Services Branch are:

- a) To develop cultural and recreational facilities and programs for all age groups, to improve general fitness levels and the quality of life on the reserve.
- b) To develop cultural programs for Band members which reflect the Band's cultural heritage.
- c) To involve as many Band members as possible in the implementation of, and participation in, cultural and recreational programming.
- d) To develop leadership potential in Band members, and emphasize sportsmanlike conduct by participants, while implementing programs.
- e) To maintain positive relations with surrounding reserves, municipalities and agencies.
- f) To encourage participation by Band members in Native and non-Native competitions.

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**\*Note:** Refer to Sample Culture and Recreation Portfolio Councillor responsibilities (page 45) and sample Culture and Recreation Committee Terms of Reference (page 60), for more information on this area.

## G. PUBLIC WORKS DEPARTMENT

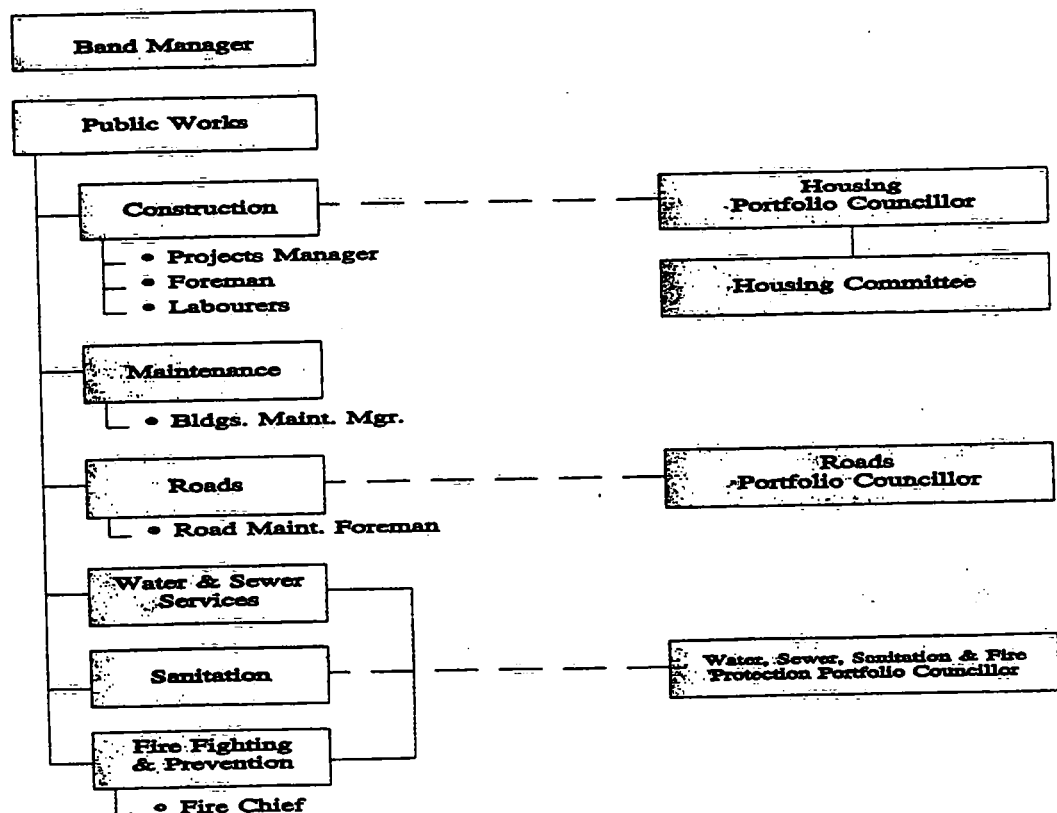
### 1. Introduction

#### 1.1 General

The following organizational chart depicts the programs and services that are generally included in the category of Public Works. As indicated, these include the construction and maintenance of public (Band) buildings and housing, development and maintenance of recreation sites, water and sewer facilities, water delivery (if applicable), sanitation (landfill and garbage pick-up), roads (including culverts, road development and maintenance, signs, etc.), cemeteries, and fire fighting and prevention. If there are community gardens, Public Works staff would also be responsible for breaking the land, and setting up water lines to service the gardens.

The staff for the Public Works Department might include a Public Works Director (if the Band is fairly large), a Construction Projects Manager, Construction Fireman and Labourers, a Road Maintenance Foreman, Sanitation, Water and Sewer Personnel, Fire Chief, and Buildings Maintenance Manager. Some of these staff may be hired on a term or contract basis. The Fire Chief might be volunteer, part-time, or combined with another position, such as the Buildings Maintenance Manager. Additional staff may be hired or contracted, depending on the amount of work, and the availability of skilled staff. This section includes suggested job descriptions for Band Public Works staff.

Sample Public Works Chart



## **1.2 Goals**

The Public Works Department's primary goals are to improve the quality of housing, public buildings, roads, recreation sites, and water, sewer and sanitation services for Band members, and to maintain these services at a satisfactory level.

The department staff should coordinate and integrate all areas related to public works on the reserve, including: construction and maintenance of public buildings and housing; community, education and recreation facilities; water services (which may include wells, water delivery services, water lines, treatment plant, etc.); sewer and sanitation services, roads, cemeteries, fences, fire fighting and prevention, and landbreaking for community gardens. The department will follow management principles for regular maintenance, as well as for all construction and renovation projects. These management principles will include the establishment of time scheduling, cost and quality objectives.

Additional goals are to increase the productivity of Public Works personnel, to improve communications within the department and with Administrative Services, to continually improve the quality of skills and workmanship, and to instill pride in the work undertaken.

