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AFOA CANADA

Building a Community of Professionals

Roles and Responsibilities of Council and Executive Management

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Agenda

1. Governance Basics
2. Differences between Council and Executive Management
3. Roles and Responsibilities of Council
4. Roles and Responsibilities of Executive Management
5. Good governance practices

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1. Governance Basics

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Governance System

- Independent from, and above, the operating system
- Run by different people than the operating system
- Determines allocation of scarce resources to most effective uses
- Establishes strategies and objectives for the operating system



First Nations Governance means...

“establishing rules to coordinate our actions and achieve our goals. Research and experts tell us that the quality of governance, much more than its specific form, has a huge impact on the fortunes of any given society. Ours are no exception.

Societies that govern well simply do better economically, socially and politically than those that do not. Strong and appropriate governance increases a society’s chances of effectively meeting the needs of its people.”

*Governance Toolkit – A Guide to Nation Building
Jody Wilson-Raybould, Tim Raybould
BCAFN*

Role of Councils and Other Governing Bodies



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2. Differences Between Council and Executive Management

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The Difference Between Leadership and Management

- What are we setting out to do?
- How do we deliver results?
- How do we make it happen?
- What are the outcomes?

Leadership Is About ... Coping With Change	Management Is About ... Coping With Complexity
<ul style="list-style-type: none">▶ Establishing Direction Developing a vision and strategies to achieve that vision; setting high but reasonable standards	<ul style="list-style-type: none">▶ Planning and Budgeting Establishing detailed steps and timetables and allocating resources
<ul style="list-style-type: none">▶ Aligning People Communicating direction to influence creation of teams and coalitions that understand vision and strategy	<ul style="list-style-type: none">▶ Organizing and Staffing Establishing a structure to achieve the plan; delegating authority and providing policies and processes
<ul style="list-style-type: none">▶ Motivating, Mentoring, Inspiring Energizing people to develop and overcome barriers to change	<ul style="list-style-type: none">▶ Controlling and Problem Solving Monitoring and organizing
<ul style="list-style-type: none">▶ Producing Change Often to a dramatic degree, such as cultivating new services and new approaches	<ul style="list-style-type: none">▶ Producing Predictability and Order Consistently achieving budgets and targets

Source: Based on materials in John Kotter's "What Leaders Really Do," *Harvard Business Review*, December 2001.

Governance vs Management



(Fudiciary Duty)
Vision & Strategy
Policy & Framework
Organisational Performance
Organisational Risk
Regulatory Compliance
Recruit CEO & Senior Management

GOVERNANCE

MANAGEMENT

(Operational Oversight)
Executing Strategic Goals
Planning & Operations
Manage Processes
Financial & Risk Management
Staffing & Recruitment
Operational Decisions
KPI Reporting

Generic Structure

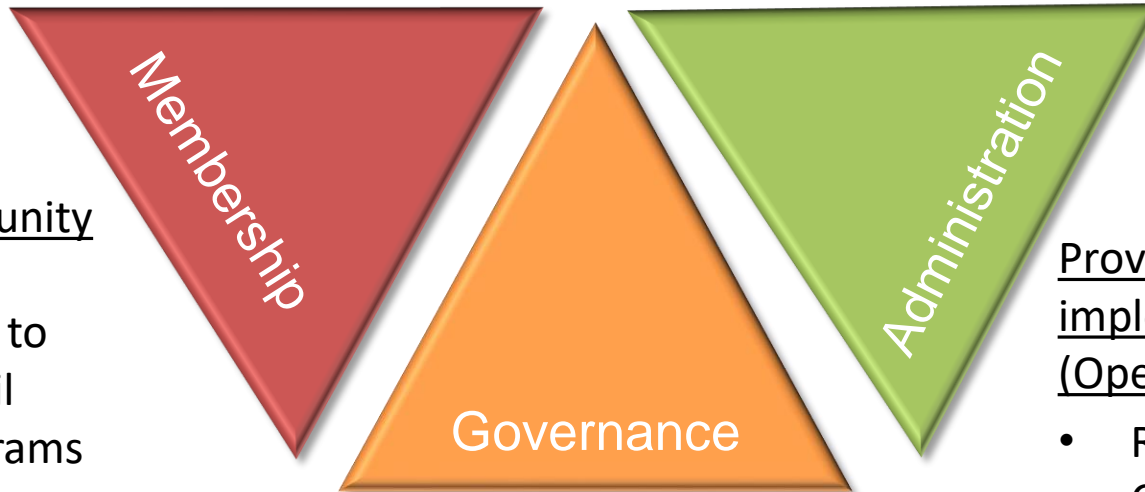
INDIAN ACT GOVERNANCE BODY: Chief & Council

