



Indian and Northern  
Affairs Canada

Affaires indiennes  
et du Nord Canada

# Family Violence Prevention Program

## National Manual

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## 0 Introduction

- 0.0.1 Welcome to the *Family Violence Prevention – National Standards and Guidelines Manual*. The Family Violence Prevention Program for First Nations is administered nationally by Indian and Northern Affairs Canada (INAC). The program provides support services to eligible people across Canada who are ordinarily resident on-reserve.

### 0.1 Purpose of the Manual

- 0.1.1 This manual sets out national standards and guidelines for family violence prevention and protection programs for people who are ordinarily resident on-reserve. It is intended to be a guide for developing and operating such programs.
- 0.1.2 The manual is also intended to be a teaching document for new INAC staff at both the national and regional levels.

### 0.2 Intended Audience

- 0.2.1 The primary intended users of the manual are regional INAC staff responsible for administering regional family violence prevention programs. However, the manual may also be useful to the following:
- national INAC Family Violence Prevention Program staff
  - First Nation Chiefs and Councils
  - First Nation advocates
  - social assistance and health care agencies
  - provincial authorities for family violence prevention programs
  - other interested members of the public
- 0.2.2 This manual, once approved, is intended to be a public document. It may be copied and distributed without restrictions.

## 0.3 What the Manual Covers

- 0.3.1 **Chapter 1, Background** – includes important information on the program, such as key program milestones, program authorities, the principles on which the program is based, program objectives, and the roles and responsibilities of those who administer the program.
- 0.3.2 **Chapter 2, Program Components** – describes the main areas of the Family Violence Prevention Program, including shelter operations and prevention programs.
- 0.3.3 **Chapter 3, Funding Arrangements** – covers funding arrangements for the program, including Comprehensive Funding Arrangements and the Canada/First Nations Funding Agreement.
- 0.3.4 **Chapter 4, Financial Administration** – outlines the specific requirements of the *Financial Administration Act* (FAA) and the Cash Management Policy (CMP) that have a direct impact on the management of the program.
- 0.3.5 **Chapter 5, Reporting and Compliance** – details the measures required to demonstrate that the terms and conditions of agreements have been met and that INAC is funding services that are within its authority. In addition, this chapter sets out national reporting requirements.
- 0.3.6 **Chapter 6, Future Directions** – covers the National Aboriginal Circle Against Family Violence.
- 0.3.7 **Annexes** – include lists of resource information and links, resident on-reserve communities and shelters and prevention programs. Also include a copy of the terms and conditions for the Family Violence Prevention Program.



## 0.4 Relationship to Regional Manuals

- 0.4.1 This manual provides a national framework for the Family Violence Prevention Program. It covers the broad standards and guidelines within which each INAC regional program must operate. The program follows the rates and eligibility criteria of the provinces or territories in which First Nations reside; therefore, there are significant differences in how the program operates in each region.
- 0.4.2 This manual sets broad national standards and guidelines. At the same time, it is flexible enough to accommodate most regional variations and practices. Each region's implementation of provincial or territorial standards and practices is subject to the availability of resources. Regions will need to develop their own regional manuals to interpret these national standards and guidelines within the context of their province or territory. Much of the procedural detail that regional staff will need to administer their programs will be found in the regional manuals rather than in this national manual.

## 0.5 Revision Process

- 0.5.1 The Family Violence Prevention Program is evolving. As changes occur, the manual will be updated and reissued.
- 0.5.2 Print copies of this manual may not be up to date. Only the online version of the manual located on INAC's website is considered current. If in doubt, refer to the online manual.



## Definitions

**Note:** The following definitions cover all five INAC program areas: Income Assistance, Family Violence Prevention, Child and Family Services, Assisted Living and National Child Benefit.

**Aboriginal peoples** – The descendants of the original inhabitants of North America. The Canadian Constitution recognizes three groups of Aboriginal people: Indians, Inuit and Métis. These are three separate peoples with unique heritages, languages, cultural practices and spiritual beliefs.

**Aboriginal self-government** – Governments designed, established, and administered by Aboriginal peoples.

**Adult Care Program** – Former name of the Assisted Living Program.

**Age of majority** – The age at which a person is considered to be an adult under the laws of the relevant province or territory.

**Agency** – An authority, board, committee or other entity or, in the case of a tribal council, a member First Nation, authorized to act on behalf of the council.

**Alternative Funding Arrangement (AFA)** – Funding authority under which an eligible recipient receives multi-year funding in the form of a fixed allocation.

**Assisted Living Program** – Program to provide social support services to clients who require some type of assistance with their daily activities. Formerly called the Adult Care Program.

**Band** – A body of Indians as defined in the *Indian Act*.

**Band list** – A list of persons that is maintained under Section 8 of the *Indian Act* by a band or by INAC.

**Canada Child Tax Benefit (CCTB)** – The CCTB is the federal government's child benefit system, delivered through the income tax

system. It includes two components: a non-taxable monthly payment for families with children under age 18, based on family net income and the number of children; and the National Child Benefit Supplement, which provides additional support to 40 percent of low-income Canadian families.

**Canada/First Nations Funding Agreement (CFNFA)** – A block-funded agreement that INAC enters into with a First Nation for up to five years. It can also include funding from other federal departments.

**Capital** – Funding to identify, plan, design, construct, renovate or purchase assets for education, housing or community infrastructure purposes, where the assets have a useful life of more than one year and are not held for re-sale.

**Cash Management Policy** – Section 7.6 of the *Treasury Board Policy on Transfer Payments*. A federal Treasury Board policy covering the disbursement of government funds. The authority for this policy comes from the *Financial Administration Act*.

**Catchment area** – The geographic area for which a recipient has been mandated to provide a program or service.

**Chief and Council** – The government of a First Nation community. Chief and Council are elected by the membership of the community through regularly held elections.

**Child** – A person under the age of majority in the relevant province or territory, including a legally adopted child and a child adopted according to First Nation custom.

**Children's Special Allowance** – A federal benefit paid on behalf of children who are in the care of provincial, territorial or First Nation child welfare authorities. It mirrors the maximum Canada Child Tax Benefit (CCTB) payments, including the National Child Benefit (NCB) Supplement.

**Co-management agreement** – An agreement entered into between a tribal council and a third party acceptable to both the council and the Minister. The purpose of the agreement is to jointly manage the council's obligations under a funding agreement.

**Community** – The people and geographic area represented by a tribal council and for the benefit of which funds are provided under a funding arrangement.

**Compliance review** – A review of the administration, operations and costs of a program administered by a recipient to ensure that the program is delivered according to INAC’s policies and Treasury Board and Cabinet authorities.

**Comprehensive Funding Arrangement (CFA)** – A program-budgeted funding arrangement that INAC enters into with First Nations for one year. Funding comes from contributions, flexible transfer payments or grants.

**Continuum of care** – The range of holistic medical and social services for those who do not have, or who have lost, some capacity to care for themselves. These services often begin in the home and progress through a continuum up to the more intensive levels of care normally associated with institutional care, including palliative care.

**Contribution authority** – A conditional transfer payment for a specified purpose that must be accounted for or audited to determine that it follows the terms and conditions of payment. Unspent balances or disallowed costs are reimbursed to the Crown.

**Delivery standards** – In relation to a Canada/First Nations Funding Agreement (CFNFA), the minimum standards or requirements set out by a federal department in its schedule to the CFNFA.

**Dependant** – A person who relies on a final recipient for financial support, usually children, elderly parents, a spouse or a disabled family member.

**Depth of low income** – The additional amount of income a low-income family would need to reach a pre-determined line, such as Statistics Canada’s Low-Income Cut-Offs (LICOs) or the Low-Income Measure (LIM).

**DIAND** – Department of Indian Affairs and Northern Development (also referred to as Indian and Northern Affairs Canada—INAC).

**Disabilities Initiative** – An INAC initiative to fund projects to improve the coordination and accessibility of existing disability programs and services on reserves, such as advocacy, public awareness and regional workshops.

**Disposable income** – The income left over after personal income taxes and other payroll deductions, such as Canada Pension Plan contributions and Employment Insurance premiums, have been paid.

**Earnings supplements** – Payments from governments to families that top up work-related earnings. Such payments are often designed for low-income working families. Different amounts are paid based on the number of children in a family.

**Family** – A grouping of people who are related by affection, kinship or trust.

**Family violence** – A broad concept that includes the abuse of children, youth, spouses and elders. It includes physical assault, intimidation, mental or emotional abuse, sexual abuse, neglect, deprivation and financial exploitation.

**Family Violence Prevention Program** — Provides First Nations with funding for community-based projects to address social and health problems related to family violence. The program also allows First Nation people to establish and operate shelters.

**Final recipient** – A person who ultimately receives program services or funds. See also *recipient*.

**Financial Administration Act** – Federal legislation covering the financial administration of the Government of Canada, the establishment and maintenance of the accounts of Canada and the control of Crown corporations.

**First Nation** – A *band* within the meaning of the *Indian Act*. May also refer to a collection of bands.

**Fiscal year** – For INAC, the one-year period beginning on April 1 of one calendar year and ending the following March 31.

**Flexible transfer payment (FTP)** – A conditional transfer payment for a specified purpose. The recipient may keep unspent balances as long as the program terms and conditions have been fulfilled. Any deficit is the responsibility of the recipient.

**Funding agreement** – A contractual agreement signed by INAC and the funding recipient. For the purposes of this manual, this can be either a Canada/First Nations Funding Agreement (CFNFA) or a Comprehensive Funding Arrangement (CFA). The terms *funding agreement* and *funding arrangement* are used interchangeably.

**Funding authority** – The rules established by Treasury Board that INAC must follow when funding a program.

**Grant authority** – An unconditional transfer payment.

**Home support** – Component of the Assisted Living Program providing homemaker services to help people with their daily activities, thereby contributing to their independence and to their ability to remain in their homes.

**Incidence of low income** – Proportion of families with children with annual income falling below a pre-determined line, such as Statistics Canada's Low-Income Cut-Offs or the Low-Income Measure.

**Income assistance** – A needs-tested, last resort system of income support administered by First Nations and INAC; previously referred to as *social assistance*.

**Indian** – A member of First Nation heritage as defined in the *Indian Act*.

**Indian band** – A body of Indians as defined in the *Indian Act*. Also referred to as a *First Nation*.

**Indicators** – Statistics that show how well a program or service is faring.

**Institutional care** – Care provided in a group facility such as a personal care home.

**Inuit** – An Aboriginal people in northern Canada, who live above the tree line in Nunavut, the Northwest Territories, Northern Quebec and Labrador. The word means *people* in the Inuit language.

