



**WEBINAR**

● **LIVE**

April. 28, 2024

**Welcome!**

**Funding Considerations for  
Jurisdiction and Reform in  
First Nations Child and Family  
Services**



# Opening Prayer

**Judy Wilson**

Red Hummingbird Woman

*Knowledge Holder and Advisor to the  
Our Children Our Way Society &  
Secretariat*





# Opening Comments

**Terry Teegee**  
Regional Chief

*BC Assembly of First Nations*





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**FYI**



**SAVE THE DATE!**

**Loving Justice: Wichokahmatowin Conference 'Supporting Each Other': September 8-11, 2025**  
Prairieland Park, sâskwatôn (Saskatoon), Saskatchewan

**Our Children Our Way: A National Forum for Indigenous Child & Family Wellbeing: November 2-5, 2025**  
Vancouver Convention Centre, K'emk'emelay' (Vancouver), BC

This webinar session, along with all associated resources (slides and materials), will be uploaded to the Our Children Our Way website.  
**Visit: [www.OurChildrenOurWay.ca](http://www.OurChildrenOurWay.ca)**



**Please use the Q&A function or chat box to ask questions throughout the presentation. We will capture these and hold them for the Q&A session at the end.**



**Dr. Helaina Gaspard**

*Institute of Fiscal Studies and Democracy  
University of Ottawa*





**How would you see Nations or individual service providers being able to adapt the Measuring To Thrive framework to align with their worldviews and norms while still maintaining the ability to tell collective stories across Nations / service providers?**

**So much of our work locally depends on good partnerships with federal and provincial governments, and them upholding their accountabilities. What do you see as their obligations to report publicly on their parts of the work?**



**The reality is that a lot of help is needed on the ground with systems development, indicator development, and data collection. This can also benefit from economies of scale for efficiency purposes.**

**What do you see as the potential solutions to help Nations build capacity locally but also collaborate on these common practical needs?**





**What funding formula can be used to ensure First Nations are able to receive the 'Actual Costs' needed to meet the needs of Indigenous children, youth and families?**

**How might this formula apply to a Province? In your opinion, does the federal government have all fiscal responsibility for all First Nations children?**

**What should the Provinces be doing to ensure children don't fall through the cracks and are well looked after as Nations assert jurisdiction?**



# Information Sheets

Our Children Our Way has developed a **resource package on Jurisdiction Funding and Child and Family Services Reform for First Nations** that draws on the IFSD Measuring to Thrive Framework & Phase Three Work, as well as funding model considerations from the CHRT orders.

These are free for download - we hope it will support you in upcoming engagements and discussions.



### Lessons Learned: The Canadian Human Rights Tribunal (CHRT) Case

**2016 CHRT 2**

CHRT finds the Canadian government is racially discriminating against 165,000 First Nations children.

Orders Canada to:

- Cease its discriminatory practices regarding the FNCFS Program.
- Reform the FNCFS Program.
- Cease applying the narrow definition of Jordan's Principle; and
- Take measures to immediately implement the full meaning and scope of Jordan's Principle.

**The CHRT's Key Findings of Discrimination**

- **Funding**
  - Inadequate fixed funding for operation.
  - Inadequate fixed funding for prevention costs.
- **Structure**
  - The design, management and control of the federal program, along with its corresponding funding formulas, resulted in denials of services and created various adverse impacts.
- **Accountability**
  - Based on flawed assumptions about children in care and population thresholds and did not accurately reflect the service needs.
  - The funding formula inhibited the ability to meet the expectation of providing a comparable range of child and family services.

**WHAT WE CAN LEARN FROM THE CHRT ORDERS: FUNDING MODEL CONSIDERATIONS**

- **Operational funding**, including capital costs, multiple offices, cost of living adjustment, staff salaries and benefits, training, legal, remoteness and travel.
- **Prevention funding**, including primary, secondary and tertiary services to maintain children safely in their family homes.
- Reflect a **performance-informed budgeting approach**, with consideration of the **well-being indicators** defined in the Institute for Fiscal Studies and Democracy ("IFSD") Measuring to Thrive framework.
- Funding must be determined on an assessment of the **actual service level needs**.

### Funding Jurisdiction in Indigenous Child & Family Services Concerns\* and Considerations

\*Concerns listed below were shared by MCFD at the request of OCOW. MCFD stated they heard these concerns from Nations during their engagements regarding the FSD Model. OCOW invites Nations to share their first-hand experiences, past/current submissions or feedback, and any concerns directly with OCOW for analysis and advocacy. Email: Ky.Scott@OurChildrenOurWay.ca / Kayla.Swing@OurChildrenOurWay.ca

CONCERN	CONSIDERATION
A funding model that relies heavily on detailed metrics (data) may conflict with Nations' preferences for data sovereignty and control	The First Nations Regional Information Governance Centre have a National Data Strategy that can be utilized by First Nations to measure their own indicators of well-being aligning with OCAP. In BC, a "Build Your Own Data Center" pilot has recently launched. We need good data to make good and informed decisions.
Limited data access and the burden of data collection create implementation challenges	Currently, the Province and the Federal government hold the data of Indigenous children and families. Indigenous communities have a right to this information. In BC, consider using Section 78.2 of the CFCSA to receive information regarding the well-being of your children. Additionally, consider receiving "Notice of Significant Measures" under the federal Act anywhere in Canada. Note that these are specific to case files- not funding. Funding data is also despoterary needed and remains an outstanding promise of the province.
Baseline funding methodologies are inadequate	This is true, without clear data on the existing funding and without transparency on baseline interim funding transfers, we can't assess if the funding is adequate to achieve it's mandate. These numbers must be shared in advance of negotiations for free, prior and informed consent to be achieved.
Block Funding with Top-Up Calculations is complex to calculate.	Block funding- when inadequate and unsubstantiated- is a big concern. Robust block funding with top-ups for remoteness, emergencies, infrastructure etc. will provide the most autonomy for Nations while ensuring additional funds are available to Indigenous communities based on their current needs and circumstances.

all these and more!