## **1.3 Guidelines**

The Public Works Department will follow these guidelines:

- a) All approved projects must be constructed in accordance with the community plan which has been approved by the Chief and Council.
- b) Management principles, including time, cost and quality objectives are very important to the successful completion of each project within budget, as well as to ongoing maintenance planning. These objectives should be clearly set out before project begins, and closely followed.

## **2. Construction Projects Manager**

### **2.1 Introduction**

Some Bands have developed an on-the job training plan for their Construction Projects Manager, in consultation with an Engineer or other professional who has performed the duties of this position for the Band on a contract basis. This consultant could assist in training the Band's Construction Projects Manager. (The Band Construction Project Manual [BTP-GT-7], which is available from INAC, provides guidelines on activities and procedures which can be used by Construction Projects Managers.)

The Construction Projects Manager would report to the Public Works Director, if there is one, or if not, to the Band Manager.

This section contains suggested qualifications and job responsibilities of a Band Construction Projects Manager, who could supervise minor projects. (A qualified professional should be engaged to manage large, complex projects.)

### **2.2 Job Qualifications**

The suggested minimum job qualifications for a Construction Projects Manager include the following:

- a) Completion of Grade 10 and Journeyman Carpenter certification, or enrolment in a Carpenter's Apprenticeship Program, combined with several years experience. (A person with different trade skills may also be considered, if that person has sufficient management experience, and recognizes the need to retain skilled tradespeople, as required.)
- b) Ability to supervise and coordinate community construction projects.
- c) Ability to read and interpret blueprints, and to supervise the Construction Foreman and labourers in all phases of construction.
- d) Ability to communicate well with the Band Council and staff, suppliers, workers, subtrades, and homeowners.
- e) Good organizational, management, communication, and accounting skills.
- f) Ability to supervise delivery of materials and to control inventory.
- g) A valid provincial driver's license is required.

### **2.3 Construction Projects Manager - Sample Job Description**

- a) Implement the Band Council's plans for the construction and renovation of housing and buildings, utilizing management objectives; develop scheduling, budget guidelines, and quality objectives for each project, and submit to the Band Manager for approval.
- b) Prepare estimates and obtain price quotations from subtrades, when directed.
- c) Recommend the purchase of required materials, supplies, and services to the Band Manager.
- d) Coordinate and supervise all aspects of assigned Band projects related to capital reserve developments, (including housing and other Band projects as may be assigned), from beginning to completion, as per detailed terms of reference provided in writing for each assignment. Project duties may include the following:
  - Plan and oversee various phases of construction, ensuring that blueprints are being followed, construction is coordinated, and proper materials are used.
  - Give direction to and supervise the Construction Foreman, subtrades, and labourers, in all phases of construction.
  - Supervise deliveries of materials and supplies; check and record that goods and services are received, and maintain/control the inventory of equipment and supplies.
  - Co-Chair Project Team meetings.
  - Review and become familiar with all documentation associated with the project.
  - Maintain a complete set of project files and records at the Band Office, including:
    - Design notes;
    - Correspondence and Minutes of Project-related meetings;
    - Tenders and related documents;
    - Progress payments and certificates;
    - Change orders;
    - Workers' Compensation Board certificates;
    - Statutory Declarations;
    - Shop Drawings;

- Warranties;
  - As-built drawings, and operation and maintenance manuals;
  - Monthly invoice files and summaries;
  - All financial records related to the project.
- 
- Liaise on an ongoing basis throughout each project with the Band Manager, and with Consultants engaged in the field and on-site work.
  - Update time and financial schedules associated with each project, as well as cost estimates for completion.
  - Communicate with the Contractor(s) on a daily basis.
  - Assist the Contractor(s) in the hiring of Band members.
  - Record the hours worked by each Band member, the rate of pay, and the total amount of money paid to Band members.
- 
- e) Work closely with Band Manager regarding financial aspects of each project, such as establishing a separate Bank account (if necessary), account budgeting and billing, etc. Maintain accurate, up-to-date financial records, including a general ledger, cheque one-write system, and monthly bank reconciliation statements, etc., following guidelines in the Band's Financial Administration Manual. Ensure that projects are completed on time and within budgetary guidelines.
  - f) Keep the Band Manager informed of various stages of development/construction, and when any decisions are required regarding staffing, ordering of equipment and furniture, etc.
  - g) Become familiar with generally accepted safe construction practises and applicable safety standards and building codes, and help ensure that the work is undertaken in accordance with these practises, standards, and codes.
  - h) Ensure that there are inspections of Band projects; review the verification of Contractor's progress claims and the certification of all accounts for payment, and report on the Contractor's progress in monthly reports.
  - i) Provide monthly physical and financial reports on activities, progress and status of current project(s) to the Band Manager, meet weekly with the Band Manager to discuss project progress, budgets, decisions required, etc.

- j) Assist in obtaining necessary approvals from the Department of National Health and Welfare, the Department of the Environment, and any other authorities having jurisdiction over the project.
- k) Attend Band Council meetings to discuss project development, activities, etc. upon request.
- l) Ensure any Band-owned equipment is maintained in good order, and issue repair orders, where required.
- m) With the Band Manager, coordinate Band staff training and orientation, and assist in developing proposals in this regard when necessary.
- n) Ensure ongoing professional development by attending relevant workshops and training when available (after obtaining approval from the Band Manager.)
- o) Conduct any other relevant duties as requested by the Band Council or Band Manager.

### **3. Construction Foreman**

#### **3.1 Qualifications**

The suggested required qualifications for this position include:

- a) Completion of Grade 10, and several years experience in construction.
- b) Ability to read and interpret blueprints, and to supervise labourers in all phases of construction.
- c) A valid driver's license, and ownership of a suitable vehicle for work on the job (1/2 ton truck).
- d) Ability to work well with the Band Council and staff, suppliers, workers, subtrades, and homeowners.



