



Funding 101 for Indigenous Child and Family Jurisdiction

Presented by MNP

July 29, 2024



Wherever business takes you

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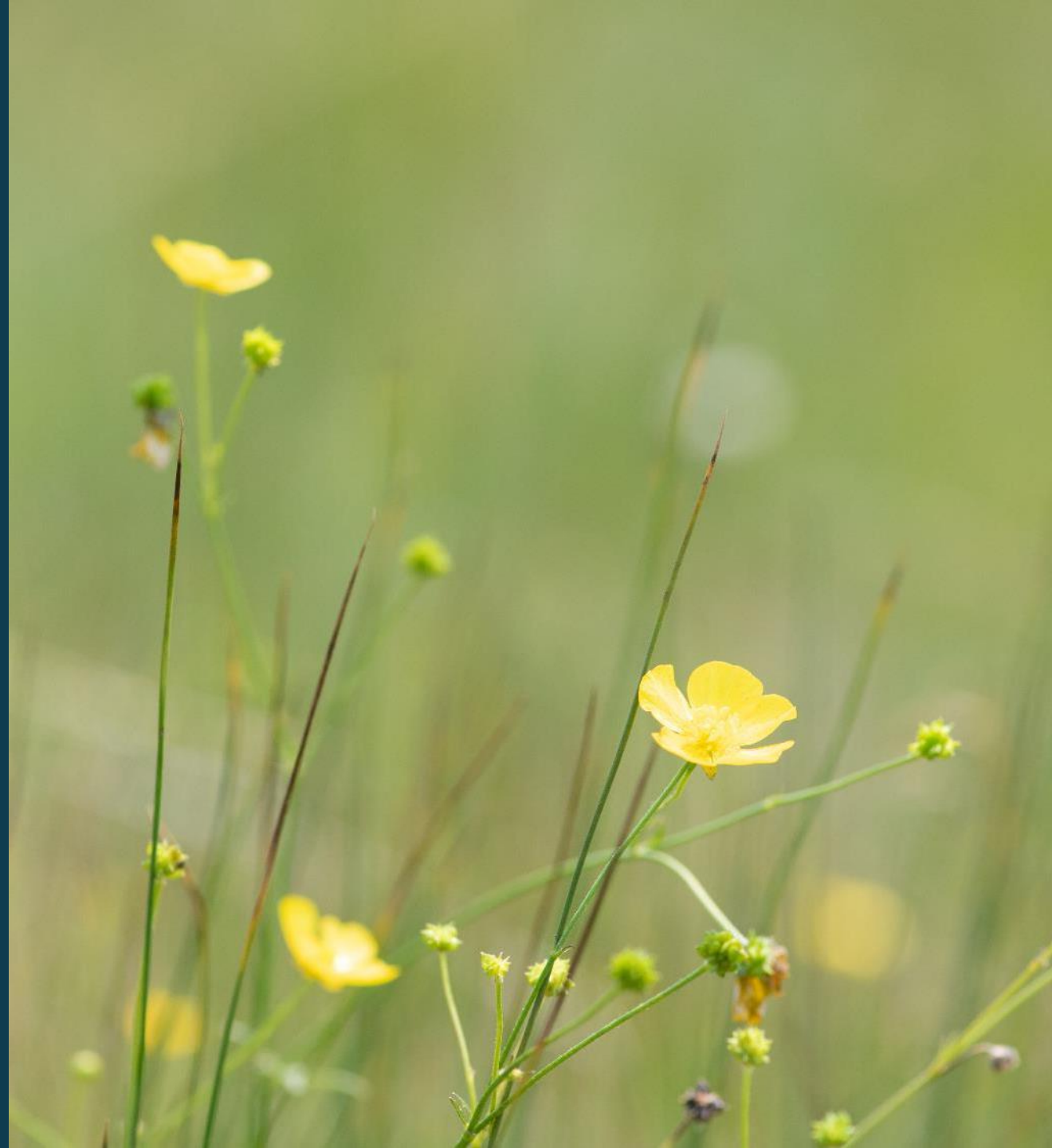


Land Acknowledgement

We are proud to partner with Indigenous communities across the country, as the largest professional services firm headquartered in Canada.

In the spirit of respect, reciprocity, and truth, we honour and acknowledge that we are on the homelands of First Nations, Métis, and Inuit.

As settlers to these lands, we acknowledge our responsibilities toward Reconciliation and remain accountable for upholding our treaty obligations.



Agenda



The MNP Facilitators



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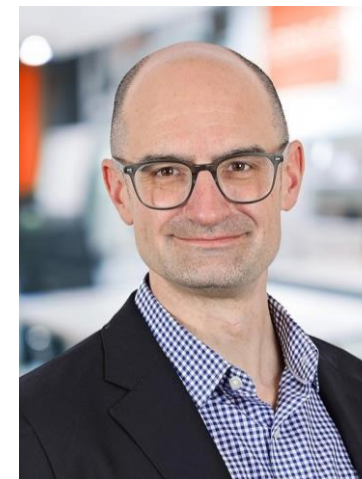
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Funding Overview

Current Landscape of Child Welfare

Provincial/Territorial Governments administer child and family services under their legislation.

Delegated First Nations Agencies provide services to First Nations communities on reserve but must function under the Provincial/Territorial legislation.

There are now 8 Nations who have jurisdiction – no longer under Provincial/Territorial mandates.

