

Funding for FNCFS, Band Rep, & Jordan's Principle Capital; Post-Majority Care; and Band Rep Services Off-Reserve

Presentation for COO Annual Chiefs Assembly – June 2023

Sinéad Dearman – sdearman@oktlaw.com – 647-891-0075



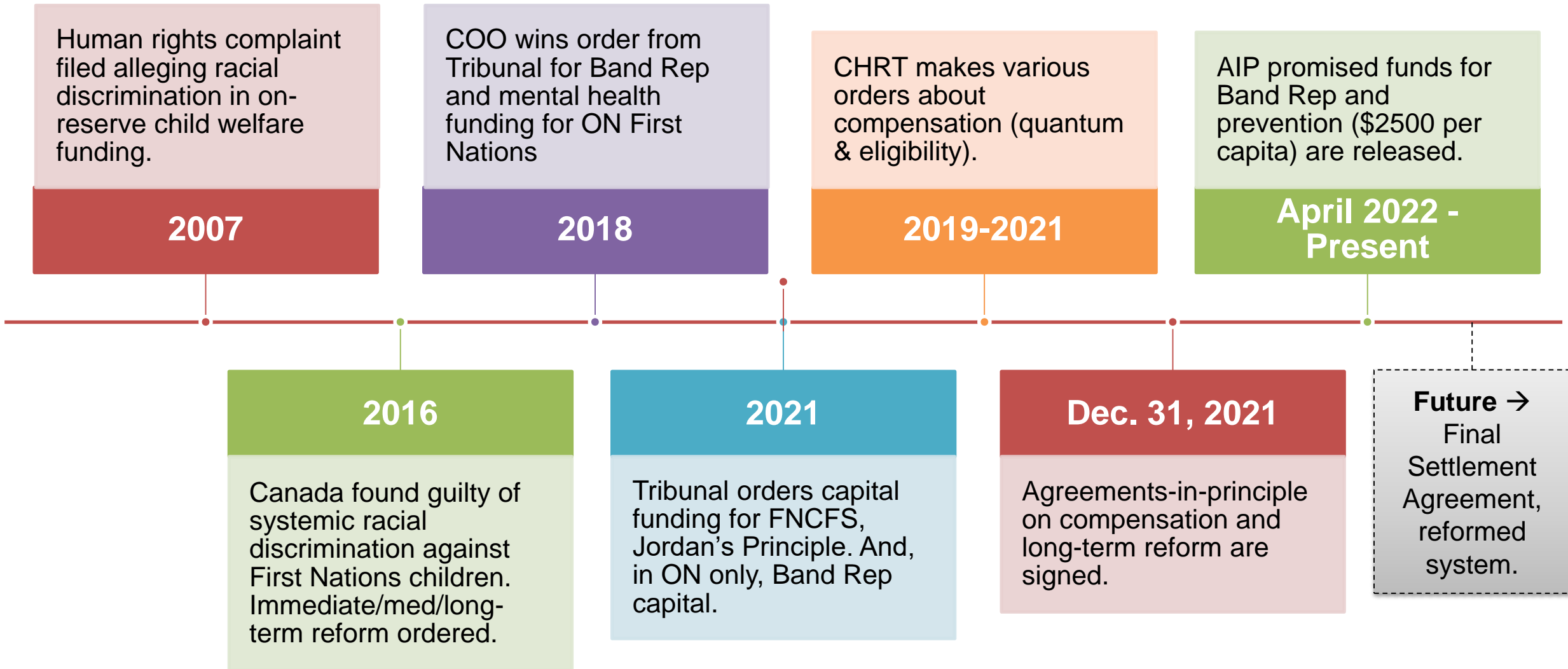
This presentation is about new funding for 3 areas:

1. Capital funding for the delivery of First Nations child and family services, Jordan's Principle, and Band Rep.
2. Post-Majority Care (supports for youth "aging out" of care age 18-26).
3. Band-Rep off-reserve.