ADMINISTRATION: Senior Administrative Officer (SAO)/Band Manager

Administration Departments

Communications	Admin	Finance	Human Resources	Membership
Parks & Recreation	Lands & Resources	Housing	Economic Dev.	Environment
Education	Health Services	Social Services	Public Works	Fire Dept.

Role Relationships



Electorate (Community members)

- Provides input to Chief & Council
- Accesses programs and services

Chief & Council (Governance)

- Accountable to membership
- Provides direction to Administration
- Has only one direct report – the Band Manager

Provide support & implementation (Operations)

- Reports to Chief & Council
- Provides service delivery to membership
- Accountable to membership

Organizational Structure

Community Members



Chief & Council

Organizational Oversight

Approve Budgets & Work Plans



Vision, Mission, Strategic Plan

Audit, Direct & Evaluate SAO

Band Manager/Senior Administrative Officer(SAO)

Director (s)

Manager(s)

Supervisor(s)

Officers, Coordinators, Specialists, Technicians,
Administrative Support Staff



Roles and Responsibilities

Community

Participation in the development of the plan

Holding Chief and Council accountable for the implementation the plan.

Provide input to First Nations choice of goals, strategies and performance measures.

Participate in community meetings, & forums and keep current on First Nation performance.

Provide input about necessary adjustments.

Administration

Responsible for supporting the development of the plan and carrying out the work

Senior Management often takes the lead in the process.

Senior managers plan, organize and implement directions and priorities.

Staff provide knowledge and expertise and prepare performance reports

Chief & Council

Responsible for strategic direction

Oversight of development of the plan

Review and approve plans, targets and budgets

Review and approve activity and financial reports

Provide opportunities to engage the community in determining vision, goals and priorities

Explain First Nation's accomplishments to the community

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3. Roles and Responsibilities of Council

Council's essential function is the approval of budget and strategic plans

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Membership

Provide input for vision, strategic plan, community plans, capital plans, development and governance.

Communicate community values, principles and expectations.

Ensure Council is keeping Administration body accountable.

Ensure Council and Administration processes are transparent.

Exercise right to vote in elections and referendums.

Follow approved laws, rules, policies and guidelines.

Chief and Council

Keep the community informed of the issues and the status of government policy that may impact the community.

Have history and records so the new Council can make informed decisions.

The Chief should work with the Council to assess the policy priorities.

Be aware of current Council policies and refer to Administration and staff for past and current practices.

Must have a broad understanding of the issues in the best interest of the community.

Establish vision, strategic plan, policies, bylaws, and regulations.