Immediate Measures

MNP

Capital –
CHRT 41

Prevention

First Nation
Representative

Post Majority
Supports

Top Up Funding

- In January 2024, Canada also began providing top- up funding

IT Capacity	Results	Remoteness	Poverty	Emergency Funding
<ul style="list-style-type: none">• 6% of baseline funding	<ul style="list-style-type: none">• 5% of baseline funding	<ul style="list-style-type: none">• 15% - must have a remoteness factor of 40% and above	<ul style="list-style-type: none">• 5% of community level poverty gap	<ul style="list-style-type: none">• 2% of baseline funding

Immediate Measures

Current funding that enables immediate program development/implementation
Capacity building while preparing for legal jurisdiction

Capital



CHRT-41

- The 2021 CHRT-41 order requires Canada to fund the full cost of the planning, purchase and construction of capital assets needed to support the delivery of FNCFS and approved services under Jordan's Principle
 - Planning activities include capital needs assessments, feasibility studies and any other required documentation as part of the funding determination process
- First Nations who have entered a Coordination Agreement under C-92 are not eligible under CHRT-41
 - Will be funded through grant mechanisms established under the Act
 - Will not receive less funding that otherwise would have

Capital Funding Considerations

When assessing the eligibility of capital funding requests, ISC takes into consideration whether:

Capital assets support the delivery of FNCFS or Jordan's Principle on-reserve, on Crown Land, and in the Yukon

Capital assets support substantive equality and culturally appropriate services, given the distinct needs and circumstances of the First Nation, including their cultural, historical, and geographical needs and circumstances

First Nations or FNCFS agencies demonstrated how they envision this asset fitting within their existing long-term FNCFS-related plans and objectives

The costs are necessary to purchase, construct or renovate the asset, or, as appropriate, to conduct pre-capital planning for a capital asset

Where appropriate, First Nations and associated FNCFS agencies jointly planned and identified this capital project as being in alignment with community FNCFS needs

Capital Aligned with Funded Programs

Prevention

- Support the safety and well-being of First Nations children, youth, young adults and families
- Culturally appropriate, in the best interests of the child, and substantive equality
- Reduce the likelihood of child maltreatment, including by addressing underlying root causes, such as
 - Poor housing, poverty, racism and intergenerational trauma manifest as substance misuse and intimate partner violence

Protection and Guardianship

- Services delivered by provincially delegated services providers that respond to child maltreatment, provide guardianship or custody services, and support family preservation, reunification and well-being, including cultural and linguistic connections for First Nations children, youth and families

First Nation Representative

- Services to represent the collective interest of the First Nation, its families and children when an agency is involved for child welfare or child protection concerns

Post Majority Support

- Services for youth aging out of care/formerly in care up to and include the age of 25

Jordan's Principle

- Must provide safe, accessible, confidential and culturally and age- appropriate spaces needed to support delivery of *approved* Jordan's Principle services
 - Request for services and capital can be submitted concurrently
 - Services will be considered first
- Eligible activities include
 - Unmet health/mental health, education/early education needs
 - Unmet social needs – cultural and language services, respite services, land-based activities, etc.
 - Intake, assessment, service coordination, navigation, etc.

Projects eligible under CHRT-41



Buildings

Offices, program spaces, cultural spaces

“Fit for Purpose” residential, e.g., supportive housing, emergency placement, transition, staff housing where not otherwise available, etc.

Off reserve may be eligible where there is no suitable property available on reserve, or where off reserve is more accessible for services



Vehicles

“Fit for Purpose” (Program specific) - transportation of program participants, needed for land-based programs, staff transportation for client needs

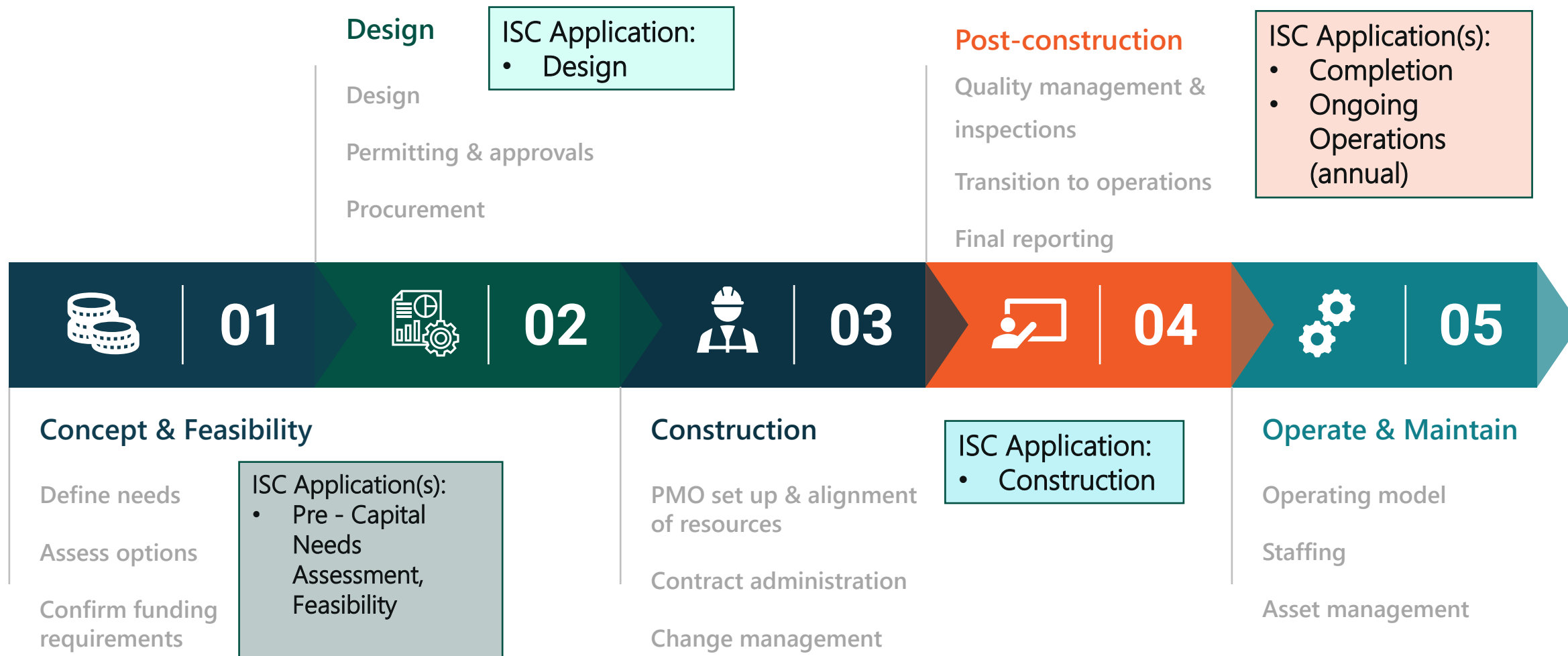
May be allowable outside of CHRT 41 for Jordan’s Principle