Terms used in this presentation:

- "Capital" refers to the purchase or construction of buildings or other things deemed capital assets, e.g., vehicles.
- "First Nations child and family services" is the program funded by Canada for child welfare for First Nations (incl. protection, prevention, etc.)
- "CHRT" or "the Tribunal" means the Canadian Human Rights Tribunal, a decision-making body responsible for applying the [Canadian Human Rights Act](#).

Background



CONFIDENTIAL

Capital Funding

Service Areas Eligible for Capital \$

Jordan's Principle

- Support the delivery of Jordan's Principle services
- At actuals

Band Rep/FNRS

- Support the delivery of Band Rep
- At actuals

FNCFS

- Support the delivery of child welfare services – prevention, protection, Post-Majority Care (youth supports), etc.
- At actuals

2 "Types" of Capital Claims

1. Planning

- Feasibility studies
- Capital needs-assessment

2. Ready to go projects

- Purchase of land or building
- Construction/new build
- Renovation/repair

- Who is **eligible**:
 - For FNCFS and Jordan's Principle – Agencies and First Nations are eligible for funding.
 - For Band Rep Services – only First Nations are eligible for funding.
- **Components** of an application when your project is ready to proceed:
 - Costing
 - Environmental project description
 - Consent of First Nations' leadership
 - Building design
 - Project summary
 - ISC form
- **More info:** [Funding for capital assets: Jordan's Principle and First Nations child and family services \(sac-isc.gc.ca\)](https://www.sac-isc.gc.ca)

“Construction or purchase of off-reserve property is eligible where there is no suitable property available on reserve for construction, or where off-reserve construction is more accessible for First Nations children and/or youth and/or families on reserve and in Yukon to receive services.” (ISC Capital Guide, s. 3.4.1)



If your Band Rep/FNRS program already submitted a capital claim when there was a \$1.5m cap per First Nation, you can submit a new claim if you still have capital needs related to the delivery of Band Rep services.



ISC has sent mixed messages on the deadline for capital claims. As of now, COO is being told that there will be no deadline for capital claims until one is set out in the Final Settlement Agreement on Long-Term Reform.

My advice? To be safe, send in a letter of intent expressing what you are planning on claiming for capital and work on getting your claim in.

On the Ground – Approved FNCFS Capital Projects



There has been significant uptake of the capital funding for First Nations Child and Family Services. As of April 21, 2023, 240 projects have been approved under FNCFS for a total of \$193M. (Source: ISC Capital Dashboard April 21, 2023).

#	Type	Cost
54	CFS Building	\$84,602,418
31	Vehicles	\$8,137,333
29	Feasibility Study	\$4,733,607
25	Needs Assessment	\$1,486,922
23	Community or Cultural Centre/Space	\$37,275,157
13	Housing - Transitional Housing	\$11,866,341
11	Youth Centre	\$13,251,764
10	Housing - Family Reunification Homes	\$8,297,419
9	Accommodation - Professional Service Providers	\$3,968,390
5	Sports / Recreational	\$3,467,347
5	Social Services Centre	\$2,123,438
5	Healing/Wellness Centre - Cultural/Mental Health	\$4,492,186
5	On-the-Land Programming - Cabin/Lodge/Storage	\$1,449,889
4	Housing - Emergency Placement Homes	\$1,524,230
3	Educational Facility - Daycare/Early Education/AHSOR	\$452,500
3	Health Services Centre - Clinical Care	\$3,891,895
3	Housing - Child/Youth Placement Homes	\$1,501,115
2	Addictions Treatment Centre	\$455,835