### **3.2 Construction Foreman - Sample Job Description**

The responsibilities of the Construction Foreman, who reports to the Construction Projects Manager, are as follows:

- a) With the Construction Projects Manager, plan work in advance, so that the required materials are obtained ahead of time and the labourers are used effectively. Implement the project management plan, ensuring that scheduling and quality objectives for the project are met, and the project completed within budgetary guidelines.
- b) Ensure that all contracts are signed before work begins.
- c) Be at the site 5 minutes prior to starting time.
- d) Organize and supervise the construction labourers.
- e) Coordinate work, work alongside the labourers, and show them the most efficient way to complete tasks.
- f) Ensure that safety regulations are enforced.
- g) Ensure that time sheets are properly completed for all staff.
- h) Recommend or undertake disciplinary action for staff where required.
- i) Keep a petty cash fund on hand for small items.
- j) Use Request Forms for required repairs, and present to the Construction Projects Manager for approval.
- k) Show the Band Manager and Construction Projects Manager the progress being made, and submit monthly progress reports.
- l) Complete CMHC forms and reports.
- m) Assist with setting up and implementing training programs.
- n) Attend workshops and seminars that pertain to the construction field, after obtaining approval from the Band Council.
- o) Undertake other relevant duties, as instructed by the Construction Projects Manager.

**4. Construction Labourers - Qualifications and Job Description**

The requirements and job description of the construction labourers, who report directly to the Construction Foreman, would be along the lines of the following:

- a) Must be willing and capable of working as a construction labourer.
- b) Must own basic tools (hammer, saw, square, level, measuring tape, etc.), and bring them to the construction site daily.
- c) Follow the directions and instructions of the Construction Foreman to the best of their abilities.
- d) Be at the site 5 minutes prior to starting time.
- e) Adhere to safety regulations, and work towards completing management schedules and quality objectives set for each project.

## **5. Road Maintenance Foreman**

### **5.1 Introduction**

The primary responsibilities of the Road Maintenance Foreman are to maintain all roads on the reserve in safe driving condition, and to assist the Construction Branch in developing new roads, when required.

The Road Maintenance Foreman should have several years of experience in the operation and routine maintenance of a grader, which is required for the ongoing clearing and maintenance of Band roads. Depending on the Band's size, budget, equipment, and number of road maintenance personnel, the Road Maintenance Foreman may be required to have additional qualifications and responsibilities, such as the operation of other heavy equipment, and the supervision of other road maintenance personnel.

Small Bands may wish to combine this position with another suitable position, such as the Sanitation person.

If the Band is large enough, the position of Public Works Director may be created to supervise Public Works staff. If so, the Road Maintenance Foreman would report to the Public Works Director. If not, the Road Maintenance Foreman would report directly to the Band Manager.

## 5.2 Road Maintenance Foreman - Sample Job Description

A sample job description for the Road Maintenance Foreman follows.

- a) Maintain all roads on the reserve in safe driving condition; maintain and grade main roads on a weekly basis; grade secondary roads and approaches on a regular basis, as needed.
- b) Approaches and yard grading are to be done after main roads are in good condition.
- c) Excavate and install culverts, where necessary, to ensure proper road drainage.
- d) Check culverts regularly; clean, open, and fix dents and holes, where necessary.
- e) Excavate, if necessary, to ensure proper road drainage.
- f) Install white posts at high points of ditch for culvert markers.
- g) Cut brush and trees in ditches to ensure good vision for traffic in snow drift areas.
- h) Assist the Construction Branch with the building of new roads on the reserve, and with ground levelling and landscaping, as required.
- i) Keep a daily time/activity sheet, and provide copies to the Accountant/Controller on a weekly basis.
- j) If applicable, supervise other road maintenance personnel, and submit their time/ activity sheets to the Accountant/Controller weekly.
- k) Provide routine maintenance servicing for the grader, and other equipment, if applicable, following guidelines in the equipment manual(s); maintain service records for all equipment.
- m) Excavate garbage disposal holes at the dump site, and cover old ones, as required.
- n) Prepare an annual report on the past year's accomplishments, and make recommendations regarding the coming year's objectives, scheduling, activities and budget in this area, for submission to the Band Manager.

**6. Sanitation Person - Sample Job Description**

The Sanitation Person reports to the Band Manager (or to the Public Works Director, if the Band has created such a position). The Sanitation Person would be required to have a valid driver's license, and to be competent in operating a truck. Depending on the work load, this position might be combined with another suitable position in Public Works. Some Bands contract out for this position.

The job description of this position might include the following:

- a) Assist annually in the development or revision of schedules that will be followed for the year.
- b) Construct or assist in constructing garbage stands for Band members.
- c) Remove garbage from Band households, as per the schedule developed.
- d) Maintain the Band's landfill (garbage disposal site), ensuring that all debris is properly covered, and that environmentally safe practices are maintained.
- e) If using a Band-owned truck, ensure that regular maintenance is conducted on the truck.
- f) Advise the Band Manager of any problems or complaints encountered.
- g) Carry out other relevant duties, as instructed by the Band Manager.

## 7. Water and Sewer Services Personnel - Sample Job Description

The type and extent of water and sewer services may vary a great extent from Band to Band, and with them, the level of knowledge and responsibility required by water and sewer services personnel. Their required training, qualifications, and job descriptions would accordingly vary, depending on the type of services provided on each reserve.

The following is a sample outline of a job description for water and sewer services personnel. Each Band administration could develop a more detailed job description and required qualifications, depending on their type and level of services.