- ISC will fund eligible costs incurred on or after August 26, 2021. Projects may be already underway.
- Can re-submit previously denied capital requests
- Claims for reimbursement related to expenses incurred in one fiscal year can be submitted until September 30 of the following year

Eligible Costs – Buildings

- Capital needs assessments
- Capital feasibility studies
- Environmental assessments or reviews
- Land Assessments
- Land Purchase
- Site preparation, lot servicing, site clean up
- Construction of services from building to property line
- Upgrades to site access
- Design costs
- Purchase, construction, renovation or replacement of assets
- Up to 15% of total capital for administration costs related to
 - Project management/coordination, implementation and oversight, related travel
- Professional fees
 - Technical, legal, bookkeeping/audit, architects, consultants, contractors, engineers
- Insurance
- Initial furniture, IT, equipment
- Municipal taxes if off reserve
- Financing costs for legacy projects (under way/financed as of Aug 26/21)
- Operations and maintenance
 - Until full needs known, supported under programs

Project Lifecycle – Complex Projects



Things To Know

Pre-Capital

- **Needs Assessment**
 - Current scope of programs, staffing requirements, current assets/condition
 - Capital requirements (space plan/program)
- **Feasibility**
 - Practicality and viability of project
 - Recommended option
- Geotechnical investigation
- Site Survey
- Band Council Resolution

Design

- Professional design
- Construction documents such as drawings, building specs, servicing
- Tendering process for construction
 - Value for money, prudence, contract management

Construction

- Funding based on tenders

Post Construction

- Final costs based on certificate of project completion
- O&M on an annual basis through claims until full needs known, can be funded under other programs

Application and approval required at each stage of the process – ISC must consider your Feasibility complete before they will contemplate funding design

Application forms – can reference proposal or include description on form

Technical Components – Feasibility

- Geotechnical, Environmental assessments
- Site Selection. Identifying potentially suitable sites for further investigation, based on observable characteristics, primarily the developable ground area and topography for each building type on the proposed sites
- Options Analysis
- Lifecycle cost, cost-benefit and risk analysis for each option including why the risks are acceptable
- Recommendation and factors that went into the decision making, the contribution of the requested capital towards the Orders objectives
- Risk Mitigation Measures of Recommended Option
- Conceptual plan including drawings for the asset/s
- Capital cost estimate (Class D – Class C)

Not exhaustive – CHRT will provide you with a list of requirements – dependent on the type of project

Needs Assessment

- **Need to describe current / future program requirements**
 - Describe programs, services
 - Demand / population driven need, current program stats
 - Community engagement were relevant
 - Specific spaces to deliver programs and services
 - Office space, staffing
 - What currently have / condition / gaps
- **Functional plan**
 - Depending on complexity, extent of known needs (existing program), etc.
- **Need to demonstrate program budget can cover future O&M**
 - The bigger the project, the more scrutiny is given
- **If the program is not yet in place – need to make the case for the program itself**
 - Community engagement
 - Population driven need, evidence from other programs

Things To Know

ISC has defined service standards

- **Confirmation of receipt within 2 business days** – will identify any missing information
 - If information is not received within four weeks, ISC will close the application and require a new submission
 - ISC will confirm when all required information has been submitted
- **Approval of complete applications within 30 business days**
 - Higher complexity applications may require more time – ISC will notify if applies (typically very complex, off reserve)
- **Multi-use facilities proportionally funded** - other funding sources for other uses (Health, Education etc.)
 - Recreation spaces are not being funded
- Significant renovations are being treated similar to construction – the level of documentation required, will depend on the size/scope of the renovation
- Roads etc. are limited to need to access the capital asset (expansion of core community infrastructure is not eligible)
- For purchases such as a vehicles/buses – single stage application process
 - Needs assessment, quotes are required
 - May not need CHRT 41 application if Jordan's Principle

Requirements for a Successful Project

Participation of Program Staff

- Able to communicate program requirements, needs

Tendering / contracting

- Best fit for nature of project, quality, relationship with FN
- Lowest bid may not be best bid (just need supporting rationale)

Project Management

- Ongoing oversight, reporting to Chief & Council on progress

Prevention



Prevention Services Program

- Nations are currently receiving \$2,500/per member on reserve to support the development of prevention services.
 - Increases with inflation escalator annually
- Funding is split between the Nation and the Delegated Agency that serves the Nation.
- Preventative services can be provided in a culturally responsive way.
- Program does require annual reporting

Prevention Objectives

This funding is intended to support upstream, prevention and early intervention activities, to mitigate risk factors that lead to child welfare involvement.

