

# **Funding for FNCFS, Band Rep, & Jordan's Principle Capital; & Band Rep Off-Reserve**

Presentation for COO Conference – November 2023

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**This presentation is about new capital funding for the delivery of First Nations child and family services, Jordan’s Principle, and Band Rep.**

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**

- In the 2016 decision on the merits the CHRT said that the failure to fund capital was a major source of discrimination.
- Yet Canada continued to fight the full funding of capital.
- COO fought for capital for Band Rep and community-based prevention.
- In 2021, COO and FN parties succeeded.
- Asubpeeschoseewagong Netum Anishinabek (Grassy Narrows) and Wabaseemoong Independent Nations offered key evidence that led to the successful decision.

Canada has been ordered by the CHRT to fund capital at actuals until (2021 CHRT 41 para. 545):

**“1. Nation (Indigenous)-to Nation (Canada) agreement respecting self-governance** to provide its own child welfare services.

**2.Canada reaches an agreement that is Nation-specific even if the Nation is not yet providing its own child welfare services** and the provisions for major capital in the agreement for child and family services or Jordan’s Principle are more advantageous for the Nation than the orders in this ruling.

**3.Long-term reform is completed** in accordance with best practices recommended by the experts and the parties and interested parties, and funding for the purchase or construction of major capital assets is no longer based on discriminatory funding formulas or programs, including as set out in a Final Order by the Tribunal approving a Final Settlement Agreement signed by Canada and the Parties.”

# 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 Oct. 3, 2023, 379 projects have been approved under FNCFS for a total of \$346.8M. (Source: ISC Capital Dashboard Oct. 3, 2023).

#	Type	Cost
83	CFS Building	\$150,054,728
62	Vehicles	\$17,510,257
42	Feasibility Study	\$5,757,874
34	Needs Assessment	\$2,440,123
31	Community or Cultural Centre/Space	\$49,530,333
19	Housing - Transitional Housing	\$42,597,172
17	Youth Centre	\$15,630,749
16	Accommodation - Professional Service Providers	\$12,546,421
11	Healing/Wellness Centre - Cultural/Mental Health	\$9,725,441
11	Housing - Family Reunification Homes	\$8,617,419
10	Housing - Emergency Placement Homes	\$9,072,079
8	On-the-Land Programming - Cabin/Lodge/Storage	\$2,277,713
8	Social Services Centre	\$3,868,511
7	Sports / Recreational	\$3,844,209
6	Housing - Child/Youth Placement Homes	\$2,487,935
	Educational Facility - Daycare/Early	
3	Education/AHSOR	\$452,500
3	Addictions Treatment Centre	\$577,835
3	Health Services Centre - Clinical Care	\$3,891,895
3	Housing - Community	\$4,279,835
2	Other	\$1,609,510



# 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 Oct. 3, 2023, 82 requests have been approved under Jordan’s Principle for a total of \$7M. Jordan’s Principle capital has had much higher denial rate than FNCFS capital. (Source: ISC Capital Dashboard Oct. 3, 2023).

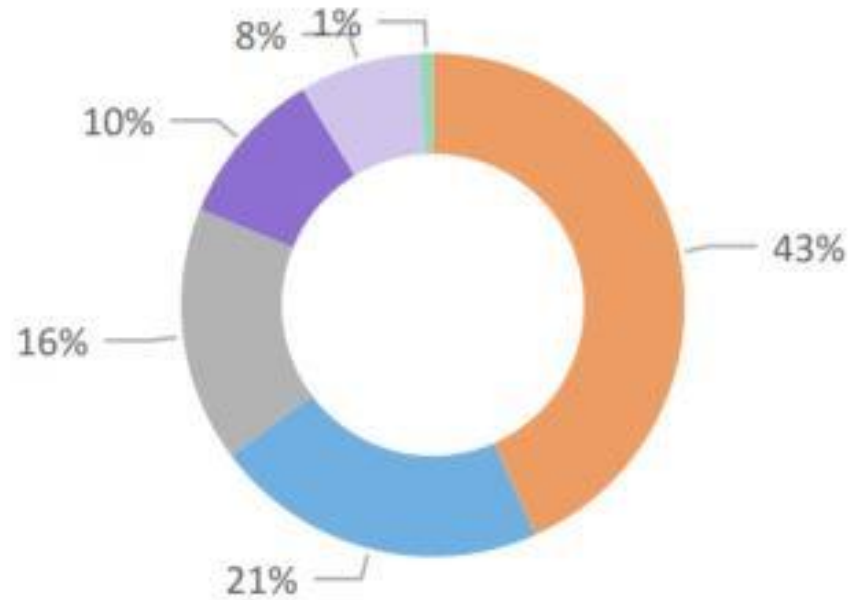
#	Type	Cost
45	Jordan's Principle Building	\$2,564,058
6	Community or Cultural Centre/Space	\$682,075
5	Sports / Recreational	\$190,000
4	Needs Assessment	\$120,490
4	Youth Centre	\$283,796
4	Educational Facility - Daycare/Early Education/AHSOR	\$165,200
4	Healing/Wellness Centre - Cultural/Mental Health	\$163,322
3	Accommodation - Professional Service Providers	\$1,244,400
3	Feasibility Study	\$100,000
3	On-the-Land Programming - Cabin/Lodge/Storage	\$911,689
1	Housing - Shelter (Homelessness / Domestic Violence)	\$537,033