The Powers of Chief & Council

- The Indian Act gives power to the Chief and Council as a **collective body**.
- The “First Nations Governance Handbook” lists five important governance roles that councillors must fulfill:
 - (1) **Representative Role** - Councillors elected by First Nation members to represent their interests; Councillors need broad understanding of First Nations issues
 - (2) **Policy-Making Role** - Accomplish governance responsibilities through leaders’ policy framework – policies provide direction for proper operation
 - (3) **Monitoring Role** - Ensure effective use of staff, implementation of policies, administration of programs & services as intended & correct application of rules
 - (4) **Political Role** - Represent interests of members, advocates for them, has open professional working relationship with them
 - (5) **Law-Making Role** - Authority to enact certain by-laws



5 Key Governance Responsibilities of Council

1. Overseeing Strategic Management & Planning
2. Hiring, Directing and Evaluating the Band Manager
3. Maintaining Good Relations with the Members
4. Protecting Community Assets
5. Fulfilling Fiduciary and Legal Responsibilities

Council Duties

1. Be accountable to the people in the community
2. Ensure funds are expended or invested as intended by the provider
3. Demonstrate transparency
4. Exercise a high standard of care



Legal Duties of Council

The Council has a range of legal duties to ensuring the good governance of their community. These principles are:

- **Duty of Honesty**
- **Duty of Loyalty** – Interests of First Nation a priority & full disclosure of potential conflict of interest
- **Duty of Care** – Obligation to make informed decisions & paying close attention to work of Council
- **Duty of Skill** - Not required to be experts but expected to know about governance and financial oversight
- **Duty of Diligence** – Need to attend meetings regularly, read minutes and reports, look at available facts and make up own minds on decisions

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4. Roles and Responsibilities of Executive Management

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Executive Leadership

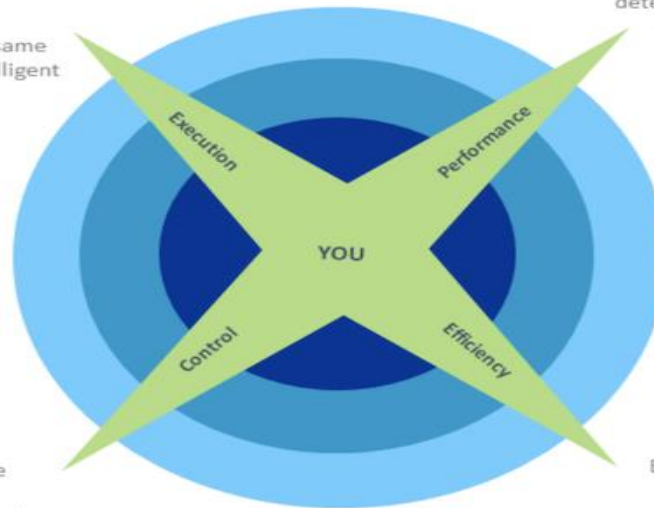
Four Faces of the CFO Framework

Catalyst

Catalyze behaviors across the organization to execute strategic and financial objectives while at the same time creating a risk intelligent culture

Strategist

Provide financial leadership in determining strategic business direction, M&A, financing, capital market and longer term strategies vital to the future performance of the company