The Water and Sewer Services personnel are responsible to the Band Manager (or to the Public Works Director, if this position has been created). Sample job responsibilities for these positions include the following:

- a) Assist in establishing schedules for the development and/or maintenance of wells, the pumphouse, water lines, water delivery services, sewage pipes and lagoon, waste removal etc., (where applicable).
- b) Maintain water services for Band members, as per the schedule developed.
- c) Advise the Band Manager of any problems encountered; carry out required repairs (such as broken, blocked, or leaking pipes, faulty pump, etc.) if possible, or arrange through the Band Manager to have repairs carried out by qualified personnel.
- d) If the Band has a pumphouse, carry out regular maintenance/service checks and maintain the pumphouse functions.
- e) If the Band has a water treatment/filtration facility, monitor and maintain the facility's operations, as required.
- f) Conduct, or coordinate with contracting services for, the removal of waste water from homes with waste water reservoirs.
- g) Become knowledgeable regarding environmentally safe methods of and regulations for the location of, treatment (if applicable), and safe disposal of waste water, and apply these methods to the disposal/treatment of Band waste water.
- h) Carry out additional related duties, as instructed by the Band Manager.

## **8. Fire Fighting and Prevention**

This section includes suggested goals for the Band Fire Fighting and Prevention Department, fire safety and evacuation procedures for Band staff, and sample job responsibilities for the Band Fire Chief.

### **8.1 Goals**

The goals of the fire fighting and prevention department are:

- a) Become more effective in suppressing and preventing fires, thereby preserving lives, and lessening losses of homes and buildings due to fire.
- b) Educate Band members regarding preventive measures, as well as how to react quickly, effectively and safely, in the event that a fire starts.
- c) Increase overall community awareness of the importance of fire prevention and safety.
- d) Better utilize and maintain fire fighting equipment.
- e) Develop effective fire fighting tactics and strategies.
- f) Continually increase the skill levels of volunteer fire fighters.
- g) Ensure personnel are trained to undertake fire inspections for reserve housing, to prevent fires by eliminating potential hazards due to construction defects/hazards.
- h) Develop standardized reporting procedures, so that statistical information is in place to document the effectiveness of fire fighting training in preventing and suppressing fires, and in reducing deaths and property losses from fires on the reserve.

## 8.2 Fire Safety and Evacuation Procedures

All Band employees should know what they can do to help prevent fires, what to do if a fire occurs, and how to operate fire extinguishers. Employees should also know procedures for the evacuation of a building, in case of an emergency. This is necessary for employee safety, as well as the safety of the public, who may be inside a Band building if and when a fire occurs.

**Fire Precaution and prevention are everyone's business. Remember, your life may depend on it. Think about fire safety wherever you are.**

### DO'S

- Exit door(s) must be kept unlocked, unobstructed, and lighted during working hours.
- If you discover fire, see smoke, or smell gas:
- Sound the Fire Alarm, warn occupants, and phone the Fire Chief.
- Follow exit/emergency procedures below.
- If a Fire Alarm Sounds:
  1. Stop work and remain calm.
  2. Move all people who are in immediate danger from the effected areas, clearing passages and exit routes, if necessary.
  3. Move cash and important papers to a safe or fireproof filing cabinet, if time permits.
  4. Close all doors and windows in the immediate area. (This helps to slow the spread of the fire).
  5. Attempt to control the fire with extinguishers. Remember, however, that fire fighting should always be secondary to life safety. Never attempt to fight a fire alone.
  6. If there is time, shut off the power and unplug machines.
  7. Evacuate by designated route, or by nearest safe exit, as directed by Floor Captain/Fire Department personnel; proceed outside, to a distance of at least 300 feet away from the building.
  8. Assigned staff will assist any individuals requiring special assistance.
  9. Obey all instructions of Building Fire Emergency Officers/Fire Department personnel.
  10. Do not return to the building, until authorized to do so by the Building Fire Emergency Officer or Fire Department personnel.

### DON'TS

- Don't run, lag behind, make unnecessary noise, or cause confusion.
- Don't remain in the bathroom or return for clothing.
- Don't fail to assist in carrying out instructions.
- Don't use telephone unnecessarily.

**Note:** A Building Fire Emergency Officer should be delegated for each Band Building, and trained in emergency procedures.



### **8.3 Fire Chief**

The Band Fire Chief might be a volunteer or part-time position, or combined with another suitable position, such as Buildings Maintenance Manager. Job qualifications would preferably include advanced training in fire fighting/prevention, first aid, and emergency procedures; ability to conduct routine preventive maintenance of fire prevention and fighting equipment; and ability to organize and supervise the Band's volunteer fire fighting department.

The range of fire fighting equipment and training varies a great deal from Band to Band, and the job responsibilities of the Fire Chief could also vary, depending on the level of training of the Chief and the Band Fire Fighters, the length of establishment of a volunteer Fire Fighters Corps on the Reserve, and the equipment available.

### **Fire Chief - Simple Job Description**

The job responsibilities of a Band Fire Chief might include the following:

- a) Assist in enlisting the services of Band members for volunteer fire fighting.
- b) Organize and conduct regular training drills for volunteer Fire Fighters.
- c) Develop a system for efficient response to emergencies, if one is not already in place.
- d) Assist in educating Band members regarding fire fighting prevention and emergency procedures; promote the use of smoke detectors, and the safe storage of all flammable and toxic substances.
- e) Conduct routine checks of Band fire fighting equipment, and ensure that these systems are functional at all times.
- f) Routinely inspect, and re-supply as necessary, all fire protection equipment, such as extinguishers, smoke and heat detectors, panic hardware on exit doors, and exit lights.
- g) Ensure fire exits in Band building are clear and unobstructed.
- h) Take upgrading workshops and training, available through Indian and Northern Affairs or other sources, to ensure continued professional development in this field.
- i) Assist in developing budgets in the area of fire fighting and prevention, where applicable, including recommendations for fire fighting equipment.
- j) Undertake other relevant duties, as instructed by the Band Manager.