**Market basket measure (MBM)** – Research tool for governments for analyzing low income, based on a basket of goods and services. The MBM identifies disposable income levels required to purchase this basket in various communities across Canada. Compared with Statistics Canada's Low-Income Cut-Offs and Low-Income Measure, the MBM is a more precise reflection of different living costs by geographic location.

**Member of a band** – A person registered as an *Indian* within the meaning of the *Indian Act* and whose name appears on the band list, or who is entitled to have his or her name appear on a band list.

**Memorandum of Understanding (MOU)** – A formal document committing two or more parties to an undertaking. It sets out its general principles, but falls short of being a legally enforceable detailed contract or agreement.

**Memorandum to Cabinet (MC)** – A proposal addressed to Cabinet seeking to obtain or change policy authorities for funding programs or services.

**Monthly expenditure plan** – A statement setting out and distributing the annual budget for programs and services according to the recipient's estimated monthly cash requirement. This plan is attached to the funding arrangement.

**National Aboriginal Circle Against Family Violence** – A consultative group of First Nation emergency shelter directors, who work to reduce family violence in Aboriginal communities by relying on Aboriginal knowledge and intervention to prevent family violence.

**National Child Benefit (NCB)** – A national program introduced in 1998 following an agreement by federal, provincial and territorial ministers responsible for social services and First Nations to work together to address child poverty in Canada. The objectives of the NCB are to help prevent and reduce the depth of child poverty; to provide incentives to work by ensuring that low-income families with



children will always be better off as a result of working; and to reduce overlap and duplication through the simplified administration of benefits for children.

**NCB Supplement** – A federal contribution that provides additional income support to all low-income families with children whose family income is not more than the maximum allowable. Payments are made monthly and adjusted each July to reflect changing family circumstances. A component of the Canada Child Tax Benefit.

**NCBR Initiative** – An initiative that provides funds for reinvestment projects that address the objectives of the National Child Benefit (NCB). The funds are provided through a recovery mechanism that allows the income assistance administrative body to reduce income assistance payments by the same amount as the NCB Supplement has been increased.

**Ordinarily resident on-reserve** – A person who either stays on the reserve and has no usual home elsewhere and who usually lives at a civic address on-reserve. In the case of children in joint custody, lives more than 50 percent of the time on the reserve.

**Policy authority** – General policy authority obtained from Cabinet by submitting a Memorandum to Cabinet (MC) that provides instructions and advises on what has been authorized. See also *funding authority*.

**Program authorities** – The Cabinet and Treasury Board decisions that govern a program.

**Project** – Any proposed construction, operation, modification, decommissioning, abandonment or other undertaking in relation to physical work.

**Project Haven Shelters** – A federal initiative to provide emergency shelters for women and children (former name for shelters).

**Recipient** – An entity, usually a First Nation Chief and Council, that receives funding for programs or services it administers on behalf of *final recipients*.

**Reference province or territory** – The province or territory within which a specified recipient is operating according to that province's or territory's legislation and standards.

**Reinvestment models** – Methods used by provinces and territories to adjust their income assistance rates, based on the NCB Supplement received. They include the income assistance offset model, the integrated child benefit model with adjustment and the integrated child benefit model without adjustment.

**Remedial management plan** – A plan developed by the recipient and approved by the Minister that reflects decisions and measures that are necessary to remedy a default under a funding arrangement.

**Reserve** – A tract of land, the legal title to which is vested in Her Majesty, which has been set apart for the use and benefit of a band.

**Social Development Program Management Infrastructure Initiative (SDPMI)** – INAC program to identify models of effective management and accountability for social development programs that will lead to more effective, cost-efficient and accountable social development programming on reserves.

**Stacking provisions** – Provisions within a funding agreement that address duplicate sources of program funding.

**Surplus** – The amount of the funds provided by the Minister and other sources that is left over after the recipient has fulfilled all program terms and conditions for the funded service or capital project.

**Survey of Labour and Income Dynamics (SLID)** – A longitudinal labour market and income survey to study changes over time in Canadians' labour force status and economic well-being. Not done on reserves or in the North.

**Targeted funding** – Funding that can be transferred to the recipient under a Canada/First Nations Funding Agreement to provide targeted programs.

**Targeted programs** – A time-limited and specific undertaking as set out in the Canada/First Nations Funding Agreement.

**Third-party agreement** – An agreement between a recipient and another party, such as an authority, board, committee or other entity authorized to act on behalf of the recipient, delegating authority or transferring program funding.

**Transfer payments** – Payments made from budgetary appropriations for which the Crown receives no goods or services.

**Tribal council** – An organization established by a number of First Nations with common interests who voluntarily join together to provide advisory or program services to member First Nations.

**Welfare wall** – A term used to describe the barriers that can make it less financially attractive for people to move from income assistance to the labour market because they would lose income or services.

**Working Income Supplement (WIS)** – A federal program that no longer exists. It was in effect before the NCB. WIS provided income support to supplement the earnings of low-income working families.



# 1 Backgrounder

## 1.1 About Family Violence

- 1.1.1 Family violence is a broad concept that includes the abuse of children, youth, spouses and elders. It includes physical assault, intimidation, mental or emotional abuse, sexual abuse, neglect, deprivation and financial exploitation. It is a social, health and criminal problem with serious consequences for individuals, families and society.
- 1.1.2 Being in a state of dependency or in a relationship with a person who is in a position of trust or authority may increase a person's vulnerability to exploitation and abuse and increase the risk of abuse.
- 1.1.3 The Family Violence Prevention Program provides individuals with culturally appropriate family violence prevention and support services.
- 1.1.4 INAC recognizes that the primary responsibility for the care and nurturing of First Nations children and families rests with the family and community where the child or family lives. Therefore, INAC supports family support services that are designed, controlled and managed by First Nations themselves and that are consistent with First Nations' aspirations toward self-government.

## 1.2 History

- 1.2.1 The federal government's involvement in the issue of family violence began in the late 1970s. As the magnitude of the family violence problem became apparent, the federal government started a number of activities to deal directly with these issues. These activities included the Family Violence Initiative, shelters and the Child Sexual Abuse Initiative.
- 1.2.2 The first federally funded shelters for abused women were constructed under the Canada Mortgage and Housing Corporation's (CMHC) Non-profit Housing Program in 1978. Since then, many provincial non-Native shelter organizations have been formed. (See Annex D for a list of INAC-funded shelters.)

1.2.3 In 1988, the federal government launched a four-year, \$40 million Family Violence Initiative, including a \$22 million Project Haven program by CMHC to create additional shelter units for battered women and children. To help First Nation communities, a budget of over one million dollars was jointly administered by INAC and Health Canada, with the help of a Native Advisory Committee. The Committee reviewed proposals and prepared recommendations for family violence projects.

1.2.4 As part of the new 1991-1995 Family Violence Initiative, INAC received \$22 million for community-based services on reserves. The department provided operational funding for 20 shelters.

When Cabinet authority to fund the Family Violence Initiative expired in 1995, INAC continued to fund a Family Violence Prevention Program. In 1997, the federal government announced a new Family Violence Initiative program, of which INAC's current Family Violence Prevention Program is one component.

1.2.5 In 2001-2002, INAC funded 335 family violence prevention projects in selected First Nation communities. It also provided operational funding to 35 shelters across Canada, which helped 4,194 First Nations people on-reserve.

### ***Significant Program Milestones***

1.2.6 In 1994, an evaluation of the Family Violence Initiative projects showed that participation was high and that the activities had made an impact.

1.2.7 From 1997 to 2000, INAC and CMHC built 10 new family violence emergency shelters on reserves. Capital funding was provided by CMHC and operational costs were funded by INAC.

1.2.8 In 1998-1999, 34 shelters helped over 4,000 First Nations people on-reserve. A further 1,034 people were helped in provincial and territorial off-reserve emergency shelters. During the same period, INAC funded 335 Family Violence Prevention Projects in selected First Nation communities. Included were public awareness and education campaigns, conferences, workshops, stress and anger management seminars, support groups and community needs assessments for First Nation communities.

- 1.2.9 In 1999, INAC provided funding for the Best Practices Conference for First Nations Shelter Managers. This conference attracted all the managers operating shelters on-reserve. The conference recommended the establishment of a National Aboriginal Circle Against Family Violence. This project is currently in progress (see Chapter 6 – *Future Directions*).

### 1.3 Authorities

- 1.3.1 The authorities issued by Treasury Board in September 2003, subject to renewal by March 31, 2006, were to be managed within current levels of funding.

INAC is also authorized to reimburse a portion of the Government of Ontario's costs under the *Child and Family Services Act*, according to the 1965 *Indian Welfare Agreement*. This authority takes precedence over INAC's FNCFS policy as outlined in the directive and in this manual.

#### **Current Authorities**

- 1.3.2 The current authorities for the Family Violence Prevention Program are outlined in the:
- terms and conditions (program spending authority)
  - Memorandum to Cabinet (policy authority)
- 1.3.3 The terms and conditions are found in Annex E.

### 1.4 Program Principles

- 1.4.1 Historically, the government of Canada has provided social support services on reserves as a matter of policy. In its approach to social policy, the federal government has adopted the following general principles for its redesigned social policy framework:
- reasonable comparability with programs and services offered by provinces or territories in similar geographical contexts
  - self-sufficiency for First Nations communities and individuals
  - cultural relevance of policies and programs

- respect for principles of First Nations governance
- greater efficiency and coherence in federal First Nations policy framework
- economies of scale through collaborative programming and strategic alliances among First Nations communities
- different approaches to respond to different community circumstances and capacities
- results-based accountability through performance measures, public reporting and statistical feedback

1.4.2 INAC recognizes that the primary responsibility for the care of First Nations children and families rests with the family and community where the child or family lives. Therefore, INAC supports the creation of services designed, controlled and managed by First Nations, consistent with First Nations' aspirations toward self-government.

## **1.5 Program Objectives**

- 1.5.1 The Family Violence Prevention Program provides funding for community-based projects aimed at addressing social and health problems related to family violence. In addition, the program allows First Nations people to establish and operate emergency shelters and to design and deliver violence prevention programs on reserves.
- 1.5.2 The immediate objective is to provide culturally appropriate family violence protection and prevention services to families and individuals ordinarily resident on-reserve, consistent with the legislation and standards of the province or territory.
- 1.5.3 The long-term objective is to reduce the incidence of family violence that occurs in First Nation communities by providing abuse prevention and protection services.
- 1.5.4 Secondary objectives include:
- increasing Aboriginal leadership in preventing and managing family violence in their communities
  - increasing awareness about family violence and how to address it on the part of Chiefs, Band Councils, First Nations communities, services agencies, community groups and the general public



- increasing the range of training tools in Aboriginal languages with an emphasis on producing audio-visual and dramatic materials
- increasing the number of culturally appropriate treatment models and tools
- maintaining banks of information on existing resources, treatment models and other data
- networking at all levels
- encouraging more positive values and attitudes by men, women and children toward one another, particularly with respect to sexuality and the avoidance of violence
- improving case management and coordination based on a multi-disciplinary approach
- increasing knowledge about what happens to victims, offenders and their families and the types of follow-up they receive, through both short-term and long-term tracking studies
- ensuring that families and individuals ordinarily resident on a reserve have access to services that are designed, controlled and managed by First Nations

1.5.5 All Family Violence Prevention Program projects must be delivered at standards reasonably comparable to the reference province or territory of residence.