### Lessons Learned: The Canadian Human Rights Tribunal (CHRT) Case

**WHAT WAS FOUND BY THE CHRT : LEGAL & ETHICAL RESPONSIBILITIES**

The CHRT:

- Confirmed that ISC provided a "service" through funding; and maintained the accountability for how that funding restricted services and detrimentally impacted children and families.
- Indicated that funding needed to meet the expectation of providing a comparable range of child and family services to services provided in similar circumstance.
- Set precedence for what defines racial discrimination in Indigenous Child and Family Services

**WHAT WE CAN LEARN FROM THE CHRT : UPHOLDING LEGAL & ETHICAL RESPONSIBILITIES**

While the CHRT orders are made against Canada, and aren't binding to any province, BC still has human rights obligations under BC, Canadian and international law including:

- Declaration of the Rights of Indigenous Peoples Act
- United Nations Declaration on the Rights of Indigenous Peoples
- Canadian Charter of Rights and Freedoms
- The Federal Act Respecting First Nations, Inuit and Métis children, youth and families

Failure to uphold the standards and principles from these laws-- and a continued mirroring of funding inequities to the CHRT findings-- will perpetrate discrimination by the BC government.

### IFSD IFPD Strategic objective

The diagram illustrates the strategic objective of IFSD IFPD, centered on three pillars: Families, Children, and Community. Each pillar has associated performance areas and key performance indicators (KPIs). Families focus on well-being, safety, and engagement. Children focus on health, education, and social skills. Community focuses on economic well-being, social cohesion, and governance. KPIs are listed for each performance area.

The **Measuring to Thrive Framework** is an approach based on gathering information at a community level and potentially aggregated to the level of service provider, regionally, or nationally. This outcomes-based framework was informed by front-line child and family practitioners with well-being focused data indicators that address the structural drivers causing families to come into contact with the child welfare system. The **Measuring to Thrive Framework** is a linking mechanism between the realities and changes in community, funding, and accountability.

An effective, adjustable, evidence-based funding model should have clarity on all 3 components

**STRUCTURE:**

- Existing funding and services structures (including outcomes and indicators) should be well-being focused, and align with the national minimum standards under the federal legislation
- Implement block funding with a carry-forward provision. Must be holistically in tact and include top-ups for each communities context.

**FUNDING:**

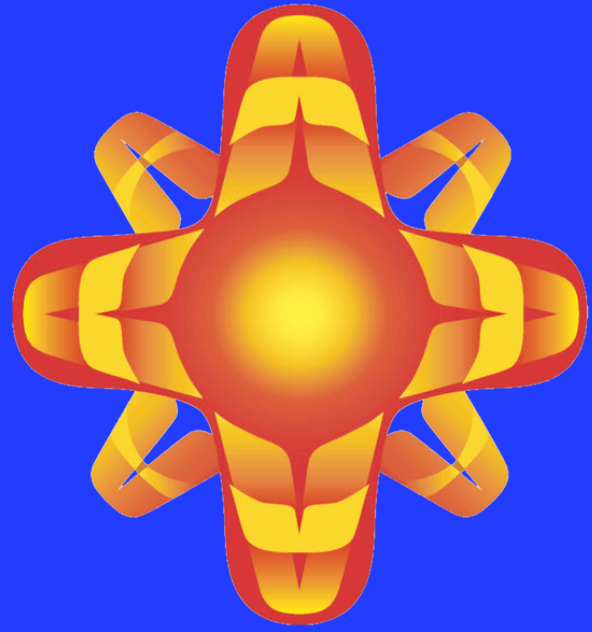
- "...designed to connect to local contexts and ensure service providers were equipped to deliver on their mandates."
- "...[have] individual components that reflect gaps in the system- some of which could be addressed by benchmarks (e.g. IT services), or by case study"
- "...premiered on local decision-making"

**ACCOUNTABILITY:**

- "...requires information to understand how the children are doing. This is necessary to accurately assess the impact of structure and funding."
- "Transparency and clarity in decision-making is immediately required."

*"FNCFS agencies and First Nations have shared their knowledge, their data, and their experiences to shape an approach that comes from the front lines."*

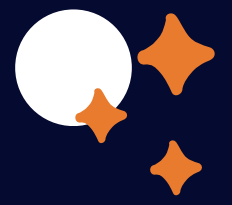
(p. 116, IFSD Phase 3 Pre-Production Draft, 2022)



# Thank you.

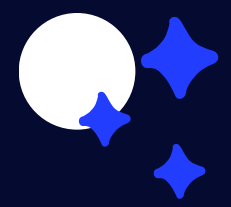
We hope to see you again soon!

COMING UP NEXT!



**FRIDAY MAY 9**  
10:00 AM -  
12:00PM

**“Jordan River  
Anderson - The  
Messenger”  
Observing the 20<sup>th</sup>  
Anniversary of  
Jordan’s Principle on  
May 10**



OCOW Webinar  
Resources Page