## **9. Band Buildings Maintenance Manager**

This section includes suggested job qualifications and a sample job description for the Band Buildings Maintenance Manager. In some Bands, this position might be combined with another suitable position, such as Fire Chief or Head of the Volunteer Fire Department.

### **9.1 Job Qualifications**

The suggested job qualification for the position of Band Buildings Maintenance Manager are as follows:

- a) Ability to repair and conduct routine preventive maintenance of heating, ventilating, water and sewer systems, and fire prevention equipment in Band buildings, and to keep operating records.
- b) Experience in the operation and maintenance of public buildings, good carpentry abilities, and competence with small motors and basic electricity are assets.
- c) A valid provincial driver's license is required.
- d) Training in First Aid and emergency procedures is an asset.
- e) Ability to supervise part-time help when required.

## **9.2 Sample Job Description - Band Buildings Maintenance Manager**

The Band Buildings Maintenance Manager is responsible for performing the necessary duties to ensure the proper maintenance, repair and safety of Band-administered buildings, including Band offices, and all other buildings the Band Council is responsible for. The suggested responsibilities of the Band Buildings Maintenance Manager, who reports to the Band Manager, include the following:

- a) Maintain the heating, ventilation, water and sewer systems, and fire protection and fighting equipment in all Band buildings, so that these systems are functional at all
  - Service, adjust, clean and repair furnaces, chimneys, ducts and exhaust fans to keep them in good repair, and prevent major disruptions of heat and ventilation systems.
  - Ensure that room temperatures are kept at a comfortable range.
  - Maintain water and sewer systems in good working order, so as to prevent disruptions.
  - Routinely inspect and replace when necessary, all fire protection equipment, such as extinguishers, smoke and heat detectors, panic hardware on exit doors, exit lights; ensure that fire exits are clear and unobstructed, and that all flammable and toxic substances are safely stored.
  - Routinely check fire fighting equipment to ensure that it is in good working order at all times, in case of emergency.
- b) Perform minor maintenance duties as required to keep all Band buildings and equipment functioning and in good condition.
  - Repaint when necessary; replace broken windows and light bulbs, fluorescent light tubes and ballasts, which have burnt out.
  - Repair broken doors, window sills, loose tiles, and any other damaged materials, as required, to maintain the facilities.
  - Maintain a supply of frequently used spare parts and supplies.
  - Check and adjust fan belts, maintain and replace when necessary.
  - Routinely inspect and maintain in good condition all mechanical equipment; regularly lubricate machinery such as pumps, motors, fans and other operating equipment.

- Routinely inspect and order fuel as required (oil and/or propane).
  - Routinely inspect and repair all interior plumbing lines, fixtures and accessories, including any air conditioning units.
  - Routinely inspect and flush or repair, as necessary, all water and sewage works such as manholes, sewer lines, liftstation, lagoon, well(s), pumphouse, water reservoir, and other facilities.
  - Routinely check and repair, or arrange for repair of electrical equipment and appliances. Lubricate motor bearings and other moving parts as required; report any major electrical problems.
  - Develop and implement a plan for ongoing preventive maintenance, including keeping records of routine inspections; these would include such activities as lubrication of moving parts, replacement of fan belts, light bulbs/tubes, other small items as required; adjustment of furnace items, etc. Such a systematic and routine inspection program will lead to an improved and more economical maintenance system.
  - If any repairs and/or maintenance work are required which are beyond the capabilities of the Band Buildings Maintenance Manager, arrangements should be made, through the Band Manager, to have the work performed by others. In cases of emergency, approval should be obtained from the Band Manager to have the work performed without delay.
- c) Conduct and maintain a regular inventory of maintenance equipment and supplies, and provide a list of any supplies required to the Band Manager.
- d) Conduct regular inspections of asset conditions, and report to the Band Manager on inspection findings.
- e) Promote pride of ownership and attitudes of responsibility regarding the use of Band property by all Band members.
- f) Supervise part-time staff from time to time as required.
- g) Ongoing study of regulations and procedures is required. The Band Buildings Maintenance Manager should take upgrading workshops and training, available through Indian and Northern Affairs or other sources, to ensure further professional development in this field. The District Engineer could be consulted in this regard.