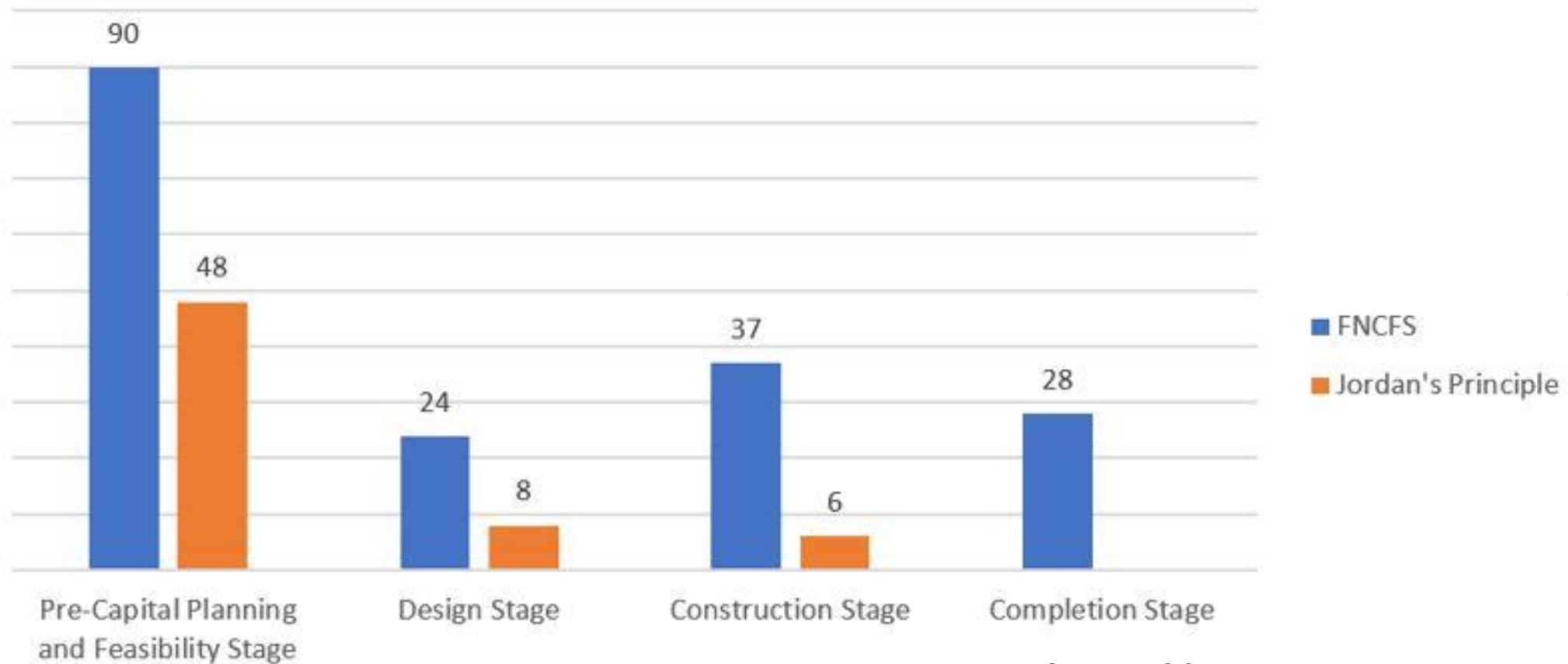
On the Ground – Approved Jordan’s Principle Capital Projects



There has been slightly less uptake of the capital funding for Jordan’s Principle. As of April 21, 2023, 66 requests have been approved under Jordan’s Principle for a total of \$3.9M. Jordan’s Principle capital has had much higher denial rate than FNCFS capital. (Source: ISC Capital Dashboard March 21, 2023).

#	Type	Cost
37	Jordan's Principle Building	\$1,329,818
4	Sports / Recreational	\$125,000
4	Educational Facility - Daycare/Early Education/AHSOR	\$165,200
4	Healing/Wellness Centre - Cultural/Mental Health	\$163,322
3	Feasibility Study	\$100,000
3	Youth Centre	\$68,900
3	Accommodation - Professional Service Providers	\$1,244,400
3	Community or Cultural Centre/Space	\$70,750
2	Needs Assessment	\$70,000
2	On-the-Land Programming - Cabin/Lodge/Storage	\$39,068
1	Housing - Shelter (Homelessness / Domestic Violence)	\$537,033