- Supporting holistic approaches that focus on positive outcomes.
- Address priority needs for children, youth, young adults, families and communities.
- Empower First Nations to tailor solutions to their needs and their context
- Encourage collaboration with delegated agencies, FNCFS service providers, and First Nations

Examples of Prevention Programming

Primary Prevention: Community

- Classes, workshops and outreach to improve family preservation and well-being, such as:
 - Healthy relationships, sexual education, domestic violence, anger management
 - Culture, language and nutrition classes
 - Parent education programs
 - Financial management and life skills
 - Others based on specific community needs
- After hours and crisis / help lines
- Well-being services, including cultural and recreational activities that support families and children at risk in the community
- Community-wide awareness, outreach, etc. in coordination with other programs

Secondary Prevention: Family

- Services provided when a child may be at risk, to support relationships between children and caregivers, meet family needs, and support the best interests of the child and substantive equality
 - Group interventions or supports
 - Parent mentoring, skills programs, in-home supports, respite
 - Family counselling, mediation
 - Addictions treatment for parents, youth to support family preservation, reunification
 - Coordination for wrap-around services, incl income support, housing, addictions and mental health
 - Cultural and recreational activities
 - Services to support reunification and repatriation of children and youth with families on reserve, including maintaining and enhancing community connections

Examples of Prevention Programming

Tertiary Prevention: Individual

- Crisis response support for children at risk or where maltreatment has taken place
- Targeted, least disruptive measures to end the crisis and reduce the risk of separating the child from their family
 - Immediate crisis interventions
 - Domestic violence interventions
 - Intensive family preservation services
 - Mental health and addictions treatment for parents or youth

First Nations Representative



First Nation Representative Services

- Nations are receiving \$283/per member on reserve annually to support a First Nations Representative program.
 - Increases with inflation escalator annually
- Use of the funding is flexible and can include staff, professional fees, program development.
- Reporting is required for this program.

First Nation Representative Services

Principles

- First Nations should be able to actively advocate for their members, through involvement in planning and service delivery
- First Nation Representatives:
 - Uphold and strengthen rights of the First Nation in mainstream CFS systems
 - Help children, youth, and families exercise their rights under mainstream legislation
 - Prioritize preventative care
 - Promote substantive equality for First Nation children and youth
 - Promote and support family unity
 - Ensure that First Nation children, youth, and families have access to the lands, cultures, practices, customs, traditions, ceremonies and knowledge of their community

Service Examples

- Can represent/advocate/liaise with children, families or the Indigenous community and/or government within the child welfare system.
- Can also include collaborative efforts in case planning in all stages of the child welfare process.
- Receiving and responding to notices under federal / provincial legislation
- Attending and participating in court proceedings
- Participate in the development of child's plan of care
- Ensuring cultural needs of child are being addressed

Post Majority Supports

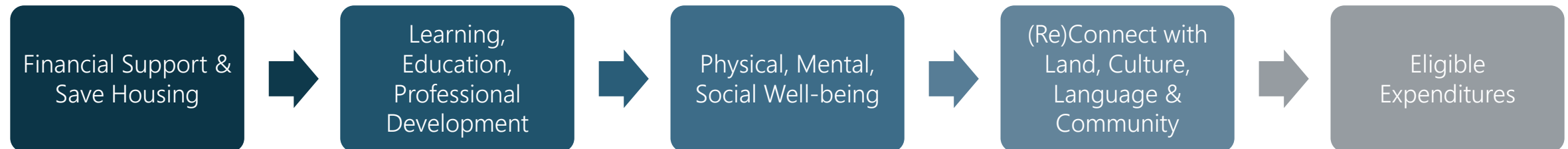


Background Information

- Youth exiting or leaving care due to having reached the age when mandated or legislated services end (usually at the Age of Majority) are often referred to as “aging out of care.”
- Services and supports that are provided past the age of majority are called post-majority services and supports.
- Funding for Post-Majority Support Services will support the delivery of wrap around services that promote holistic positive outcomes for thriving youth and young adults to meets their distinct needs.

Background Information

- Post-Majority Support Services aims to ensure youth and young adults have access to:



- Can submit a request based on actual incurred costs for post-majority care services and supports. Or request advance funding to support the development of programming to support youth and young adults.
- An individual cannot request funding.
- Will need to provide reporting and documentation that supports the funding request (needs assessment, community plans, business plans)
- Reporting is required for this funding

Post-Majority Support Services

Program/Service Category	Purpose
Learning, Educational & Professional Development Opportunities	Activities, services and costs that ensure young people have opportunities to learn and grow in ways that are meaningful to them, their goals, and life plan.
Financial Support & Safe, Stable & Comfortable Housing	Activities, services, costs that ensure young people have the financial resources to meet their needs. To have their basic needs met in a secure and consistent way.
Physical, Mental & Social Wellbeing	Activities, services and costs that ensure young people have timely ongoing services that support their health and wellbeing.
(Re)connection with Land, Culture, Language & Community	Activities, services, and costs that ensure young people are connected to their culture and communities in ways that are safe, meaningful to them, and at their own pace.
Operations (activities or costs related to operational activities)	Costs that are necessary for the general operation of the conduct of Post-Majority Support Service activities. Costs may include operations or overhead expenses of supporting Post-Majority Support Services.