## **H. EDUCATION**

### **1. Introduction**

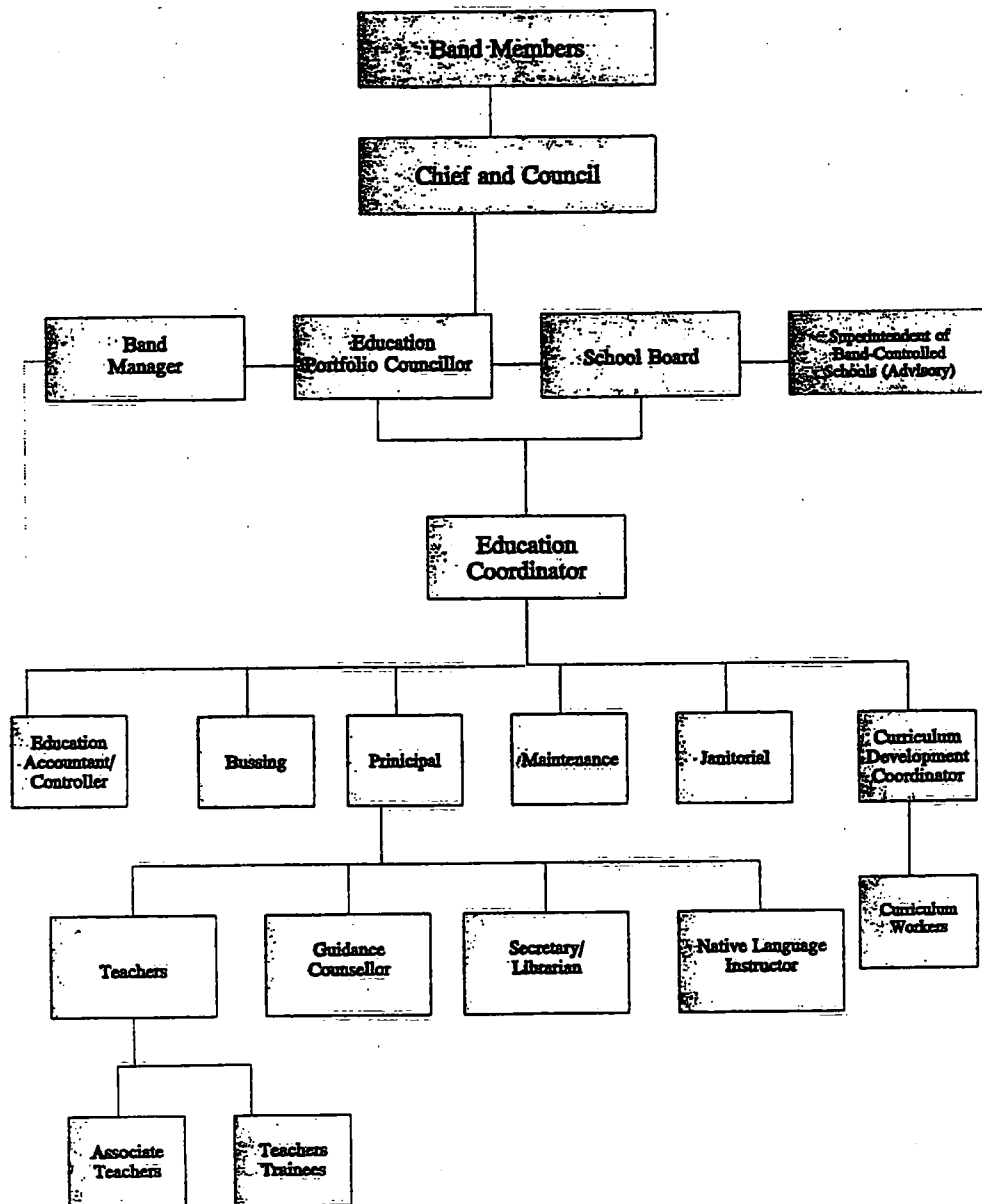
Increasing numbers of Bands have assumed administrative control of their educational systems. The range of Band-controlled schools varies greatly, from nursery/kindergartens to primary/secondary schools and high schools. Some Bands have established "alternate education retrieval programs" to draw drop-outs back into the education system, and address their special needs. Other Bands have assumed administrative control of their post-secondary education programs. Adult education programs are also delivered by some Bands.

When a Band assumes administrative control of education, the education/school program may be administered like any other Band-run program, or a School Board or Education Committee may be established. The School Board/Education Committee might function only as advisors, making recommendations to the Band Council, or may be given total administrative and financial control of the education program by the Band Council.

Although it is not within the scope of this manual to provide detailed sample policies for various kinds of educational programming and job descriptions for all educational personnel, it was felt that some reference should be made to this important area.

For the purposes of this manual, it was decided that a sample Band Education Chart should be provided, as well as a sample job description for the position of Education Coordinator - a key position in the Band's administration of education. These are included in this section. Also included in other sections of this manual are sample responsibilities for the Education Portfolio Councillor (page 48), and a School Board/Education Committee (page 62).

## 2. Sample Band Education Chart



Organizational Chart - Band Education

### **3. Education Coordinator**

#### **3.1 Introduction**

This is a senior staff position, involving a broad spectrum of responsibilities. The suggested qualifications for the Education Coordinator include a Bachelor of Education Degree, good communication skills, and organizational and administration expertise.

The general responsibilities of the Education Coordinator include:

- ensuring that the general educational policies of the Band are being followed;
- working with the Principal to ensure that all educational staff are working towards the Band's educational objectives, and performing their duties to the best of their abilities;
- overseeing the administration of the educational program, and support services; and
- working with the School Board and teaching staff to ensure that there are strong communication links with parents, and that community input is provided into the delivery of education on the reserve.

The Education Coordinator usually reports directly to the School Board, or to the Band Manager, if a School Board has not been formed. The Education Coordinator is considered a member of the School Board, but does not have voting privileges.

Sample responsibilities for the position of Education Coordinator are outlined on the following page. The duties would be altered to meet the specific conditions of each Band.



### **3.2 Education Coordinator - Sample Job Description**

**a) Be responsible for the following duties related to staff hiring:**

- With the Principal, prepare job specifications for all staff positions which have been recommended by the School Board and approved by the Band Council.
- Ensure Band policies and procedures for hiring staff are followed; with the Principal and School Board members, prepare a short list of job applicants for interviewing, and ensure that references are checked before interviews are arranged.
- Act as Executive Secretary for the Band's salary negotiation team.
- Prepare contracts for each position, and have staff sign these documents.
- Be responsible for organizing appropriate in-house training and orientation programs for the staff, including orientation to the Band's educational policies and objectives. Evaluate this program to ensure that the program's objectives are being met.