## 2 Program Components

2.0.1 The Family Violence Prevention Program consists of two components:

- shelters
- prevention projects

Funding for off-reserve emergency/transition shelters and second stage shelters is also available to ensure the safety of individuals or families.

2.0.2 This section also describes the requirements that recipients must meet to be eligible for funding for Family Violence Prevention programs and services under a funding authority. (For more information, see Chapter 3 – *Funding Arrangements*.)

### 2.1 Basic Eligibility Criteria

2.1.1 Program funding is intended for the benefit of people who are *ordinarily resident on-reserve*.

2.1.2 Individuals who are living off-reserve are considered to be ordinarily resident on-reserve in the following circumstances:

- people getting care not available on-reserve
- people accessing social services because no reasonably comparable service is available on-reserve
- students (as noted in the criteria below)
- children in joint custody who live more than 50 percent of the time on-reserve
- children in care under a mandated child welfare authority (the residence of a child under the care of a mandated child welfare authority is considered to be the residency of the child's parent or guardian at the time the child is taken into care)

2.1.3 Students who are registered in a post-secondary education program or training program continue to be considered ordinarily resident on-reserve if they:

- maintain a residence on-reserve, or

- are a member of a family that maintains a residence on-reserve, or
- return to live on-reserve with parents, guardians or caregivers during the year, even if they live elsewhere while attending school or working at a temporary job

2.1.4 There are some communities where all residents are considered to be ordinarily resident on-reserve, whether or not they meet the above criteria. The list of communities is found in Annex C.

## 2.2 Shelters

2.2.1 INAC provides operational funding to shelters for women and children who are ordinarily resident on-reserve. INAC currently funds 34 on-reserve shelters and 1 off-reserve shelter.

### ***Eligible Recipients***

2.2.2 Recipients must demonstrate the eligibility of final recipients for *shelter* services. Final recipients must:

- be ordinarily resident on-reserve
- require family violence prevention support (according to the needs assessment of police, child and family services agency staff, family support staff, health centre staff or emergency shelter staff)
- require shelter services, but have no other source of funding to meet the need

2.2.3 A list of all shelters that INAC funded for the fiscal year 2002-2003 is found in Annex D.

## 2.3 Emergency/Transition and Second Stage Shelters

2.3.1 If it is necessary to place individuals or families off-reserve for their safety, INAC reimburses the costs of maintaining individuals or families in other emergency/transition shelters or second stage shelters, based on provincial/territorial per diem rates and rules. INAC staff should consult their regional manual for guidelines.

2.3.2 **Eligible expenses include:**

- shelter costs
- food
- personal items
- special needs
- emergency clothing
- counselling
- psychological services
- career planning
- referrals to other social agencies
- travel
- recreation

## 2.4 Prevention Projects

2.4.1 INAC provides funds to family violence prevention projects. The projects must be community-based and be aimed at reducing the incidence of family violence and support a more secure environment for families on reserves.

**Eligible Recipients**

2.4.2 All applicants must include documentation showing that the leadership of the community endorses the project. For example, such documentation could be resolutions from the First Nations band council or community council, plus other letters of community support as appropriate.

2.4.3 The following organizations are eligible to apply for funding for prevention and protection projects:

- First Nations organizations designated by Chiefs and Councils, including family violence shelters for women and children, bands, settlements, tribal councils, political or treaty organizations and child and family services agencies
- public or private organizations engaged by or on behalf of First Nations communities to administer the programs for First Nations children and families, and private firms or organizations retained as co-managers or third-party managers designated by INAC

2.4.4 Projects must:

- be initiated by, and involve, the Aboriginal community
- relate to one of the areas described in the definition of family violence (see Definitions)
- benefit First Nation or Inuit communities
- demonstrate that their managers will report back to the communities where the project takes place regarding findings, recommendations and other follow-up

2.4.5 Projects that continue over multiple fiscal years are eligible on a year-by-year allocation only. This is subject to annual appropriations by Parliament.

**Project Proposals**

The family violence prevention projects are based on proposals that must meet specific criteria, which will be developed by INAC and the body that administers the projects, if applicable. Project proposals must demonstrate that they will promote a reduction in family violence and support a more secure environment for families on reserves.

2.4.6 The acceptance of any proposal is subject to the availability of funding.

**Eligible Projects:**

Eligible community-based prevention projects may include:

- public awareness and education campaigns
- stress and anger management seminars
- support groups and community needs assessments
- temporary First Nations shelters built on or off-reserve, within commercial accommodations or provincial or private non-profit shelters
- counselling for the transition back into the community and other intervention activities

2.4.7 **Training and Education**

- training in identification, prevention and management of family violence for existing community service providers and staff, such as trainers, child-welfare workers, community health representatives, nurses, social workers, teachers, other

professionals and para-professionals, law enforcement personnel and community leaders

- developing training and resource materials or models for use in First Nations communities

2.4.8 **Public Awareness** — Projects that develop, produce and deliver printed or published materials on the subject of family violence in First Nations communities, including written, audio-visual and dramatic materials.

2.4.9 **Community Program Development** — This includes community projects that:

- are short-term and innovative
- build on, use and strengthen existing community services or resources
- respond constructively to family violence in First Nations communities

2.4.10 **Conferences, Seminars and Workshops** — The project must demonstrate that the event will achieve an increase in knowledge, skill development, networking or information sharing in the area of family violence in First Nations communities.

2.4.11 **Research and Evaluation** — This includes both basic and applied research, including:

- collecting data such as inventories, literature reviews, training materials and data for statistics
- conducting surveys, needs analysis or assessment and feasibility studies
- evaluating treatment protocols and models of service delivery

2.4.12 The list of the prevention projects that INAC currently funds is found in Annex D.

2.4.13 **Projects Not Eligible:**

Projects that are not eligible for funding under the Family Violence Prevention Program:

- projects that include capital costs of any kind

- projects and feasibility studies for shelters, crisis centres or transition homes
- projects that include any ongoing operating costs, such as treatment services
- projects that ask for retroactive funding or formulation funding

## 2.5 Roles and Responsibilities

- 2.5.1 Managing the Family Violence Prevention Program includes a clear understanding of the roles and responsibilities of the four parties involved: INAC headquarters, INAC regions, First Nations recipients and the province or territory.

### ***Role of INAC Headquarters***

- 2.5.2 INAC headquarters assumes the following roles and responsibilities:

- through the regions, provides funding for recipients on behalf of First Nations people ordinarily resident on-reserve
- leads the development of policy
- moves forward proposals for change that come from regional representatives and First Nations practitioners
- oversees program issues and helps regions and First Nations find solutions to problems arising in the regions
- provides leadership in data collection and ensures that reporting takes place in an orderly fashion
- interprets policy and helps regions provide clarification to recipients and the province or territory

### ***Role of INAC Regions***

- 2.5.3 INAC regions assume the following roles and responsibilities:

- communicate with recipients, Chiefs and Councils, INAC headquarters and the provinces or territory
- manage the program and the funding on behalf of Canada
- confirm authorities to enter into agreements with recipients and fund proposed activities
- work with recipients on all aspects of the program, from the proposal stage to the final report



- assure headquarters that the program is operating according to relevant authorities and Canada's financial management requirements
- inform INAC headquarters on any issues that could affect national policy and advise it regarding changes to provincial or territorial legislation

### ***Role of Recipients***

2.5.4 Recipients assume the following roles and responsibilities:

- manage the program according to provincial legislation and standards, INAC authorities and funding agreements
- demonstrate eligibility of proposed programs and the eligibility of final recipients to participate in the programs
- initiate, design, administer and deliver programs and services to people ordinarily resident on-reserve
- share services with other communities or enter into agreements for service delivery with other agencies or businesses
- maintain records on operations as required in agreements and ensure all expenses charged under the program fall under allowable expenses, following the program directive
- demonstrate accountability through a review process
- involve the INAC region and the province or territory in issues as they arise
- involve the communities within their catchment areas so that services may be provided as transparently as possible within provincial legislation and standards

### ***Role of the Province or Territory***

2.5.5 The province or territory assumes the following roles and responsibilities:

- qualifies and instructs recipients following legislation and standards
- regulates recipients in their activities as they relate to the legislation and standards
- oversees recipients and takes action if the requirements are not being met
- participates in tripartite activities; for example, negotiations, regional tables, dispute resolution and consultation



## 3 Funding Arrangements

### 3.1 Overview of Funding Arrangements

- 3.1.1 INAC has developed two types of generic funding arrangements to use with First Nations that have not entered into their own self-government agreements: Comprehensive Funding Arrangements (CFA) and Canada/First Nation Funding Agreements (CFNFA). Any changes to the text of the agreements must be approved by INAC headquarters.
- 3.1.2 All INAC programs are covered under a single funding arrangement with a First Nation. Under the Family Violence Prevention Program, each First Nation will have either one or the other type of arrangement in place.
- 3.1.3 **Comprehensive Funding Arrangement (CFA)** – This is a program-budgeted funding arrangement that INAC enters into with First Nations for one year. CFAs contain programs funded via:
- **Contributions** – reimbursement of eligible costs
  - **Flexible Transfer Payments (FTP)** – based on a formula (surpluses can be kept as long as the terms and conditions have been met)
  - **Grants** – unconditional
- 3.1.4 **Canada/First Nation Funding Agreements (CFNFA)** – This is a block-funded agreement that INAC enters into with a First Nation for up to five years. It can include funding from other federal departments. This type of agreement is also called an *Alternative Funding Arrangement* or *Financial Transfer Agreement*. The CFNFA agreement contains a common set of funding terms and conditions in the main body of the agreement. The terms and conditions specific to each federal department are attached as schedules to the CFNFA.
- 3.1.5 The CFNFA is more flexible than the CFA by providing First Nations the ability to redesign programs and apply funds in accordance with community needs, as long as certain specified minimum program requirements are met to ensure that a guaranteed level of service is provided.

- 3.1.6 The CFNFA encourages creative and innovative ways of providing programming because First Nations can use any money saved on other priorities within the community.