# Types of Capital Claims Submitted



## Projects by Type

- New Construction
- Purchase
- Other
- Design
- Renovation
- Replace



(Source: ISC Capital Dashboard Oct. 3, 2023).



# Regional Picture



	British Columbia	Alberta	Saskatchewan	Manitoba	Ontario	Quebec	Atlantic	Northern Region	Total
<b>Breakdown of Approved Requests by Region</b>									
<b>FNCFS</b>	66	50	57	87	66	28	15	10	379
	17%	13%	15%	23%	17%	7%	4%	3%	
<b>Jordan's Principle</b>	1	2	10	50	16		1	2	82
	1%	2%	12%	61%	20%	0%	1%	2%	
<b>Breakdown of Approved Funding by Region</b>									
<b>FNCFS</b>	\$43,290,860	\$65,755,662	\$36,955,020	\$38,540,640	\$92,649,590	\$46,983,696	\$19,716,290	\$2,880,782	\$346,772,540
	12%	19%	11%	11%	27%	14%	6%	1%	
<b>Jordan's Principle</b>	\$18,900	\$150,000	\$590,775	\$2,648,776	\$2,766,683		\$35,000	\$751,929	\$6,962,063
	0%	2%	8%	38%	40%	0%	1%	11%	

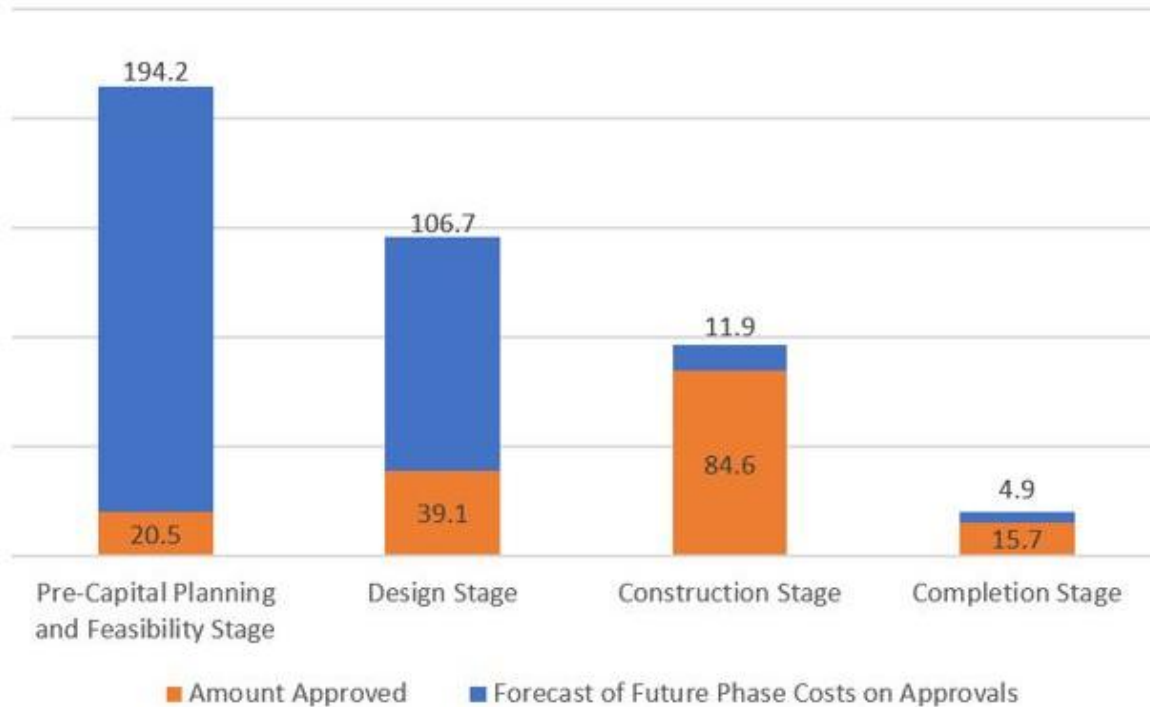
(Source: ISC Capital Dashboard Oct. 3, 2023).