Financial Support & Safe, Stable, Comfortable Housing



- Needs-based financial support (i.e. budgeting, credit, money management)
- Equitable funding to meet basic needs (i.e. accessing clothing and hygiene items)
- Livable basic income based on local realities and inflation
- Financial literacy programs and access to financial advisors
- Financial planning
- Financial costs and support to acquire various forms of identification (i.e. birth certificate, government ID, passports)
- Financial cost and support for driver's permit and driver's education
- Needs-based financial support
- Rent and rent subsidies

- Interim housing options during transition of youth to independence
- Housing stability during transition to adulthood
- Supports in viewing housing, guidance, transportation
- Moving costs and support
- Housing-related skills training
- Basic household necessities
- Basic household utilities (i.e. internet connectivity and clean water)
- Home repairs
- Life /home skills including in home supports (i.e. cooking, housekeeping, planning, life coaching)
- Clothing including clothing required for employment
- Personal care and hygiene including menstrual supplies

Learning, Educational & Professional Development Opportunities

- Education mentorship and support
- Assistance to navigate education systems and options
- Access to resources and support related to education, rights
- Education-related costs
- Professional development and skills training, and/or career path planning
- Specialized supports (i.e. tutoring, career counselling)
- Cultural learning (i.e. regalia, resources, and opportunities)
- Technology required for education (i.e. laptop)
- Financial support for training/certifications (i.e. first aid, food safe, childcare)

Physical, Mental and Social Well-being

- Non-insured medical, dental and allied health services prescribed by relevant professional
- Sexual and gender identity health supports (i.e. education related to sexually transmitted diseases, sexual health)
- Recreation and sport
- Funding to ensure consistent access to holistic health services, transportation, support navigating health systems
- Counselling
- Healthy relationships counselling/support (i.e. Personal safety, gang involvement, domestic violence, healthy boundaries, addictions)
- Trauma informed Mental Health and Addictions support options
- Access to treatment
- Support for family violence and/or domestic violence
- Early intervention and parenting services for youth expecting a child or who have dependents, if needed
- Nutrition training, mentorship (i.e. groceries, meal planning)
- Access to physical activity supports
- Rehabilitative supports, when required
- Self-care and well-being training and supports

(Re)connect with Land, Culture, Language & ^{MNP} Community

- Building lifelong connection to community and develop support networks (i.e. mentorship)
- Youth-centered permanency planning
- Reconnection with family, community, culture (i.e. costs and expenses related to maintain and/or reconnecting with family, community and culture)
- Family mediation and counselling
- Safe reintegration into community and culture of origin (i.e. visits to community of origin, Cultural programs and ceremony, land-based wellness)
- Funding for language/identity (i.e. courses, workshops, resources)
- Support and guidance from Indigenous Elders and Knowledge Keepers, traditional knowledge
- Cultural youth groups and peer supports

Eligible Expenditures

- Salaries and benefits
 - Staff travel, transportation
 - Recruitment, training and PD
 - Costs to support local board or committees, incl orientation and training, honoraria for Elders and Knowledge Keepers
 - After hours and crisis intervention supports
 - Interpretation costs
 - Program development, implementation, monitoring and evaluation costs
- Governance and administration, incl office lease, IT, utilities, etc.
 - Professional fees
 - Costs related to IT, data collection and case management systems
 - Provisions for privacy, security and proper management of records
 - Maintenance such as general repairs

Jurisdiction



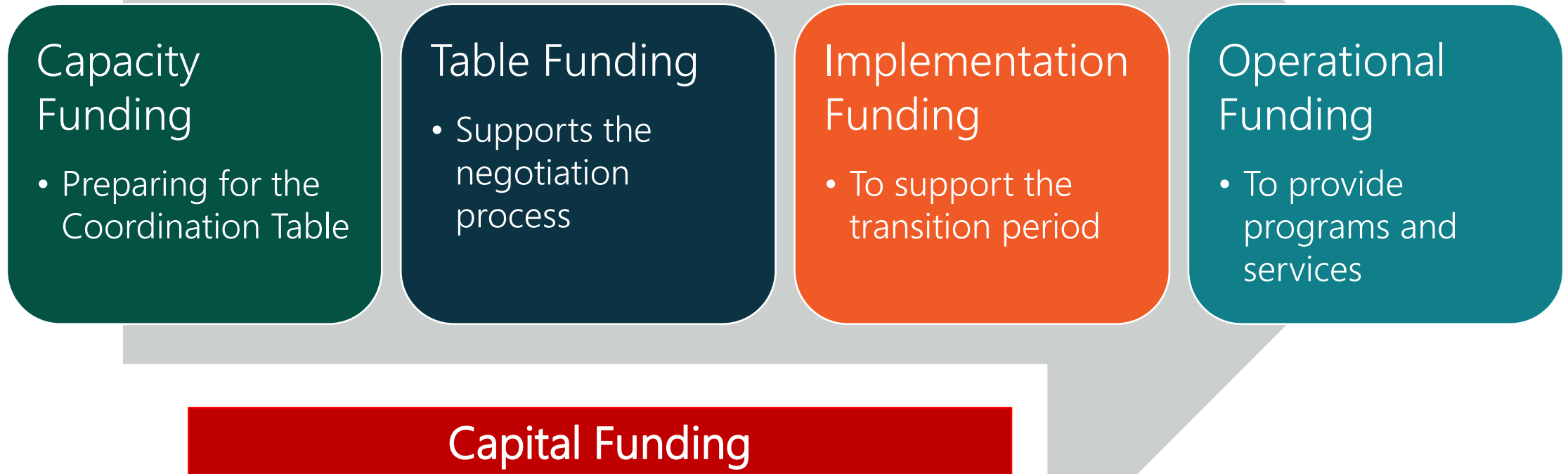
Background

- On June 21, 2019, the *Act Respecting First Nations, Inuit and Métis Children, Youth and Families* (Bill C92) became Law, and its provisions came into force on January 1, 2020.
- The federal Act recognizes the inherent jurisdiction of Indigenous communities and governing bodies over the care of their children and families in accordance with their traditional laws and values.
- Under the Act, Indigenous communities and groups are free to develop policies and laws based on their particular histories, cultures, and circumstances.
- National standards such as the best interests of the child, cultural continuity, and substantive equality have been established to help guide the provision of Indigenous child and family services.