**b) Supervise the school's bussing program:**

- Draw up bussing schedules, and ensure that bussing contractors are following all regulations.
- Hire substitute bussing personnel when required, in accordance with the Band's bussing policy.
- Maintain personnel files on bus drivers, and conduct their annual evaluations.

**c) Undertake the following staff supervisory duties:**

- In cooperation with the Principal, ensure that educational policies as specified by the School Board are implemented.
- In consultation with the District Superintendent and Principal, design an evaluation mechanism to determine staff effectiveness.
- With the Principal, administer the staff discipline policy; anything not specifically covered is to be referred to the School Board for a decision.

- Exercise general supervision over the Principal and support staff (Guidance Counsellor, Education Secretary, Education Accountant/Controller, Indian Studies Curriculum Developers, Maintenance and Janitorial personnel, Bus Drivers.)
  - Oversee guidance counselling services and ensure that: a) regular visits are made; b) attendance reports are followed up; and c) individual counselling is undertaken as required.
  - Supervise the development of the Indian Studies Curriculum, if applicable.
  - Review school records, Guidance Counsellor records, inventory records, nominal roll, and Teachers' evaluation reports; make reports to School Board regarding educational programming, as required.
  - Receive reports of the Principal, Guidance Counsellor, Accountant/Controller, Maintenance Staff, Bus Drivers, Curriculum Coordinator/Workers (if applicable); and prepare reports for the School Board, and INAC, as per Master Agreement; make recommendations to the School Board where advisable.
  - Liaise with other agencies off Reserve, as required, such as Indian and Northern Affairs, Joint Schools Authorities, Special Education, etc.
- d) Undertake the following community liaison duties:
- Listen to any concerns of community members, and pass these on to the School Board.
  - Oversee the parental reporting and communications program.
  - Take steps to involve Band members in the school programs, through home visitations, and other methods deemed appropriate by the School Board.
  - Ensure that scheduling of educational facilities after hours is well-coordinated, and that School Board policies in this area are followed.
- e) Undertake the following duties with regards to School Board meetings:
- With the School Board Chairperson, prepare the agenda for regular meetings, and distribute at least one week in advance of the regular meeting. If special emergency meetings are called, the agenda should

- Attend all School Board meetings, except when the School Board gives authorization not to attend.
  - Present personal views and opinions at School Board meetings, although he/she does not have voting privileges.
  - Record School Board meetings and distribute minutes to all School Board members, and to the Band Manager.
- f) Undertake the following financial responsibilities:
- In cooperation with the Principal, prepare an annual operational budget for the school, for the School Board to review/revise, and make recommendations to the Chief and Council.
  - Ensure monthly financial statements are prepared for the School Board meetings, and interpret these for the School Board, as required.
  - In cooperation with the Principal and School Board members, submit requests to the Band Council for additional funds, when required. Such requests should include: a) the nature of the request; b) the amount required; and c) reporting structure back to the Council after the project has been completed (if applicable).
- g) Conduct other relevant duties, as instructed by the School Board or Band Council.

**APPENDIX I:**

- 1. BAND COUNCIL OATH OF OFFICE**
- 2. BAND COUNCIL CONTRACT OF OFFICE**

## BAND CHIEF AND COUNCIL OATH OF OFFICE

I, \_\_\_\_\_ (name) do hereby Swear that, as a newly elected representative of the \_\_\_\_\_ Band, holding the position of \_\_\_\_\_ (Chief/Band Councillor), I will do my utmost to carry out the duties of my position conscientiously, loyally, honestly, and to the best of my abilities, remembering that my primary duty is to serve the membership of the Band.

I hereby agree to familiarize myself with all Band Government Administration Policy Manuals, and to abide by the policies of the Band as stated in these manuals. I also agree to adhere to the Band's Contract for elected Officers.

These things I do solemnly swear to uphold, throughout my term of elected office as \_\_\_\_\_ Band \_\_\_\_\_ (Chief/Councillor).

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

## **BAND CHIEF AND COUNCIL CONTRACT OF OFFICE**

I, \_\_\_\_\_ (name), do hereby swear that, as a newly elected representative of the \_\_\_\_\_ Band, holding the position of \_\_\_\_\_ (Chief/Band Councillor), I will do my utmost to carry out the duties of my position conscientiously, loyally, honestly, and to the best of my abilities, remembering that my primary duty task is to serve the Band membership.

I hereby agree to familiarize myself with all Band Government Administration Policy Manuals, and to abide by the policies and regulations of the Band. I also agree to adhere to the following terms of this Contract of Office.

1. I will promote and maintain at all times, in my actions and words, the integrity and dignity of the Band and its programs, government, staff and members.
2. I will be prompt and conscientious in the performance of my duties.
3. I will use initiative to find ways of fulfilling my duties efficiently, effectively, and economically.
4. I will maintain a positive, cooperative attitude in dealing with fellow Councillors, Band employees, and Band members, and will work as a team member towards the betterment of the Band.
5. I will conduct myself at all times in a manner which will bring credit to myself, the Band Council, and the Band membership.
6. I will continually work towards self-improvement and professional development through available training workshops and materials.
7. I will attend all Band Council meetings punctually, unless there is a valid reason for absence or lateness, in which case I will contact the Band Manager and or Chief in advance.
8. I will fully attend all other meetings, workshops, conferences, etc. officially assigned to me as an official delegate of the Band, and will formally report back to the Council on the proceedings of these meetings.
9. I will give out official and/or confidential information acquired as a result of my elected position only when the release of such information has been authorized by the Band Council.