Overview of Requests Approved



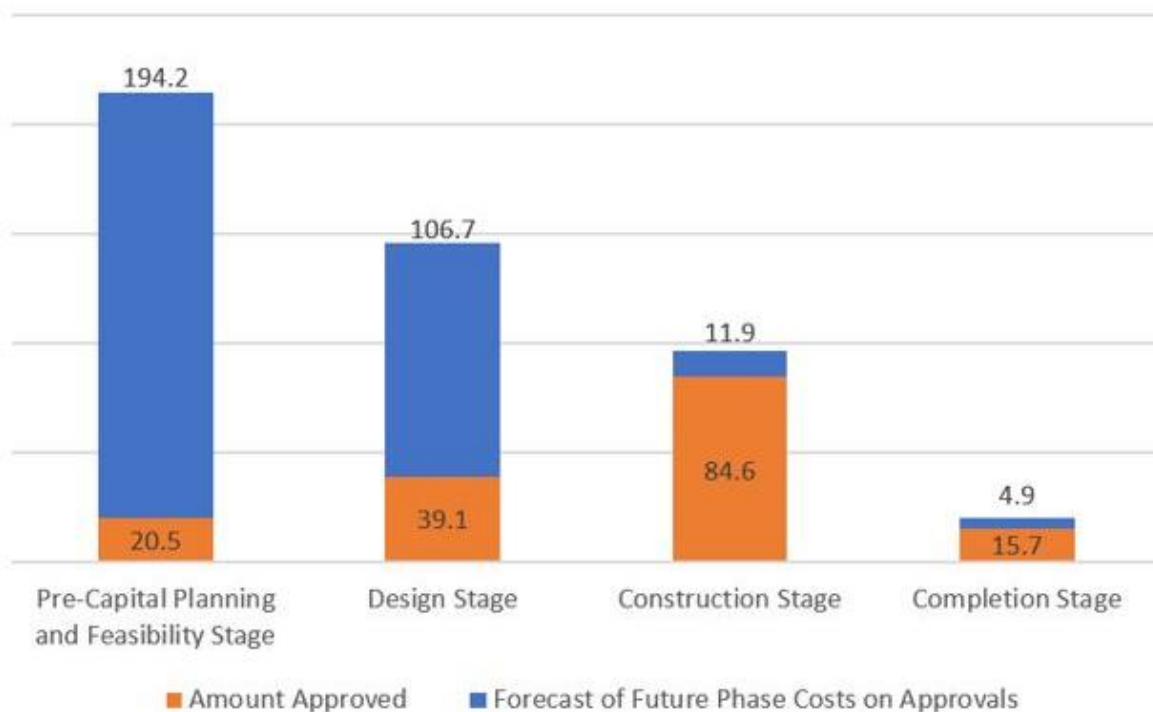
Source: ISC presentation, *Implementation of CHRT 41 Year in Review*, dated Feb. 23, 2023