How Does it Work?

- The Nation or Indigenous Governing Body applies for Capacity Funding to pursue jurisdiction.
 - Funding is determined by population and remoteness.
 - Eligible for funding up to five years. Funding is released annually following reporting.
- Strategic planning, service delivery, law development and financial planning are completed to prepare for Coordination Table work.
- The Nation or Indigenous Governing Body enters into tripartite Coordination and Fiscal Table negotiations. Agreements should be reached within one year.

Funding Overview



Capacity Funding

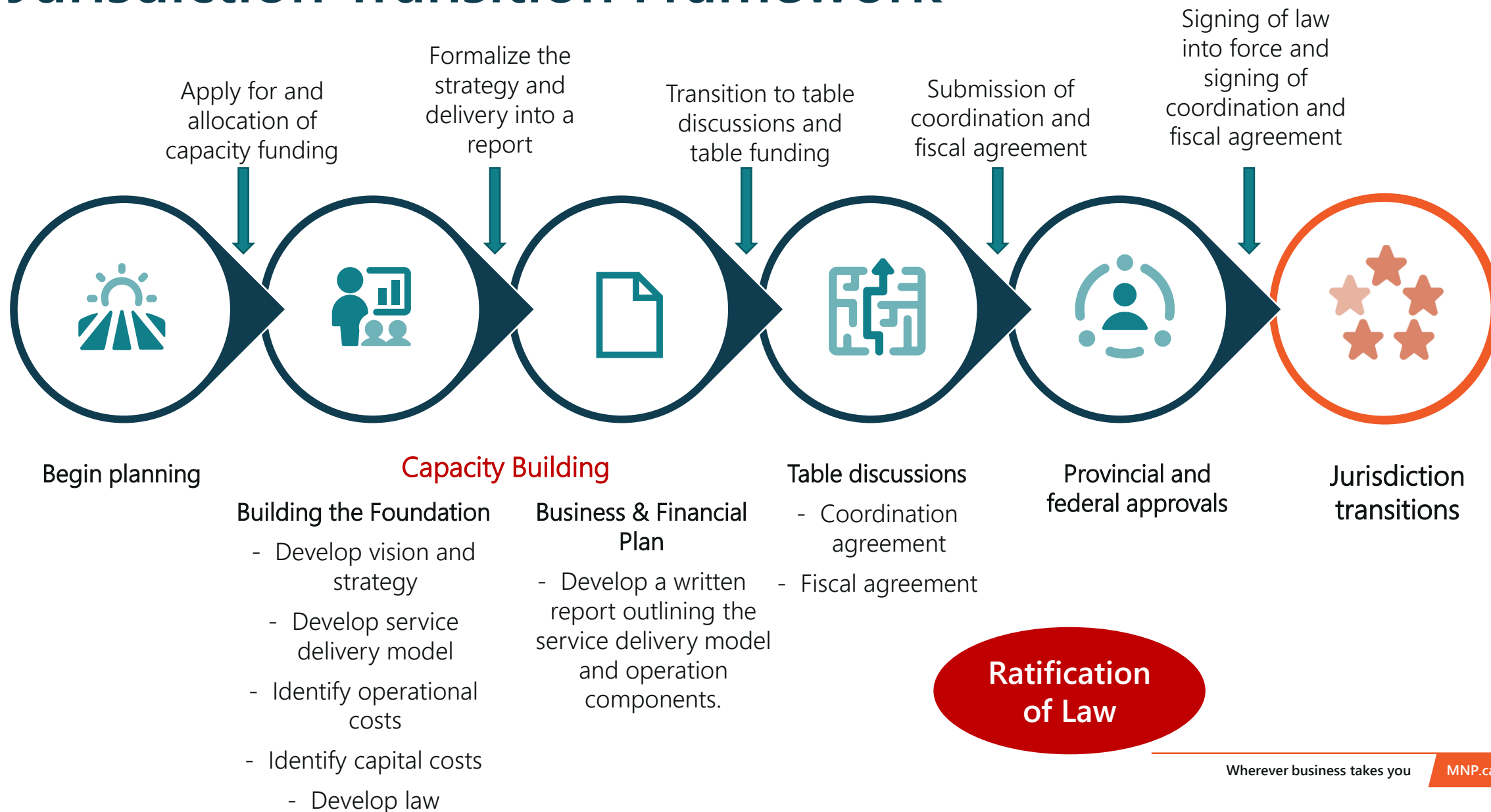
- May submit multiyear proposals, but only funded annually upon receipt of report
- Are not able to submit the next year funding until funding is exhausted
- Can apply any time for funding
- Reporting is due April 30

Maximum funding levels per year		
	Geographic location	
	Urban	Remote
Indigenous communities (under 1,500 people)	\$250,000	\$300,000
Indigenous communities (over 1,500 people)	\$550,000	\$650,000
Indigenous groups representing multiple communities, council of the band, etc.	\$1,000,000	\$1,200,000
Large organizations on a Treaty or a regional or provincial scale, Inuit Land Claims Organization, Métis Federation, etc.	\$1,750,000	\$2,000,000

There are four areas to consider regarding Jurisdiction



Jurisdiction Transition Framework



Bringing It All Together

The slide features a dark teal background. At the bottom, there are two overlapping, wavy, light blue-grey shapes that create a sense of motion or a horizon line. The main title is positioned in the upper left quadrant.