## 3.2 Funding Authority

- 3.2.1 Under the Family Violence Prevention Program, Shelters and prevention projects are eligible to be funded as a Flexible Transfer Payment (FTP). Off-reserve shelters (also referred to as provincial shelters) are not eligible to be funded as a FTP and are to be funded as a contribution.
- 3.2.2 A funding *arrangement* is the contractual agreement signed between INAC and the recipient. A funding authority is the *rules* established by Treasury Board that INAC must follow when funding a program or service.

### ***Eligible Recipients***

INAC arranges for the administration of funding for family violence prevention and protection programs with the Chiefs and Councils of First Nation bands recognized by the Minister of Indian Affairs and Northern Development. Various funding options are available to Chiefs and Councils.

- 3.2.3 Funding for family violence prevention and protection services may be directed to either of the following:
- First Nation organizations designated by Chiefs and Councils, including family violence shelters for women and children, bands, settlements, tribal councils, political or treaty organizations and child and family services agencies
  - public or private organizations engaged by or on behalf of First Nation communities to administer the programs for Indian children and families and private firms or organizations retained as co-managers or third-party managers designated by INAC

- 3.2.4 **Third-party Agreements** – In some cases, where services are not administered directly by a band’s Chief or Council, INAC may enter into agreements for service delivery or cost-sharing with other government agencies, private businesses or non-governmental organizations.
- 3.2.5 **Self-governing First Nations** – First Nations that have included family violence in their self-government agreements are not eligible recipients for the purpose of this manual.
- 3.2.6 For shelter operations, INAC provides an annual flat fee to each shelter. The funding process details may vary by region, so INAC staff should consult their regional manual for specific guidelines.
- 3.2.7 For prevention programs, a fixed amount of funds is provided based on an approved project proposal from a recipient. The manner and schedule by which the funds are paid out varies according to the agreement struck between the INAC region and the First Nation community. INAC staff should consult their regional manual for guidelines.
- 3.2.8 The recipient is accountable for providing the products or services specified in the funding arrangement. Program-specific reports are required during the year and at the end of the year.

***Funding Guidelines***

- 3.2.9 **Stacking provisions** – These do not generally apply to payments for abuse prevention and protection services because INAC usually provides 100 percent of the funding. Any other government funding received will help reduce INAC’s contribution.
- 3.2.10 **Third-party Delivery** – Where the recipient delegates authority or transfers program funding to an agency (such as an authority, board, committee or other entity authorized to act on behalf of the recipient), the recipient is still liable to the Minister for meeting the obligations under the funding agreement. The delegation or transfer of funds must not compromise the objectives of the program or the expectations of transparent, fair and equitable service.

### 3.3 Allowable Expenses

- 3.3.1 Allowable expenses are based on the service standards and rate schedules of the province or territory of residence. Regions must ensure that funding for eligible costs does not result in any duplication of funding.
- 3.3.2 Funding authorities for family violence prevention and protection services do not allow specialized medical items or minor capital items to be purchased.

#### ***Shelter Operations***

- 3.3.3 INAC provides operational funding to on-reserve shelters. Eligible expenses include:
- salaries and benefits for shelter professional staff (that is, shelter director, assistant director and family violence counsellors)
  - professional development services
  - management of shelter committees and providing advice to band administrations
  - para-professional services such as shelter support workers
  - agency administration, such as secretarial staff, travel costs and office costs
  - monitoring and evaluation, including costs of preparing agency evaluations
  - operational costs of maintaining families or individuals eligible for protection services, including food, shelter, security systems, counselling, psychological services, career planning, referrals to other agencies, personal items, special needs, emergency clothing, travel and recreation

#### ***Prevention Projects***

- 3.3.4 Project funding for family violence prevention, treatment and research projects are based on a combination of project proposals and per capita distribution. In several regions, funding is provided to regional organizations, which then distribute project funding to bands on a per capita basis and according to the proposals received, or both. In other regions, project proposals are submitted directly to INAC regional offices.

3.3.5 Funds are managed at the regional or community level. Community-based projects must demonstrate that they promote a reduction in family violence and support a more secure environment for families on reserves.

3.3.6 **Eligible Expenses Include:**

- operating costs for First Nations shelters, including rental of temporary shelters
- salaries and training for professional or para-professional family violence workers and administrators and related office costs
- data collection and management activities required for project monitoring, planning, reporting and evaluation
- funding for the National Aboriginal Circle Against Family Violence to provide and coordinate training
- coordination of programs and services, seminars, conferences, research projects and professional networking
- costs of books, pamphlets, materials, office costs, travel, facilitator per diem and refreshments required for community-based family violence prevention initiatives, such as public awareness or education campaigns, workshops, conferences, training, stress and anger management seminars, support groups and community needs assessments

**Service Delivery Allowable Expenses**

3.3.7 FTP funds granted to Chiefs and Councils of Indian bands, First Nations organizations, or provinces and territories also cover service delivery. This includes:

- administrative expenses, including salaries, travel, transportation, training for professional or para-professional administrators and case workers and related office costs
- data collection and management activities required for program monitoring, planning, reporting and evaluation
- maintaining and upgrading systems
- developing and implementing case management systems, including structured client assessment, referral, job placement, re-assessment and counselling, training and professional support for administrators and case managers
- developing operational policy and related documents and delivery options to encourage local integration of income support and

labour market training (such as AHRDA holders), and where possible, education, health and social services

### 3.4 Allocations to Regions

- 3.4.1 Program funds are granted to the regions based on the national methodology. Each region is responsible for managing this budget and prioritizing how funds are allocated. If a request for funds cannot be made within the current budget, the request must be deferred until resources become available.

#### **Funding Allocations**

- 3.4.2 **Maximum Amounts** – The maximum amounts payable under a Flexible Transfer Payment are based on the service standards and rate schedules of the province or territory of residence.
- 3.4.3 **Due Diligence** – INAC must have procedures and resources in place for ensuring due diligence in:
- approving funding amounts
  - verifying eligibility and entitlement
  - managing and administering the program
- 3.4.4 **Approval** – Authority to sign and amend funding agreements is delegated to directors responsible for these programs.
- 3.4.5 **Basis and Timing of Payments** – Flexible Transfer Payments ( FTPs) are made on a flat fee annual basis for shelter operations. For prevention projects, FTPs are made according to the agreement negotiated between INAC and the recipient after a project proposal has been accepted. Where advance payments are necessary, they are limited to the immediate cash requirements of the recipient and must not go above the payment frequency set out in the provisions of the *Treasury Board Policy on Transfer Payments, 7.6 – Cash Management Policy*: “Installments of Grants and Advance Payments of Contribution.”



### 3.5 Regional Exceptions

- 3.5.1 The following areas have unique funding arrangements. Further information will be available in the regional manuals.
- 3.5.2 **Ontario** – In Ontario, INAC provides funding under the 1965 *Indian Welfare Agreement*. INAC provides the equivalent to the municipal share of funds to First Nations (i.e. 20% Homemakers, Day Care and Ontario Works) and Ontario provides the provincial share of 80 percent to First Nations. Schedules to the agreement may be amended by mutual agreement/consent (Canada/Ontario).

The maximum amount of funding for a federal-provincial cost-sharing arrangement to provide services to First Nations in Ontario is \$240 million. Ontario invoices INAC for the provincial share according to the agreement's provisions. Ontario must provide a cash flow forecast for the coming fiscal year. Once the estimated budget is approved, INAC pays a one-month cash advance to cover immediate requirements at the beginning of the fiscal year. After that, it pays monthly installments. Each advance includes a 10 percent holdback, which accumulates and is paid out after the annual provincial audit of the program is completed.

- 3.5.3 **Alberta** – In Alberta, under the 1991 *Arrangement for the Funding and Administration of Social Services*, INAC reimburses the province for social services that Alberta delivers to First Nations ordinarily resident on-reserve. Alberta's Deputy Minister is responsible for signing any amendments to the arrangement.

Alberta must provide a budget of projected expenses before the start of the fiscal year. Payments are made to the province monthly, based on invoices submitted to INAC.

- 3.5.4 **Yukon** – Yukon and INAC have entered into an agreement concerning funding of status and non-status Indians. INAC funds status Indians and the Yukon funds non-status Indians. Also, all residents in the Yukon are considered to be ordinarily resident on-reserve.



## 4 Financial Administration

- 4.0.1 As well as the authorities received from Cabinet and Treasury Board, the operation of the Family Violence Prevention Program is governed by the terms of the *Financial Administration Act* (FAA) and the *Treasury Board Policy on Transfer Payment* (PTP).
- 4.0.2 This section of the manual covers only those aspects of the FAA and the PTP that have a direct impact on managing the program. Other sections may also apply. These impacts reinforce the need for compliance mechanisms.

**Note:** This is a summary only of a limited number of sections of the FAA and PTT. Managers who are uncertain about their financial responsibilities should refer to the FAA and the Cash Management Policy (CMP) and not rely exclusively on this summary.

### 4.1 *Financial Administration Act*

- 4.1.1 This section of the manual focuses on Sections 32, 33 and 34 of the FAA, which have the most direct impact on the operation of the Family Violence Prevention Program and reinforce the need for adequate compliance reviews being performed in a timely fashion. Under Sections 32 and 34, the responsibility centre manager (RCM) may be the same or different managers, depending on the region's organizational structure.
- 4.1.2 **Section 32 of the FAA** requires that no contract or arrangement requiring a payment be entered into unless it is certified that there is an appropriation from Parliament that the payment can be charged to. As well, sufficient unencumbered balance must be available to cover the cost. An RCM is designated and is responsible for ensuring that these conditions are met and that an approved authority exists for the activity before a commitment is made to fund a program or service. Once the RCM has signed under Section 32, the RCM may be held accountable if sufficient funds are not available or if an authority does not exist.

- 4.1.3 **Section 34 of the FAA** requires that an expenditure cannot be authorized until it has been verified that the goods and services have been provided. For the Family Violence Prevention Program, this requires that:
- invoices that are reimbursable as a contribution must be reconciled
  - the costs must be verified to confirm they are for eligible final recipients, are within the approved authorities and are in line with provincial or territorial rates

When the RCM signs the document, the RCM is certifying that this reconciliation and verification have been done and the goods and services have been provided. If it is later found that the expenses were not verified, or that improper charges have been made, the RCM may be in breach of the FAA.

- 4.1.4 **Section 33 of the FAA** provides for authorizing payment to the recipient. The financial officer receives the requisition signed by the RCM under Sections 32 and 34 verifying that the money is available, that the matter is within the approved authorities and that the goods and services have been provided. The financial officer then signs the requisition and sends it for payment.
- 4.1.5 **The implications arising from Section 34** must be seriously considered because the only way that the requirements of Section 34 can be met for reimbursable contribution payments is if compliance reviews are done monthly (this is the only way to verify that goods and services have been provided). Reimbursement simply on the basis of receiving an invoice is contrary to Section 34 and could put the signing RCM in breach of the FAA.