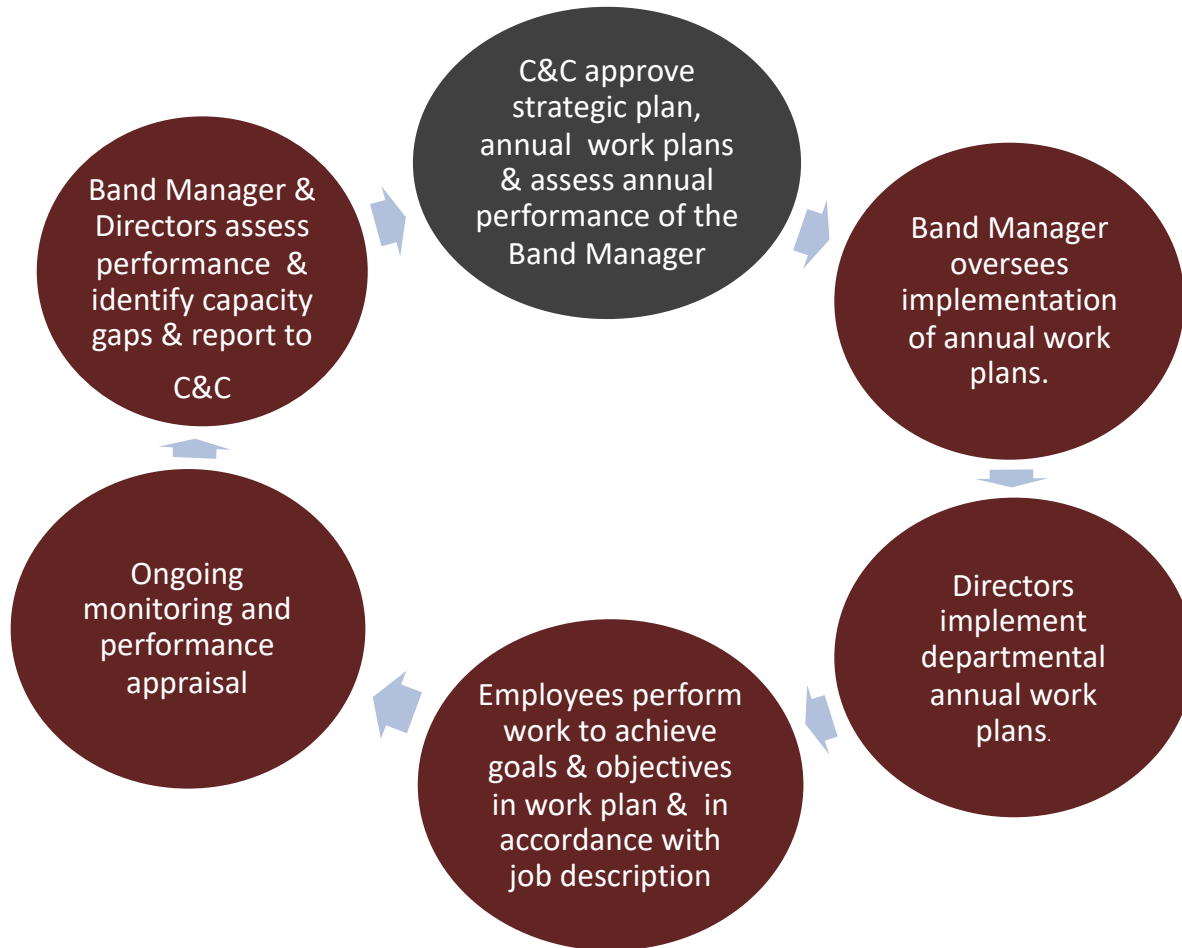
Steward

Protect and preserve the critical assets of the organization and accurately report on financial position and operations to internal and external stakeholders

Operator

Balance capabilities, talent, costs and service levels to fulfill the finance organization's core responsibilities efficiently

Responsibilities of Management





Role of the Band Manager

(Senior Administrative Officer, CEO, Band Administrator)

- Reports directly to the Chief and Council (C&C)
- Oversees the administrative activities of the programs & services
- Supports and ensures staff carry out the vision, strategic plan and direction of the C&C as prescribed
- Ensures administrative policies are applied fairly and consistently

Role of the Administration Staff

- Implement annual work plans and budgets approved by the C&C
- Commitment to Vision and Implement Strategic Plan
- Ensure community members receiving services are treated according to policies
- Provide financial assistance within approved budgets

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5. Good Governance Practices

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Source: AFOA Saskatchewan, Leadership Orientation Toolkit



Governance Good Practices

- An Oath of Office Form
- Council's Governing with Due Diligence List
- Chief & Council Conflict of Interest Policy and declarations
- Band Council Orientation
- Confidentiality
- Governance Policies
- Finance Policies - such as Financial Administration Law (FAL), and Finance Audit Committee (FAC)
- Social Media Policy

Anwunikit
Niawen
Meegwetch
Mahsi
Ekosi
'Doy-gg
Mussi Cho
Merci
Thank you





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