Service Model: *Addressing priority needs of today, while building the model for the future.*

Prevention Program

- *Develop robust system for prevention and early intervention to mitigate risk factors that lead to CFS involvement.*

First Nations Representative Services

- *Build capacity to actively advocate for First Nation membership, assert rights, and prioritize preventative care.*

Post-Majority Supports

- *Provide wrap around services to promote holistic, positive outcomes for youth transitioning to independence.*

Capital: *Addressing infrastructure gaps, while building capacity for the future.*

CHRT-41

- *Develop infrastructure to support service delivery under immediate measures and prepare for jurisdiction.*

Capacity Building: *Conceptualizing the future*

Building the Foundation

- Develop vision and strategy
- Needs Assessment
- Develop service delivery model
- Identify operational costs
- Identify capital costs
- Develop law

Business & Financial Plan

- Develop a written report outlining the service delivery model and operation components.

Table Discussions:

Negotiating the Agreements

- Coordination agreement
- Fiscal agreement

Jurisdiction:

Restoring Control

Fully Operational Program & Service Delivery Model

- *Prevention*
- *Representatives*
- *Post-Majority*
- *Protection*
- *Others as defined by IGB*

Negotiated Capital

- *Capital plan for term of agreement*

Governance & Administration

- *Oversight & Accountability*
- *Dispute Resolution*
- *Administration: Finance, HR, QA, etc.*

Lessons Learned

Learn

Have a clear idea of what needs to be different to support family well-being

- Needs impacting well-being
- Programs, services and resources to address needs
- How existing / new programs should work together

Leverage

Use immediate measures to get a head start, understand needs, prepare for change

- Prevention
- First Nations Rep
- Post Majority Support
- CHRT-41

Time

Ensure enough time for smooth transition

- Hiring, training, change management
- Policy development
- Workspaces
- File transfer

Term

Term of agreement

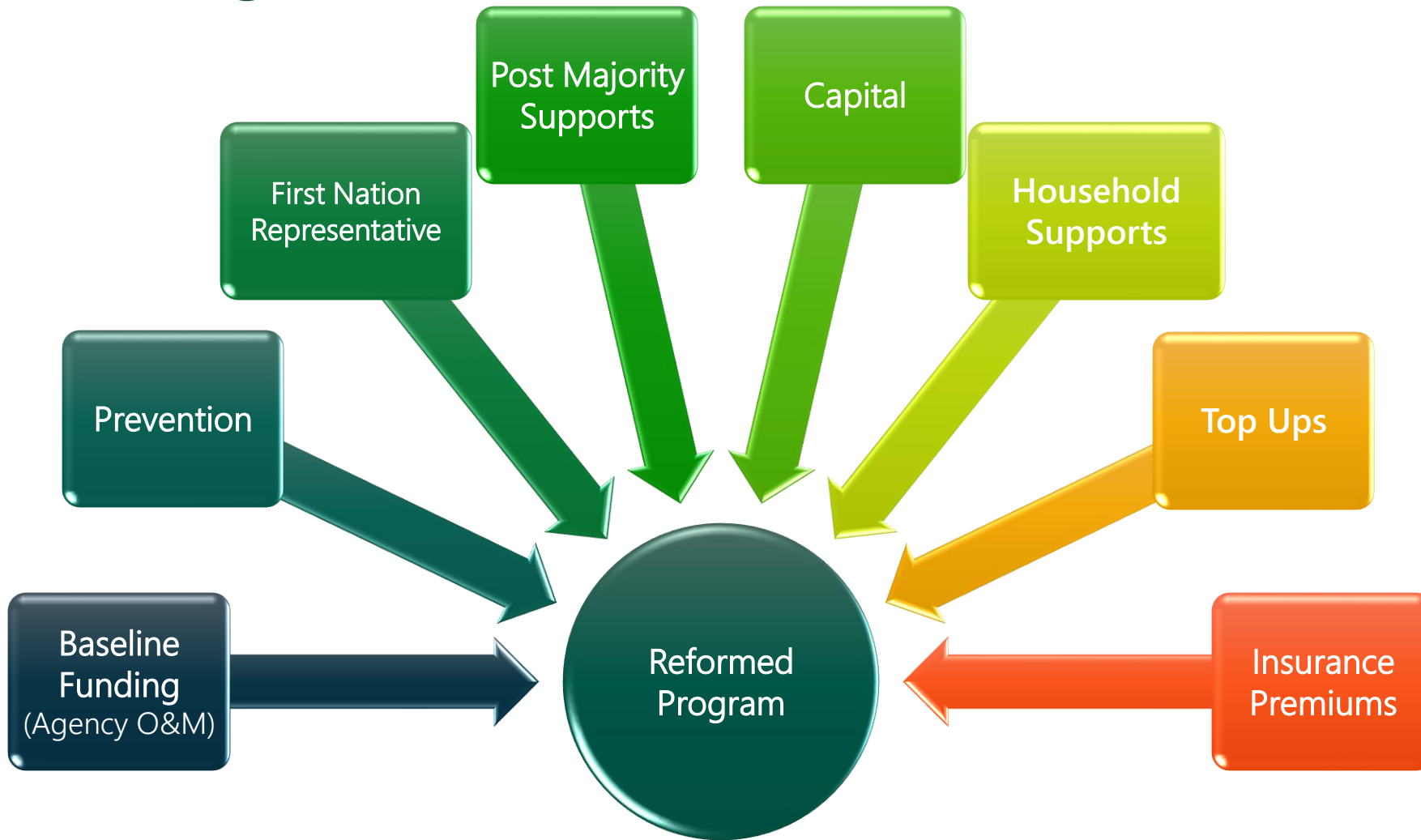
- Long enough to provide stable funding
- Short enough to allow for adjustments as you learn