## 4.2 Cash Management Policy (CMP)

- 4.2.1 This section focuses on Section 7.6 of the *Treasury Board Policy on Transfer Payments*, Cash Management Policy: “Installments of Grants and Advance Payments of Contributions,” and on Appendix B, Section ii, of the policy “Advance Payment of Contributions.” These sections are relevant because they outline the policy on advance payments.

- 4.2.2 **Principle of Minimum Level of Funding** – CFAs and CFNFAs are based on Treasury Board-approved terms and conditions for the program. These terms and conditions are based on the principle that transfer payment assistance is provided for projects only at the minimum level needed to achieve the stated program objectives and expected results.
- 4.2.3 **Advance Payments** – Funding is paid on the basis of achieving performance objectives set out in the CFA or CFNFA. However, advance payments of the government’s share of allowable expenses may be made if the payment is essential to achieve program objectives and if the agreement specifically provides for payment.
- 4.2.4 Under the CMP, INAC must base any provision for advance payments on prudent cash management principles. For example, the amount of each advance should be limited to the immediate cash requirements based on a monthly cash flow forecast from the recipient. The advance must also take into account any outstanding advances. To reduce the risk of overpayments, funds should only be paid after a satisfactory accounting of the amount by the recipient. Regions must verify that the costs are within authorities and comply with the agreements.
- 4.2.5 **Limitation on Amount of Advance Payment** – The CMP limits the amount that can be advanced. For recipients in an agreement of four months or longer, an advance must not be above the value of the first quarter of the total value of the annual amount of the funding agreement.

## 4.3 Exemptions

- 4.3.1 **Holdback Provisions** – When the recipient is a First Nation, INAC has an exemption to the requirements in Sections 7.6.3 and 7.6.4 of the *Treasury Board Policy on Transfer Payments* on holdback provisions. Amounts for income assistance and family violence services to residents on reserves are a major component of an ongoing funding relationship between INAC and First Nations. The fact that the funding relationship is ongoing motivates recipients to account fully for all costs. It also helps reduce the risk that the recipient might not use the funds for the purpose they were contributed toward. Therefore, CFAs and CFNFAs do not have explicit holdback provisions.

- 4.3.2 Instead, First Nation recipients are advised that “funding otherwise payable under this arrangement may be withheld by the Minister, if the Audit and reports are not provided by the Council to the Minister as required under this agreement or its predecessor.”
- 4.3.3 **Funding Level Changes** – When the recipient is a First Nation, INAC has an exemption to the provisions in Section 7.3.6 of the *Treasury Board Policy on Transfer Payments* in case Parliament changes departmental funding levels. Funding agreements already contain a clause that any payment made requires an appropriation by Parliament for the fiscal year in which the payment is made. This clause is based on Section 40 of the *Financial Administration Act*. This section also provides sufficient authority for INAC to reduce or cancel agreements and payments if Parliament changes departmental funding levels.

## 5 Reporting and Compliance

- 5.0.1 Reporting and compliance are major components of effective program management. INAC must ensure that recipients follow the terms and conditions outlined in their funding agreements. Without measures taken to demonstrate that the terms and conditions of agreements have been met and that INAC is funding programs that are within its authorities, it would be difficult to present a case for ongoing funding.
- 5.0.2 **Minimum Requirements** – The reporting requirements set out in this section are the minimum requirements (5.2 and 5.3). Regions may also require other reports that are region-specific and essential to the successful operation of the program.
- 5.0.3 **Conflict of Interest** – All recipients must comply with the *Conflict of Interest and Post-employment Code for the Public Service* and the *Conflict of Interest and Post-Employment Code for Public Office Holders*. Where a recipient employs or has a major shareholder who is either a current or former (in the last 12 months) public office holder or public servant in the federal government, recipients must demonstrate that they have complied with these codes. For more information on conflict of interest, see the following Web site:  
[http://www.tbs-sct.gc.ca/pubs\\_pol/hrpubs/TB\\_851/guide\\_cip\\_e.asp](http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/TB_851/guide_cip_e.asp)
- 5.0.4 **Financial Management Manual (FMM) –The Management Control Framework for the Receipt of Reporting Requirements Policy** provides a management control framework for receiving reports required under INAC Funding Agreements such as: financial statements, program/service reports, management development plans and intervention-related reporting requirements. It provides a framework for following Section 34 of the *Financial Administration Act* and the *Treasury Board Policy on Transfer Payments*. This framework ensures a standard application of sanctions imposed by the department according to Funding Agreements where recipients do not provide their reporting requirements. The policy sets out the requirements for conducting initial and detailed reviews of reports to ensure the terms and conditions of the Funding Agreement are followed. It also guides departmental staff when reports are believed to be unobtainable.

## 5.1 Accountability

### ***Funding Arrangements***

- 5.1.1 Comprehensive Funding Arrangements (CFAs) and Canada/First Nation Funding Agreements (CFNFAs) contain standard provisions for accountability to INAC. Reports and performance must comply with the terms and conditions of the Funding Agreement and the requirements and specifications of the program.
- 5.1.2 Recipients must provide reports as set out in the *First Nations National Reporting Guide*.
- 5.1.3 INAC regions must also maintain regular contact with First Nations concerning the terms and conditions of the funding arrangements.

### ***Local Accountability Requirements***

- 5.1.4 First Nations must follow a common set of accountability requirements that address areas of high risk through *transparency*, *disclosure* and *redress* policies. These requirements emphasize local accountability for local decision-making:
  - Transparency means that the First Nation's decision-making processes and approved program delivery policies are known to its members.
  - Disclosure means that First Nations members have access to information on the First Nation's program plans, actions and costs, subject to privacy legislation.
  - Redress means that the First Nations maintain formal processes for resolving disputes so that members can appeal decisions of the First Nation, its employees and delegates.



## 5.2 Financial Reporting

- 5.2.1 Each First Nation is required to prepare annual financial statements as per INAC's *Year End Reporting Handbook* and hire an independent and qualified auditor to verify their content. An annual audit is standard for all recipients receiving federal funding.
- 5.2.2 Each First Nation must submit a copy of its annual audited financial statements to INAC within 120 calendar days of the end of the First Nation's fiscal year. The region then evaluates whether the financial requirements of the Funding Agreement have been met and financial health has been maintained. These audits are also available to all band members for review. When a recipient is not a First Nation, financial reporting is set out in FMM, Chapter 5.17.
- 5.2.3 For recipients other than First Nations, Tribal Councils or First Nation political organizations, financial reporting is in accordance with the INAC *Financial Policies and Procedures Manual (Volume 3), Transfer Payment (Part 5), Chapter 5.17*. Before entering into a funding agreement with a recipient, a decision on the most appropriate type of financial reporting must be made. Recipients may be required to provide the department with an annual audited financial statements, an audited statement of revenue and expenditure or a statement of revenue and expenditure.

## 5.3 Non-financial Reporting

- 5.3.1 Each recipient must submit various reports regarding service delivery as set out in INAC's *First Nations National Reporting Guide*. INAC uses these reports to ensure that:
- funds have been used for the intended purposes
  - the terms and conditions of the Funding Agreements have been met
  - there is sound management and financial control to ensure services continue to be delivered in First Nations communities
- 5.3.2 Regions will provide the appropriate data collection forms to the recipient, together with applicable instructions to meet the program reporting requirements.



## 6 Future Directions

- 6.0.1 This section describes future directions for the Family Violence Prevention Program.

### 6.1 Need for Continued Services

- 6.1.1 INAC recognizes that First Nations communities require greater control over family violence resources and program design and more culturally sensitive services. Also, more resources are required. For example, out of 630 First Nations communities in Canada, only 35 currently have shelters (34 on-reserve and 1 off-reserve).
- 6.1.2 First Nations communities in Canada have significantly higher rates of family violence than non-Aboriginal communities. Some factors responsible for these rates include overcrowded housing, a sub-standard social environment and lack of employment on reserves. High rates of violence contribute to other social problems, such as substance abuse, health problems, low educational attainment and high crime rates.
- 6.1.3 Therefore, INAC will continue to build towards First Nations self-sufficiency, a holistic approach for the First Nation and increased funding for services, where necessary and feasible.

### 6.2 National Aboriginal Circle Against Family Violence

- 6.2.1 INAC and First Nations established the National Aboriginal Circle Against Family Violence (NACAFV) to respond to the need for a coordinated approach to Aboriginal family violence prevention services.
- 6.2.2 The NACAFV is composed of the shelter directors from First Nations communities, who carry out many duties on behalf of the NACAFV. A consultative process respects and recognizes Aboriginal knowledge as essential to the effective provision of family violence intervention and prevention to Aboriginal peoples.

- 6.2.3 The NACAFV mission statement is “to reduce and one day eliminate family violence in our Aboriginal communities.” For more information, visit the Web-site at <http://www.nacafv.ca/>

## Annex A Government Resource Information and Links

### A.1 Canada

Government of Canada  
<http://www.canada.gc.ca/>

Canada Revenue Agency  
<http://www.ccr-aadrc.gc.ca/menu-e.html>

Status of Women Canada  
[http://www.swc-cfc.gc.ca/about/about\\_e.html](http://www.swc-cfc.gc.ca/about/about_e.html)

Statistics Canada  
<http://www.statcan.ca/start.html>

Social Development Canada  
<http://www.sdc.gc.ca/en/home.shtml>

Human Resources and Skills Development Canada  
<http://www.hrsdc.gc.ca/en/home.shtml>

Human Resources Social Development,  
National Homelessness Initiative  
<http://www21.hrdc-drhc.gc.ca/>

Treasury Board Policy on Transfer Payments  
[http://www.tbs-sct.gc.ca/pubs\\_pol/dcgpubs/tbm\\_142/ptp1\\_e.asp#\\_Toc482671155](http://www.tbs-sct.gc.ca/pubs_pol/dcgpubs/tbm_142/ptp1_e.asp#_Toc482671155)

Treasury Board of Canada,  
Social Union Framework Agreement (SUFA)  
<http://socialunion.gc.ca>

Health Canada, National Clearinghouse on Family Violence  
<http://www.hc-sc.gc.ca/hppb/familyviolence/>

Indian and Northern Affairs Canada  
<http://www.ainc-inac.gc.ca/>

Acts administered by Indian and Northern Affairs Canada

[http://www.ainc-inac.gc.ca/pr/leg/lgis\\_e.html](http://www.ainc-inac.gc.ca/pr/leg/lgis_e.html)

INAC funding agreements

[http://www.ainc-inac.gc.ca/ps/ov/agre\\_e.html](http://www.ainc-inac.gc.ca/ps/ov/agre_e.html)