Overview of Approved Capital Requests



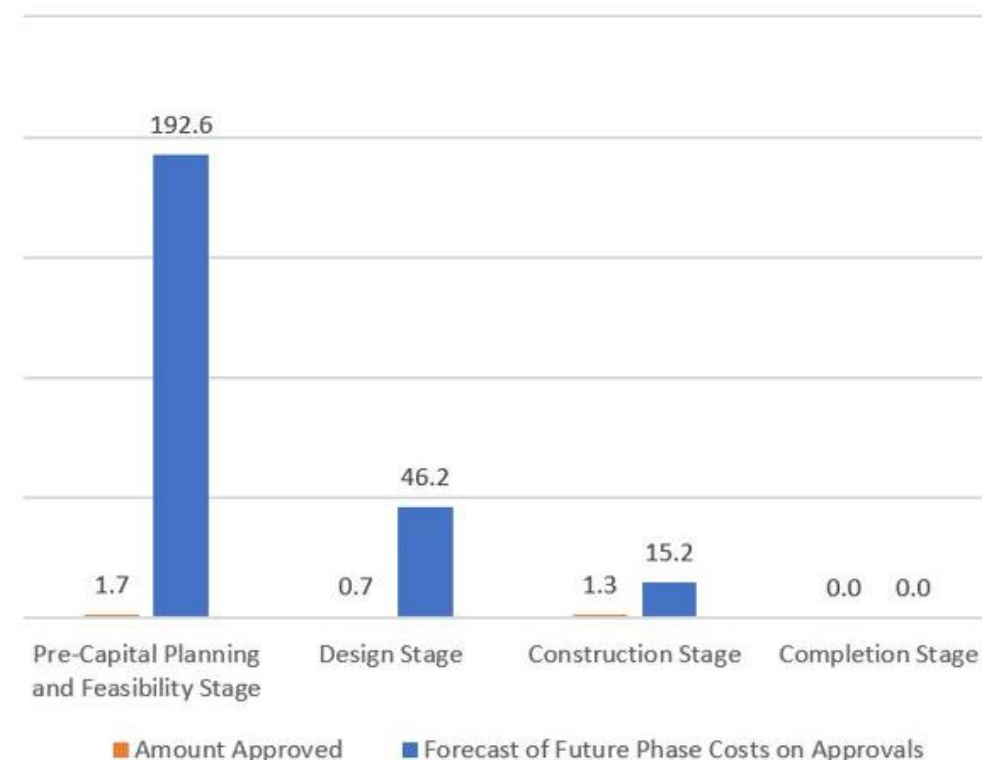
FNCFS Actual & Projected

Funding Profile for FNCFS Approved Projects (millions)



Jordan's Principle Actual & Projected

Funding Profile for Jordan's Principle Approved Projects (millions)



Source for both graphs: ISC presentation, *Implementation of CHRT 41 Year in Review*, dated Feb. 23, 2023

Tips for Preparing Your Capital Claim – 4 Stages



1

Advance Coordination

- Talk early and often with interconnected social and children's programs about capital needs.
- Are there efficiencies in joint submissions – e.g., a multi-purpose space?
- Be aware of capital claims from your FNCFS Agency.
- Ensure regular communication with your leadership and relevant departments/staff in the First Nation.

2

Preparing Your Claim

- Your claim will likely be assessed by someone who has never been to your community. Tell a story.
- Prepare a detailed proposal that describes your service delivery model (the work you do), your current capital challenges, and how this capital project will help meet the needs of your community.
- Include pictures.

3

Budgeting

- There may be a benefit in submitting claims early/soon.
- Obtain proper costing from contractors/experts ASAP and include it in your claim. You don't need to use that exact quote in practice.
- Include a buffer/contingency fee.
- Budget for the cost of community workers, e.g., security, project management, etc.
- Cost out the whole life of asset (i.e., O&M, repairs, etc.) Ask for this \$.

4

Readiness

- Many pieces must be in place to move forward with a capital project. Identify these with your experts.
- Establish roles & responsibilities within the community to get the work done.
- Identify contractors, suppliers, etc. early, and have back-ups.
- Make a Plan B 😊
- See ISC readiness criteria in the Capital Guide.

CONFIDENTIAL

Post-Majority Care Funding

WHO: Youth eligible for PMC include:

- A Youth who is in out-of-home care approaching the age of majority;
- A young adult who was in care, as of the day they turned the age of majority (in the province or territory of residence) and have not yet reached the age of 26;
- A youth in jurisdictions where voluntary provisions enable a youth to leave care prior to the age of majority (incl. ON).
- The definition of care includes when a child or youth, ordinarily resident on reserve has been placed to live outside of the family/home of origin. For example, care status includes extended society care, customary care, guardianship, custody, alternate care, and kinship care.
- First Nations and Agencies are eligible for funding.
- Funding can be for individual Youth or groups.

WHAT:

- Funding at actuals.
- Eligible costs include both the financial cost of the service or the tangible need of the youth, and can be categorized under the following areas of support: financial, housing, food, education, health and wellness, as well as cultural and community (re)connection supports.
 - No restrictive list of eligible costs. Flexibility!
- **It's up to the youth! Supports needed to thrive!**
- *Scenario: Neveah is a 21-year-old youth who was in the care of Tikinagan when she turned 18. Neveah now wants to go to Lakehead University to learn Anishinaabemowin. Neveah contacts her community's post-majority support navigator for help. The navigator confirms she was in care when she turned 18. The navigator works with Neveah to access funding for: tuition, a living allowance, a book/materials allowance, a bus pass, a laptop, and cultural-reconnection funding support.*

5 W's of Post-Majority Care



WHEN:

- Funding available now and at actuals until approx. **March 31, 2024**.
- After that, a formula will be developed.
- To be covered in the Final Settlement Agreement.