Long Term Reform

Key Takeaways

- In July 2024, a draft Final Settlement Agreement was reached and is being communicated to First Nations by the AFN.
- The Agreement has a Transition Period (April 1, 2024 - March 31, 2026) and is further broken down into an Initial Five-Year period (April 1, 2024 – March 31, 2029), and a Second Five-Year period (April 1, 2029 – March 31, 2034).
 - Canada will provide \$24.477 billion to support the implementation of the Reformed First Nation Child and Family Services Program in the Initial Five-Year period.
 - For the Second Five-Year period, Canada will provide annual funding in an amount not less than the funding provided in the fiscal year 2028-2029 and is subject to any upward adjustments adopted further to the Initial Program Assessment.

Funding Categories under the Proposed Final Agreement



Per person amounts are indexed for inflation (Prevention and FNR)

The Final Settlement Agreement is still in draft and is subject to approval in September 2024.

MNP Supports



MNP supports First Nations communities across Canada who are pursuing opportunities to transform child and family services. Some areas of support are:

- Pursuing the reclamation of jurisdiction of child and family services through An Act respecting First Nations, Inuit and Métis children, youth and families (formerly Bill C:92)
- Prevention planning and program development
- First Nation Representative planning and utilization
- Post-Majority Support service delivery planning
- CHRT-41 capital funding



MNP Support

We have helped our clients where it fits best for them and have supported in the following areas.



Needs Assessment, Planning, Engagement

- Organizational readiness
- Community-driven needs analysis and goal development
- Strategic planning – vision, strategies
- Service delivery framework and planning (interim measures)



Business Planning & Financial Model

- Preparing the business plan and financial model/budget based on service delivery and the draft law
- Includes: Operations, Governance, Administration, Transition/Implementation



Capital Planning Support

- Needs Assessment – What infrastructure/capital assets are required to deliver the programs and services you envision to the community, in community.

Current Services to Support Jurisdiction for Child and Family Services



COMMUNITY SELF-ASSESSMENT – To understand current strengths, assets and challenges relevant to community readiness for assuming jurisdiction for child and family services. This may include

Governance

- Law making
- Information and communication
- Community engagement
- Planning and risk management
- Monitoring and oversight

Administration

- Financial / HR / IT Management
- Quality programs and services
- Council supports
- Managing resources and change

Community

- Community involvement
- Health, well-being
- Housing
- Education, income



COMMUNITY ENGAGEMENT – Support processes to engage community members on a vision for jurisdiction over child welfare, key issues and challenges under the current system, goals to be achieved through a law, expectations and needs for culturally driven service delivery, etc. Engagement may be recurring and planned for various stages through development and implementation of the law



STRATEGIC PLAN – Facilitated workshops to support decision-making and direction to guide development of a culturally-aligned law, governance and service delivery models.



CHILD AND FAMILY SERVICES PROGRAM DEVELOPMENT

- Program mapping to align existing programs serving children and families
- Facilitated discussions with program teams
- Cultural adaptation of policies and programs currently delivered
- Program evaluation framework



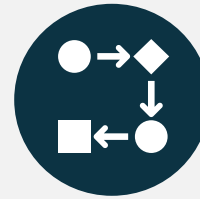
BUSINESS PLAN – Detailed plan and budget for the new system, including

- A detailed governance model - Board structure and authority,, roles and responsibilities, development and decision-making processes;
- Staffing for front line and support services, training and development
- Programs and program development requirements
- Protocols with other agencies (transition and ongoing relationship, application of law)
- Dispute resolution
- Case management systems
- Facilities, equipment, office technology



INFORMATION TECHNOLOGY AND MANAGEMENT ASSESSMENT + STRATEGY

- Requirements analysis, including assessment of and integration with current IT infrastructure, community financial management system, case management, records management, office productivity, communications, etc.
- Five-year IT strategy / three-year road map
- Hardware and software selection support
- Hardware and software implementation



TRANSITION / IMPLEMENTATION PLAN

- Detailed implementation / transition plan from current state to service start
- Startup / implementation budget
- Negotiations support for coordination agreement (analysis, briefings, position papers, etc.)



COORDINATION AND PROJECT MANAGEMENT

- Establish, coordinate activity of working group for all areas of activity
- Support, liaise with legal counsel to provide information to inform development of law
- Maintain project schedules, budget and working group communication
- Communication, training, change management

Other Areas of Support

- Governance Review/Development
- Operational Reviews
- Program Evaluations
- Policy Development
- Program Integration Planning
- Succession Planning

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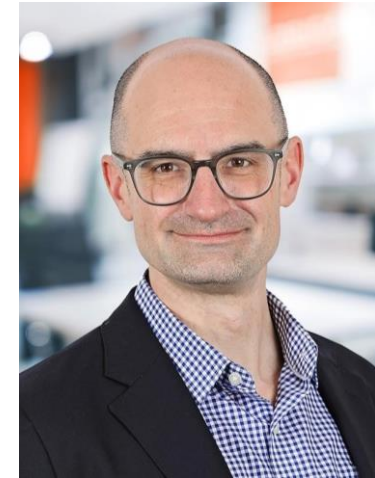


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MNP

Thank you!



Wherever business takes you

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