## A.2 BC Region

Government of British Columbia

<http://www.gov.bc.ca/bvprd/bc/home.do>

BC Statutes and Regulations

[http://www.gov.bc.ca/bvprd/bc/channel.do?action=simple&channelID=-8351&navId=NAV\\_ID\\_province](http://www.gov.bc.ca/bvprd/bc/channel.do?action=simple&channelID=-8351&navId=NAV_ID_province)

BC Employment and Assistance Manual

<http://www.mhr.gov.bc.ca/publicat/vol1/>

Ministry of Human Resources

[http://www.gov.bc.ca/bvprd/bc/channel.do?action=ministry&channelID=-8388&navId=NAV\\_ID\\_province](http://www.gov.bc.ca/bvprd/bc/channel.do?action=ministry&channelID=-8388&navId=NAV_ID_province)

BC Family Bonus

<http://www.rev.gov.bc.ca/itb/fam/fam.htm>

BC Employment and Assistance Act

<http://www.mhr.gov.bc.ca/publicat/vol1/Part3/3-2.HTM>

BC Employment and Assistance Regulation

<http://www.mhr.gov.bc.ca/publicat/vol1/Part3/3-3.htm>

BC Employment and Assistance for Persons with Disabilities Act

<http://www.mhr.gov.bc.ca/publicat/vol1/Part3/3-4.HTM>

BC Employment & Assistance for Persons with Disabilities Regulation

<http://www.mhr.gov.bc.ca/publicat/vol1/Part3/3-5.htm>

BC Child Care Subsidy Act

<http://www.mhr.gov.bc.ca/publicat/vol1/Part3/3-6.htm>

BC Child Care Subsidy Regulation

<http://www.mhr.gov.bc.ca/publicat/vol1/Part3/3-7.htm>

INAC BC Region

[http://www.ainc-inac.gc.ca/bc/index\\_e.html](http://www.ainc-inac.gc.ca/bc/index_e.html)

Social Development Policy and Procedures Manual (INAC)

[http://www.ainc-inac.gc.ca/bc/sdpp/index\\_e.html](http://www.ainc-inac.gc.ca/bc/sdpp/index_e.html)

### **A.3 Alberta Region**

Government of Alberta

<http://www.gov.ab.ca/home/index.cfm>

Alberta Children's Services

[www.child.gov.ab.ca](http://www.child.gov.ab.ca)

Government of Alberta Laws and Publications

<http://www.qp.gov.ab.ca/catalogue/>

Government of Alberta Information on the Protection Against Family Violence Act

<http://www.child.gov.ab.ca/whatwedo/familyviolence/page.cfm?pg=Protection%20Against%20Family%20Violence%20Act>

Information on income support programs

<http://www3.gov.ab.ca/hre/sfi/index.asp>

INAC Alberta Region

[http://www.ainc-inac.gc.ca/ab/index\\_e.html](http://www.ainc-inac.gc.ca/ab/index_e.html)

### **A.4 Saskatchewan Region**

Government of Saskatchewan

<http://www.gov.sk.ca/>

INAC Saskatchewan Region

[http://www.ainc-inac.gc.ca/sk/index\\_e.html](http://www.ainc-inac.gc.ca/sk/index_e.html)

## A.5 Manitoba Region

Government of Manitoba

<http://www.gov.mb.ca/index.html>

Manitoba Employment and Income Assistance Act

<http://www.gov.mb.ca/fs/eiamanual/1.html>

Manitoba Employment and Income Assistance Regulation

<http://www.gov.mb.ca/fs/eiamanual/2.html>

Manitoba Employment and Income Assistance Administrative Manual  
(Manitoba Family Services and Housing)

<http://www.gov.mb.ca/fs/eiamanual/index.html>

INAC Manitoba Region

[http://www.ainc-inac.gc.ca/mb/index\\_e.html](http://www.ainc-inac.gc.ca/mb/index_e.html)

## A.6 Ontario Region

Government of Ontario

<http://www.gov.on.ca/MBS/english/index.html>

Ontario Works Program (Ministry of Community and Social Services)

<http://www.cfcs.gov.on.ca/CFCS/en/programs/IES/OntarioWorks/default.htm>

Ontario Works Policy Directives

<http://www.cfcs.gov.on.ca/CFCS/en/programs/IES/OntarioWorks/Publications/ow-policydirectives.htm>

Ontario Disability Support Program (Ministry of Community and Social Services)

<http://www.cfcs.gov.on.ca/CFCS/en/programs/IES/OntarioDisabilitySupportProgram/default.htm>

Ontario Statutes and Regulations

<http://www.e-laws.gov.on.ca>



Ontario Works Act

[http://192.75.156.68/DBLaws/Statutes/English/97o25a\\_e.htm](http://192.75.156.68/DBLaws/Statutes/English/97o25a_e.htm)

Ontario Homemakers Nurses Services Act

[http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90h10\\_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90h10_e.htm)

Ontario Family Benefits Act

[http://192.75.156.68/DBLaws/Statutes/English/90f02\\_e.htm](http://192.75.156.68/DBLaws/Statutes/English/90f02_e.htm)

Ontario Indian Welfare Services Act

[http://192.75.156.68/DBLaws/Statutes/English/90i04\\_e.htm](http://192.75.156.68/DBLaws/Statutes/English/90i04_e.htm)

Ontario Long Term Care Act

[http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/94l26\\_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/94l26_e.htm)

Ontario Nursing Homes Act

[http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90n07\\_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90n07_e.htm)

INAC Ontario Region

[http://www.ainc-inac.gc.ca/on/index\\_e.html](http://www.ainc-inac.gc.ca/on/index_e.html)

## **A.7 Quebec Region**

Government of Quebec

[http://www.gouv.qc.ca/Index\\_en.html](http://www.gouv.qc.ca/Index_en.html)

Laws and Regulations

[http://www.gouv.qc.ca/Informations/Lois/Lois\\_en.html](http://www.gouv.qc.ca/Informations/Lois/Lois_en.html)

INAC Quebec Region

[http://www.ainc-inac.gc.ca/qc/index\\_e.html](http://www.ainc-inac.gc.ca/qc/index_e.html)

## **A.8 Atlantic Region**

Government of Prince Edward Island

<http://www.gov.pe.ca/index.php3/>

Government of Nova Scotia

<http://www.gov.ns.ca/>

Government of New Brunswick

<http://www.gnb.ca/index-e.asp>

Government of Newfoundland & Labrador

<http://www.gov.nl.ca/>

INAC Atlantic Region

[http://www.ainc-inac.gc.ca/at/index\\_e.html](http://www.ainc-inac.gc.ca/at/index_e.html)

## **A.9 Territories**

Government of the Yukon

<http://www.gov.yk.ca>

Government of the Yukon Acts and Regulations

[http://www.gov.yk.ca/legislation/pages/page\\_a.html](http://www.gov.yk.ca/legislation/pages/page_a.html)

INAC Yukon Region

[http://www.ainc-inac.gc.ca/yt/index\\_e.html](http://www.ainc-inac.gc.ca/yt/index_e.html)

Government of Northwest Territories

<http://www.gov.nt.ca/>

Government of Nunavut

<http://www.gov.nu.ca/Nunavut/>

## Annex B Non-government Resources and Links

### B.1 National

National Aboriginal Circle Against Family Violence

<http://www.nacafv.ca/>

Native Women's Association of Canada

<http://www.nwac-hq.org/>

National Aboriginal Health Organization

<http://www.naho.ca/english/>

ShelterNet (making the links for abused women)

<http://www.shelternet.ca/splashpage.cfm>

National Clearinghouse on Family Violence

<http://www.hc-sc.gc.ca/nc-cn>

### B.2 Regional

#### **British Columbia**

Transition Houses: Safe Places for Women and Children

[http://www.mcaaws.gov.bc.ca/womens\\_services/transition-houses/index.htm](http://www.mcaaws.gov.bc.ca/womens_services/transition-houses/index.htm)



## Annex C Resident On-reserve Communities

### C.1 Ordinarily Resident On-reserve

C.1.1 All residents of the following communities are considered to be ordinarily resident on-reserve.

- Kitcisakik - Canton de Hamon
- Long Point First Nation - Winneway
- Pakua Shipi - Saint-Augustin
- Kanesatake - Oka
- Maïgan Ajkt Anishnaba - Barriere Lake
- Aroland
- Animbigoo Zaagi'igan Anishina
- Nibinamik
- Marcel Colomb Cree - Lynn Lake
- Mathias Colomb Cree Nation - Granville Lake
- Nisichawayasihk Cree Nation - South Indian Lake
- War Lake First Nation - Ilford
- Fox Lake First Nation - Gillam
- Ocean Man
- Athabasca Chipewyan First Nation (ACFN) - Ft. Chipewyan
- Mikisew Cree First Nation - Fort Chipewyan
- Little Red River Cree Nation (LRRCN) - Garden River
- Fort McKay First Nation
- Lubicon Lake Band - Little Buffalo
- Tsay Keh Dene First Nation (Ingenika Band)
- Old Massett Village Council
- Lax Kw'alaams
- Iskut
- Lake Babine Nation
- Wet'suwet'en First Nation - Bromon Lake
- Whe-La-La-U
- all Indian residents in the Yukon



## Annex D List of Shelters and Prevention Programs

### D.1 Shelters Receiving INAC Funds in 2002/2003

#### D.1.1 **Atlantic**

- Sheshatshui Innu Council
- Mi'kmaq Families & Children's Healing Center
- Gignoo Transition House Inc.

#### D.1.2 **Quebec**

- Listuguj Mi'gmaq Government
- Innu Takuaikan Mak Mani Utenam
- Nation Innu Matimekush Lac John
- Atikamekw Nation Council

#### D.1.3 **Ontario**

- Six Nations of the Grand River
- Naotkamegwanning
- Mohawks Council of Akwesasne
- Munsee-Delaware First Nation
- Oneida Nation of the Thames
- Batchewana First Nation
- Mishkeegogamang Band
- Kitchenuhmaykoosib Inninuwug

#### D.1.4 **Manitoba**

- Fisher River Cree Nation
- Shamattawa First Nation
- Mathias Colomb Band

D.1.5 **Saskatchewan**

- File Hills Qu'appelle TC Inc.
- MLTC Program Services Inc.
- Yorkton Tribal Administration Inc.
- Piwapan Women's Centre

D.1.6 **Alberta**

- Stoney (Chiniki) Band
- Ermineskin Tribe
- Sucker Creek Band
- Bigstone Cree Nation Band
- Mikisew Cree First Nation Band
- Minister of Finance

D.1.7 **British Columbia**

- Nuxalk Nation Band
- Tahltan Indian Band
- Coldwater Indian Band
- Xolhemet Society
- Hans Knakst Tsitwx Society

D.1.8 **Yukon**

- Ross River First Nation
- Government of Yukon

## D.2 List of Prevention Programs for 2002/2003

D.2.1 The following list describes the majority, but not all, of the types of prevention programs that INAC funds for people ordinarily resident on-reserve.