10. I will not use information obtained as a result of my elected position for personal gain.
11. I will use equipment, property, or supplies which are owned or rented by the Band for authorized purposes only.
12. I will not accept any fees, gifts, or other tangibles offered to me in reward for duties performed by virtue of my position.
13. I will not publicly criticize the policies of the Band Council or Band employees if I feel changes would be advisable, I will provide constructive suggestions at Band Council meetings.
14. If I am of the opinion that my elected position and private interests may constitute a conflict of interests, I shall declare this to the Chief and Council, who will direct in which manner this may be resolved.

Signed, and agreed to, this \_\_\_\_\_ of \_\_\_\_\_, 19\_\_:

\_\_\_\_\_  
(Chief/Councillor)

\_\_\_\_\_  
(Witness)

**APPENDIX II:**

**HEALTH AND WELFARE, MEDICAL SERVICES BRANCH**  
**"PROGRAM DIRECTIVE 1/3 - MEDICAL TRANSPORTATION"**

**(01/03/90)**



## **PROGRAM DIRECTIVE**

1/3

### **MEDICAL TRANSPORTATION**

#### **1.3.1 PURPOSE**

#### **PURPOSE**

The purpose of medical transportation benefits is to assist beneficiaries to access medically required services.

#### **1.3.2 BENEFITS**

#### **BENEFITS**

1. MSB will assist by paying some or all of the expenses of a beneficiary to travel return to the nearest appropriate health facility, using the most efficient and economical method of transportation, consistent with the beneficiary's health condition.
2. Transportation to access health services that cannot be obtained in the beneficiary's home community.
3. Emergency transportation for non-elective medical care.
4. Transportation for an escort required for medical or legal reasons.
5. Meals and accommodation while in transit for health care services.

#### **1.3.3 NON BENEFITS**

#### **NON BENEFITS**

MSB will not assist in the provision of medical transportation in the following circumstances including, but not limited to:

1. Transportation on-reserve or in-community; Discretion should be used to ensure clients are not denied access to health services and that if assistance is provided, it should be for available scheduled transportation to the nearest, appropriate health facility. If this is not available, Regions should arrange it;
2. Transportation for compassionate travel;
3. Transportation to return to the home community of the beneficiary, if the beneficiary has discharged himself/herself from a health services program, against medical advice before the completion of the treatment course.

Administration

Appendix II

**1.3.4 ASSISTANCE CRITERIA**

**ASSISTANCE  
WITH COSTS**

MSB Will assist in the Provision of medical transportation, in accordance with the NIHB Program principles and on the following terms and conditions:

**1. General Medical Transportation**

- (a) The medical transportation is pre-authorized by an MSB designated authority.
- (b) The beneficiary is responsible to provide certification of receipt of diagnostic or treatment services by approved health professionals.
- (c) Where pre-authorization has not been obtained by the beneficiary, some or all medical transportation costs may be reimbursed where medical justification is provided and approved after the fact by designated MSB personnel.

**PRE-AUTHOR-  
IZATION**

**CERTIFICATION  
OF SERVICES  
RENDERED**

**2. Emergency Medical Transportation**

MSB will assist in payment for emergency medical transportation on verification after the fact by designated MSB personnel.

**EMERGENCY  
TRANSPORTA-  
TION**

**3. Escorts for Beneficiaries**

**ESCORTS**

MSB will assist in the provision of an escort for a beneficiary in accordance with the criteria set out in section 1.3.4, sub-section 1 (a)(b)(c) and 2 and under the following conditions:

- (a) The escort is required for medical or legal reasons; and
- (b) Prior approval of the escort has been provided by the MSB designated authority.

**4. Payment Schedules**

MSB will reimburse suppliers or beneficiaries for approved medical transportation provided by private vehicles, taxis or airline companies and other forms of public transportation in accordance with regionally established rates.

**PAYMENT  
SCHEDULES**

5. Meals and Accommodation

MSB will assist in the provision of meals and accommodation for beneficiaries in accordance with Regionally established rates under the following conditions?

- (a) Regionally approved accommodation is used; and
- (b) Reimbursement will only be provided when itemized receipts for expenses incurred by the beneficiary are provided to MSB.

**MEALS AND  
ACCOMMODA-  
TION**

**1.3.5 MANAGEMENT PRACTICES**

The administration of transportation benefits is governed by the following management practices:

- 1. A standard transportation warrant is used for all carriers in all MSB Regions.
- 2. Patient transportation is scheduled and coordinated to the nearest appropriate health facility, including transportation provided through contribution agreements or contracts.
- 3. Transportation, accommodation and meal costs are negotiated with providers of these services.
- 4. In order to encourage the use of scheduled and/or coordinated transportation, in those situations where it is available, no private mileage will be paid unless it is more efficient and/or economical.
- 5. In the situation where there is no public transportation or where Medical Services Branch has no arrangements for medical transportation, private mileage can be paid at a rate not to exceed the employer-requested Treasury Board rate for the region.
- 6. Regions should examine the transportation alternatives for each community and take action to negotiate transportation agreements where there is no public transportation available or where it is not frequent enough to be an acceptable alternative.
- 7. Assistance with meal costs is not provided to eligible beneficiaries or their escorts staying in boarding homes if meals are included in the per diem boarding home rates.

**MANAGEMENT  
PRACTICES**

**STANDARD  
WARRANTS**

**SCHEDULING  
AND  
COORDINATION**

**NEGOTIATED  
SERVICE RATES**

**PRIVATE  
M I L E A G E  
RATES**

8. Selected MSB staff are identified as having authority to initiate referral. Specimen signature cards for these individuals are to be kept on file in the Regional Finance Unit.
9. Designated band authorities for referrals and accompanying signature cards are part of band administered transportation services.

**DESIGNATED  
AUTHORITIES  
F O R  
REFERRALS**

Date of issue: 01/03/90