WHERE:

- For all eligible youth on or off-reserve. Youth who were ordinarily resident on reserve at the time of apprehension. Scenario:
- *Sam is 18 years old and in the care of Kunuwanimano. He was apprehended from his family while they were temporarily resident in Timmins for medical reasons. He has been in an off-reserve foster home since his apprehension. **Sam is eligible for post-majority supports.***

WHY: To support youth transitioning out of care up to age 26.

HOW: Apply through ISC. You can do an **advance claim** or a **reimbursement**.

Eligible Expenditures – 2 “Types”

- Budget annually
- Get quotes where possible

Operations & Admin (Indirect Supports)

- Salaries
- Office space rental, utilities, maintenance
- Training
- Office equipment
- Insurance
- Governance/planning
- Transportation
- Legal
- Audit

Direct Supports to Youth

- Education
- Financial support & housing
- Physical, mental, & social wellbeing
- Reconnection with land, culture, language, community
- Specialized care costs – for youth with special needs

- Budget monthly per youth, then multiply
- Determine actual costs for CIC and special care (outside paid resource/OPR)
- Ensure you include youth with high-cost care

CONFIDENTIAL

Consider:

- Who is best placed to deliver the services? Your Agency? Your First Nation? A collaborative effort?
- How can we proactively identify and reach out to Youth?
- Should Youth be involved in planning, designing services, etc.?
- Are there bare minimum services you can start offering now, and build up to a full-service delivery model? (Consider importance of starting to access actual funding ASAP).
- Will funding be sought for groups of Youth? Or one Youth at a time, as need arises?

Band Rep/FNRS Off-Reserve

- Ontario First Nations can now access additional funding for Band Rep off-reserve.
- The application form is almost identical to the one previously used for funding for Band Rep on-reserve.
- We recommend that you keep track of which files and expenditures are on-versus-off-reserve.

Conclusion

There are 3 major new funding sources available for child and family services. How will you make the most of these opportunities for your children, families, and Nation?

1

Capital for all child and family services areas: post-majority support, prevention, protection, etc. and for Jordan's Principle service delivery.

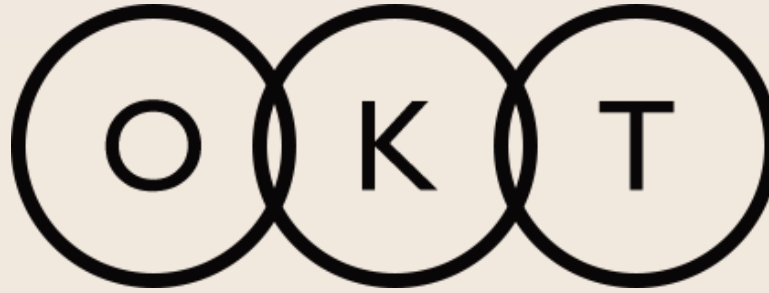
2

Post-majority supports services to help set youth-in-care up for success.

3

Band Rep/FNRS off-reserve to serve and repatriate families off-reserve.

- **Compensation:** <https://www.fnchildcompensation.ca/>
- **Long-Term Reform:** <https://www.sac-isc.gc.ca/eng/1646942622080/1646942693297>
- **Band Rep/First Nation Representative Services:** <https://www.sac-isc.gc.ca/eng/1648916987446/1648917051790>
- **Post-Majority Support Services:** <https://www.sac-isc.gc.ca/eng/1650377737799/1650377806807>
- **Capital:** <https://www.sac-isc.gc.ca/eng/1644603745673/1644603776364>
- **Transitional Terms and Conditions:** <https://www.sac-isc.gc.ca/eng/1648577221890/1648577242550>
 - Post-Majority Care is captured under "maintenance and care".
- **Share your thoughts on Long-Term Reform:** <https://www.sac-isc.gc.ca/eng/1668089578553/1668089607394>



Sinéad Dearman
sdearman@oktlaw.com
647-891-0075