- child abuse and neglect
- child sexual abuse
- child abuse - other
- violence against women/wife abuse
- dating violence
- adult survivors of sexual abuse
- sexual assault



- spousal assault
- elder abuse (senior abuse)
- senior - other
- general family violence
- family violence - disabled
- family violence - ethnocultural and/or visible minority communities
- family violence - Aboriginal people
- family violence - northern/isolated
- family violence - training
- family violence - healing circles
- Elder teachings
- anger management



## Annex E Terms and Conditions

### E1 Summary of Prevention and Protection Services – Contribution Authority

Contributions to support culturally appropriate prevention and protection services for Indian children and families resident on reserve

**Objective:** To support culturally appropriate prevention and protection services for Indian children and families resident on reserve, in accordance with the legislation and standards of the province or territory of residence. The anticipated result is a reduction in family violence and a more secure and stable family environment for children on-reserve.

**Eligible Recipients:** Prevention and protection services for children and families on reserve is one of the essential services that is funded by DIAND for reserve communities. In the Northwest Territories and Nunavut, there are provisions for these services in the territorial formula financing agreements. In the rest of the country, DIAND arranges for the administration of funding for these services with the Chiefs and Councils of Indian bands recognized by the Minister of Indian Affairs and Northern Development. Chiefs and Councils may opt to deliver programs directly; share services with other member communities in tribal/district councils or incorporated political/treaty/First Nation organizations; or enter into agreements for service delivery with other provincial or municipal agencies, private businesses or non-governmental organizations.

In these cases, contributions for prevention and protection services for children and families ordinarily resident on reserve may be flowed to Indian organizations designated by Chiefs and Councils (bands/settlements, tribal councils, or political/treaty organizations, child and family services agencies, or family violence prevention shelters for abused mothers and children); or public or private organizations engaged by or on behalf of Indian communities to administer the program of prevention and protection services for Indian children and families (private firms or organizations retained as co-managers or third-party managers designated by DIAND ).

In some cases, where services are not administered by Chief and Council of Indian bands, DIAND may opt to enter into agreements for service delivery or cost-sharing with other federal, provincial or municipal agencies, private businesses or non-governmental organizations. With respect to child and family services, because of jurisdictional and liability issues, DIAND will only fund child and family services service providers mandated by the province or territory or the province or territory itself to provide services.

Self-governing First Nations that have included child and family services or family violence in their self-government agreements are not eligible recipients under this contribution authority for those activities included in the self-government agreement.

**Stacking Provisions** do not generally apply to payments for abuse prevention and protection services, as DIAND usually provides 100% of the abuse prevention and protection services funding. Any other government funding received will serve to reduce DIAND's contribution.

Child and Family Services: Recipients shall account for parental contributions, as specified by the provincial or territorial legislation and standards, and apply these first towards maintenance costs. DIAND's reimbursement of maintenance costs shall be reduced by any parental contributions.

The Children's Special Allowance (CSA) will be applied exclusively against the eligible expenses under the *Children's Special Allowance Act* in accordance with section 3(2) of the Act. In those cases, the recipient shall document the diversion of funds and be prepared to furnish copies to DIAND when requesting reimbursement of maintenance costs.

**Third Party Delivery**: Where the recipient delegates authority or transfers program funding to an agency (i.e., an authority, board, committee or other entity authorized to act on behalf of the recipient), the recipient shall remain liable to the Minister for the performance of its obligations under the funding agreement. Neither the objectives of the programs, nor the expectations of transparent, fair, and equitable service may be compromised by this delegation or transfer of funds.

The recipient shall adhere to the management and accountability regimes outlined in the agreements, and include:

- clear statements of expectations, roles and responsibilities (including financial roles and responsibilities) for the initial and final recipients;
- transparent and open decision making processes; demonstration that the eligibility requirements are being met;
- provision for ongoing assessment by DIAND to ensure that performance is in line with expectations and that the initial and final recipients exercise due diligence;
- provision for DIAND's right of access to relevant documents and premises of the initial recipient and, where warranted, the final recipient; requirements for compliance and financial audits;
- provision for DIAND to receive regular financial and performance reports from the initial recipient, certified by an officer of the company, including if appropriate: annual audited financial statements with an external auditor's report and opinion; specification of admissible administrative costs that can be applied to the contribution by the initial recipient based on an accounting of expenses; and any completed evaluations funded in whole or in part by the transfer payment program;
- provision that DIAND obtains from the initial recipient, or has ready access to, a copy of all signed agreements with final recipients; and
- a description of the redress provisions for ultimate recipients affected by decisions of the initial recipient; provision for appropriate reviews, program evaluations, and audits.

**Application Requirements:** Before entering into a funding arrangement, DIAND shall confirm its authorities to enter into an agreement with the recipient and to fund the proposed activities. In most cases, child and family services (including family violence prevention) would be one of several public services to be funded by DIAND for a particular recipient, and there would also be an expectation of an on-going relationship between DIAND and the recipient. The recipient, therefore, shall be required to provide a complete review of its accountability and management processes and systems. This review shall be based on appropriate accountability and management control frameworks.

Following the assessment, DIAND may also work with the recipient to prepare a development plan. Such a plan shall address any gaps identified by the assessment and be appended to the agreement. The development plan shall remain an integral part of all future agreements until all the recommended policies and procedures have been implemented.

Recipients shall comply with the *Conflict of Interest and Post-employment Code for the Public Service* and the *Conflict of Interest and Post-Employment Code for Public Office Holders*. Where a recipient employs or has a major shareholder who is either a current or former (in the last twelve months) public office holder or public servant in the federal government, compliance with the Code(s) must be demonstrated.

Initial recipients are required to demonstrate the eligibility of final recipients for child and family services (including family violence prevention) funding, according to the following criteria. Final recipients must:

- a) ordinarily reside on reserve;
- b) be in need of child and family services (as defined by provincial legislation and standards and in accordance with provincially mandated child welfare agency needs assessments), and/or family violence prevention support (in accordance with the needs assessment of police, child and family services agency staff, family support staff, health centre staff, or emergency shelter staff);
- c) have a demonstrated requirement for child and family services support (including family violence prevention) and no other source of funding to meet such needs.

For the purposes of providing child and family services (including family violence prevention), ordinarily resident means that the final recipients: usually live at a civic address on reserve, or are children in joint custody who live on reserve most of the time.

Students continue to be considered ordinarily resident on reserve if they return to live on reserve with their parents, guardians or maintainers during the year, even if they live elsewhere while attending school. The residence of a child who comes into the care of a mandated child welfare authority is derived from the residency of the child's parent or guardian at the time the child is taken into care; such

children shall be deemed to be ordinarily resident on-reserve for as long as such care is required and continues to be unavailable on-reserve.

For the purpose of providing Child and Family Services and or Family Violence programs and services, residents of the following communities are considered to be ordinarily resident on-reserve: Kitcisakik - Canton de Hamon; Long Point First Nation - Winneway; Pakua Shipi - Saint-Augustin; Kanesatake - Oka; Barriere Lake - MaiganAgik; Aroland; Animbiigoo Zaagi'igan Anishina; Sandpoint; Nibinamik; McDowell Lake; Mathias Colomb Cree Nation - Granville Lake; Mathias Colomb Cree Nation - Marcel Colomb (Lynn Lake); Nisichawayasihk Cree Nation - South Indian Lake; War Lake First Nation - Ilford; Fox Lake First Nation - Gillam; Ocean Man; Athabasca Chipewyan First Nation (ACFN) - Ft. Chipewyan; Mikisew Cree First Nation - Ft. Chipewyan; Little Red River Cree Nation (LRRCN) - Garden River; FT. McKay First Nation; Lubicon Lake Band - Little Buffalo; Tsay Keh Dene First Nation (Ingenika Band); Old Massett Village Council; Lax Kw'alaams; Iskut; Lake Babine; Wet'suwet'en - Bromon Lake; Whe-La-La-U; and all Indian Residents of the Yukon.

Child and Family Services: DIAND shall also confirm that: (1) an agreement is in place between the province or territory and the eligible recipient which meets the requirements of the national First Nations Child and Family Services policy; (2) in the case of a First Nation Child and Family Services Agency, that it is mandated by the relevant province or territory, and that it is incorporated pursuant to provincial or federal legislation (as verified by a copy of their incorporation documents). Where it is agreed that DIAND will fund Chief and Council for Child and Family Services, the Chief and council must demonstrate that they have an agreement in place with a mandated child and family services agency or the relevant province or territory to use 100% of the funds to purchase services. In the case of a non-profit society, a copy of the documentation demonstrating that they are mandated by the province or territory to provide child and family services and copies of current incorporation documents which confirms that they are a society in good standing in their province or territory; (3) the recipient maintains the minimum insurance required under provincial legislation or regulations, or as may be required by DIAND for the provision of child and family services; and, (4) where the province or territory is providing the services, the province or

territory must provide documentation that the services are for an eligible beneficiary.

Subject to the legislation and standards of the province or territory of residence, child and family services agencies may continue to provide services to final recipients who have reached the age of majority until those recipients have completed a course of education or treatment plan that was underway at the time of attaining their majority.

Family Violence: Family Violence Prevention Projects must demonstrate that they promote a reduction in family violence and support a more secure environment for families on-reserve, through the promotion and public awareness, education campaigns, conferences and workshops, stress and anger management seminars, counselling, training, support groups and community needs assessments subject to the availability of funding.

Social Development Program Management Infrastructure Initiative: Eligible recipients will confirm they are Chiefs and Councils of Indian Bands recognized by the Minister of DIAND and/or First Nation organizations with a population catchment of at least 1400. No two entities will be funded for the same purpose for the same population catchment area. In addition, the proposal under this initiative will need to meet the following criteria:

- 1) integrated delivery of multiple social development programs;
- 2) show interface/linkages with provincial/territorial and/or federal programs; and,
- 3) demonstrate the capacity to perform at least one of the following functions:
  - test the effectiveness of sectoral or block funding;
  - support training for community level staff;
  - standardized procedures and support for compliance;
  - integrated and strategic approach to public accountability;
  - establish professional standards or provide professional development services;
  - support policy adaptation and interpretation and program design;
  - support/provide coordinated case-management services;
  - develop conceptual frameworks for indicators or integrated databases to support statistical development;



- modernize information technologies and develop integrated databases;
- develop community based indicators of program performance;
- report on data and analysis, and its importance to communities; or
- data collection and management activities required for program monitoring, planning, reporting and evaluation; maintenance and upgrading of systems.