# Overview of Approved Capital Requests (somewhat dated values)



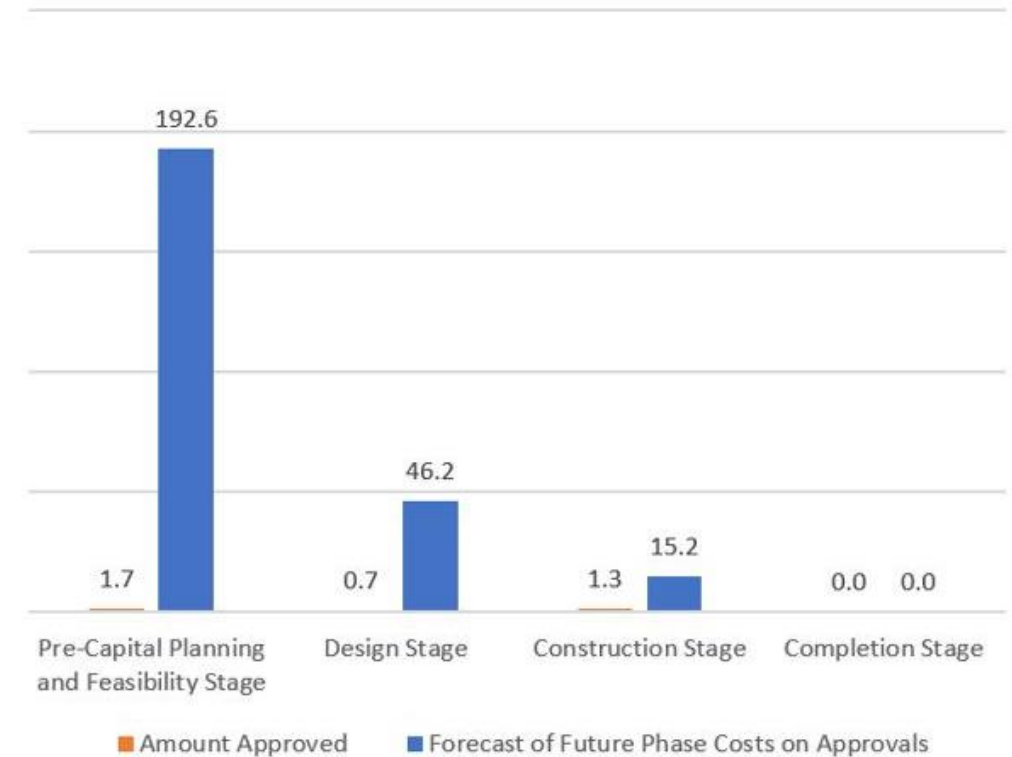
## FNCFS Actual & Projected

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.

**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.
- Funding is **at actuals**.
- We recommend that you keep track of which files and expenditures are on-versus-off-reserve.

**Conclusion**

There are 2 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

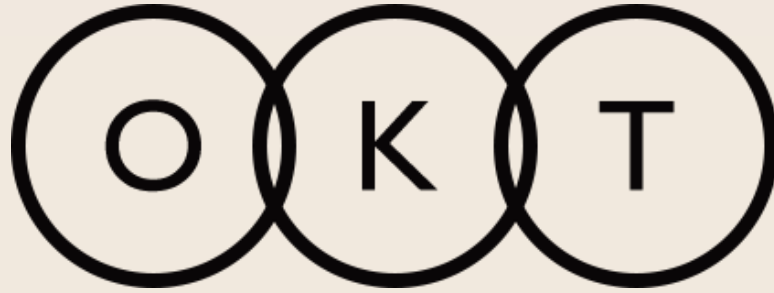
Capital for all child and family services areas: post-majority support, prevention, protection, etc. and for Jordan's Principle service delivery.

2

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>



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