**Eligible Expenditures:**

Child and Family Services:

Maintenance – Institutional Maintenance consists of child maintenance in a foster home, group home, or institution. Child Maintenance is the actual cost of maintaining Indian children ordinarily resident on reserve, and/or non Indian children ordinarily resident on reserve that are not receiving protection services from the relevant province or territory, who are taken into care in accordance with provincially approved legislation, standards and rates for foster home, group home and institutional care. This includes non-medical services to children with behavioural problems and specialized needs; purchases on behalf of children in care; and other provincially-approved purchases not covered by other funding sources.

Per diem costs for children in care in foster homes, group homes and institutions may include professional services not covered through other sources of funding where the child may have established eligibility.

Development/Devolution of Indian Child and Family Services agencies – allowances for assessment, community consultations, negotiation of agreements, research and development of service standards, hiring of staff, establishment of agency office, purchasing of equipment and furniture, orientation and initial training of local committees, boards of directors and agency staff. Payments under this activity may be made as a Flexible Transfer Payment.

Indian Child and Family Services Agency Operations – salaries, travel, and benefits for agency staff (e.g.: agency director, senior management staff, supervisory staff, support staff, protection and prevention workers, and resource workers); expenses related to board/committee operations; professional development services; special needs

assessment and testing; legal services fees and costs; paraprofessional services; family support services; agency administration including non-medical travel costs, rent, office expenditures including computer hardware and software, audits, monitoring and evaluation (i.e. costs of preparing agency evaluations). Eligible expenditures may also include non-medical services designed to keep families together and children in their own homes (e.g.: homemaker and parent aid services, mentoring services for children, home management, non-medical counselling services not covered by other funding sources, group and individual activities designed to promote better parenting skills). Payments under this activity may be made as a Flexible Transfer Payment.

Flexible Funding of Maintenance – Eligible recipients may apply by submitting a plan to DIAND to enter into a flexible funding arrangement for child and family services Maintenance. The purpose of this arrangement will be to provide increased flexibility for agencies to re-profile Maintenance funding, under a Flexible Transfer Payment, in order to provide increased resources for prevention. Following an assessment by the region, final approval of all flexible funding arrangements must have the concurrence of the agency in question, DIAND region and Headquarters.

#### Family Violence Prevention:

Family Violence Prevention - protection and prevention services may include: temporary shelter in First Nation shelters built on- or off-reserve, in commercial accommodation or provincial or private non-profit shelters; counselling for transition back into the community and other intervention activities; prevention activities such as public education and awareness activities; and such other activities and services operated in accordance with relevant provincial/territorial laws and standards.

Family Violence prevention expenses include: operating costs for First Nation family violence prevention shelters, including rental of temporary shelter; salaries and training for professional or para-professional family violence workers and administrators and related office costs; data collection and management activities required for project monitoring, planning, reporting and evaluation; funding to support the National Aboriginal Circle Against Family Violence to provide and coordinate training, co-ordination of programs and

services, seminars, conferences, research projects, and professional networking.

Projects – allowances for community-based family violence prevention initiatives, public awareness, education campaigns, conferences and workshops, training, stress and anger management seminars, support groups and community needs assessments (i.e. costs of books, pamphlets and materials, office expenditures, travel, facilitator per diem, and refreshments).

Shelter Operations – salaries and benefits for shelter professional staff (i.e. shelter director, assistant director, and family violence counsellors); professional development services; management of shelter committees and providing advice to band administrations; paraprofessional services (shelter support workers); agency administration (secretarial staff, travel costs, office expenditures); monitoring and evaluation (i.e. costs of preparing agency evaluations); and, other operational costs of maintaining families or individuals eligible for protection services (i.e. food, shelter, security systems, counselling, psychological services, career planning, referrals to other social agencies, personal items, special needs, emergency clothing, travel, and recreation).

#### Off Reserve Family Violence Prevention

Emergency/Transition/Second Stage Shelter – If it is necessary for the safety of individuals or families to be placed off-reserve, the eligible expenditures are the actual costs of maintaining individuals or families in family violence prevention shelters off reserve, based on provincial/territorial per diem rates and rules (i.e. food, shelter, counselling, psychological services, career planning, referrals to other social agencies, personal items, special needs, emergency clothing, travel, and recreation).

**Notes:** Rent and maintenance costs for facilities located on reserve are not eligible expenditures under this contribution.

#### Social Development Program Management Infrastructure Initiative:

Eligible recipients will confirm they are Chiefs and Councils of Indian Bands recognized by the Minister of DIAND and/or First Nation organizations with a population catchment of at least 1400. No two entities will be funded for the same purpose for the same population

catchment area. In addition, the proposal under this initiative will need to meet the following criteria:

- 1) integrated delivery of multiple social development programs;
- 2) show interface/linkages with provincial/territorial and/or federal programs; and,
- 3) demonstrate the capacity to perform at least one of the following functions:
  - test the effectiveness of sectoral or block funding;
  - support training for community level staff;
  - standardized procedures and support for compliance;
  - integrated and strategic approach to public accountability;
  - establish professional standards or provide professional development services;
  - support policy adaptation and interpretation and program design;
  - support/provide coordinated case-management services;
  - develop conceptual frameworks for indicators or integrated databases to support statistical development;
  - modernize information technologies and develop integrated databases;
  - develop community based indicators of program performance;
  - report on data and analysis, and its importance to communities; or
  - data collection and management activities required for program.

**Maximum Amounts Payable:** Maximum amounts payable under this contribution program are based on the service standards and rate schedules of the province or territory of residence.

**Child and Family Services:** In accordance with the current operational formula for the operation of an agency, the maximum payable to a single recipient is \$13.8 M per annum. The costs of maintaining eligible children in foster, group home and institutional care are reimbursed on actual costs; actual per diem rates are established by the province or territory, up to \$845 per eligible child per day. Maximum payable to province or territory or territories who are delivering services in the absence of FNCFS agencies is \$30.0 M per annum. Where eligible recipients have a flexible funding maintenance agreement with DIAND, the maximum allocation is not to exceed \$15 M per annum.

For the developmental/devolution costs associated with establishing a new FNCFS agency, a one-time cost for pre-planning of up to \$11,101 per group of bands forming an agency, plus \$1,665 per member band; a one-time cost for planning of \$88,808 per group of bands forming an agency, plus \$3,330 per member band, and; a one-time cost for start-up of \$185,388 plus 25% of first year operational funding. Unit costs for the development/devolution of FNCFS agencies are based on the elements specified in the national funding formula.

Maximum amounts payable may increase annually by a factor of no more than two percent (2%).

Family Violence Prevention: Maximum amounts payable under this contribution program are based on the service standards and rate schedules of the province or territory of residence.

Family Violence Prevention: The maximum amount payable for a single Family Violence Project is \$900,000.00 annually. Unit costs for family violence prevention projects are based on a combination of project proposals and per-capita distribution. In several regions, funding is provided to regional organizations which then distribute project funding to Bands on a per capita basis and/or according to the proposals it has received.

In the remainder, project proposals are submitted directly to DIAND regional offices. All project-based proposals are required to meet specific criteria which are developed by DIAND and the body that administers the program, if applicable.

Violence Shelters – Shelter is \$388,000.00 annually.

Off Reserve Family Violence

Prevention/Emergency/Transition/Second Stage Shelter – up to \$132 per person per day to a maximum stay of fourteen weeks, or \$12,936 for emergency / transition shelter, and up to \$10,950 per year for second stage shelter. Unit costs for emergency family violence prevention shelter services provided off reserve are based on provincial / territorial rate schedules. Emergency/Transition shelter may be provided for up to fourteen weeks; second-stage shelter may be provided for up to one year.

Maximum amounts payable may increase annually by a factor of no more than two percent (2%).

Repayable Contributions: These provisions do not apply because no business will receive contributions which are intended to generate profits or to increase the value of the business.

Due Diligence: DIAND has procedures and resources for ensuring due diligence in approving these contributions, verifying eligibility and entitlement, and for managing and administering the program.

Approval: Authority to sign and amend agreements is delegated to directors responsible for these programs.

Basis and Timing of Payments: Payments are made monthly based on a cash flow forecast from the recipient or by the reimbursement of actual costs. Where advance payments are necessary, they are limited to the immediate cash requirements of the recipient and do not exceed the payment frequency set out in the provisions of the Cash Management Policy.

DIAND is seeking an exemption to the requirements in sections 7.6.3 and 7.6.4 of the *Policy on Transfer Payments* on holdback provisions, on the basis that contributions for culturally appropriate prevention and protection services to residents of reserves are a major component of an ongoing funding relationship between DIAND and recognized Indian bands. This expectation of an ongoing funding relationship is sufficient incentive for recipients to account fully for all expenditures incurred. It also helps to minimize the risk associated with the recipient not using the funds for the purpose contributed. Contribution Agreements, Comprehensive Funding Agreements, and Flexible Transfer Payments, therefore, do not have explicit holdback provisions. Instead, recipients are advised that “funding otherwise payable under this Arrangement may be withheld by the Minister, if the Audit and reports are not provided by the Council to the Minister as required under this Arrangement or its predecessor.

Any amounts so withheld shall be paid by the Minister to the Council, within sixty (60) days of the submission of the reports.”

Funding Level Changes: DIAND is seeking an exemption to the requirements in section 7.3.6 of the *Policy on Transfer Payments* on

provisions in the event that departmental funding levels are changed by Parliament, on the basis that funding agreements already contain a requirement that any payment made is subject to there being an appropriation by Parliament for the fiscal year in which the payment is made. This clause is based on section 40 of the *Financial Administration Act*, which also provides sufficient authority for DIAND to reduce or cancel agreements and payments in the event that Parliament changes departmental funding levels.

Duration: These terms and conditions are in effect to March 31, 2006.

Results-based Management and Accountability Framework and Risk-Based Audit Framework: DIAND is seeking an exception to section 8.1.1 (clauses xv and xvi) of the *Treasury Board Policy on Transfer Payments*, the requirement for the Results-based Management and Accountability Framework (RMAF) and the Risk-Based Audit Framework (RBAF). This request is premised on the fact that DIAND is currently in the process of finalizing a review of all its A-base budget programs and the organizational structure used to manage and administer these programs. The Department's management and accountability structure will change with the creation of a Regional Operations Support Sector. This change will enhance the Department's efforts to ensure that the guiding principles outlined in the Treasury Board's report entitled *Results for Canadians*, the *Treasury Board Policy on Transfer Payments* as well as Treasury Board's Modern Comptrollership initiative will be fully implemented.

It is anticipated that the results of this A-base review and the departmental re-structuring, will be finalized by late August or early September. At that time, the social development program's RMAF and RBAF reports can be finalized in a manner that facilitates strategic alignment with the department's revised management and accountability structure.

Other: DIAND has the capacity to manage this program, for which the planned direct expenditure in 2003-2004, is \$385 million in Vote 15 (Grants and Contributions) in the department's reference level.