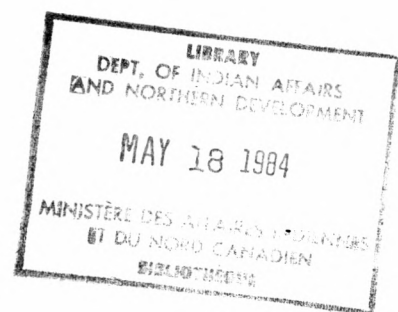A WARENESS OF
B AND
C OUNCIL ROLES

AN INTRODUCTORY COURSE FOR BAND MEMBERS,
BAND EMPLOYEES, COUNCILLORS AND CHIEFS
WHO WISH TO KNOW WHAT COUNCIL COULD AND
SHOULD BE DOING FOR THE BAND.

March 1979

Please familiarize yourself with the information brochure for
this course. Pay particular attention to:

1. the major goal of the course;
2. the three supporting objectives into which the major
   goal is divided;
3. the learning objectives for each workshop.

The subject matter and procedures developed for the course have
been selected with these objectives in mind. Remember, they
spell out only the end result of the training. They are meant to
ensure a degree of uniformity in the results achieved, not standard-
ization in the route taken to attain these ends.

For each of the six workshops, this manual contains:

1. a statement of the supporting objective towards which the
   workshop is directed (this appears in the upper block on
   the front page of each workshop guide);
2. a statement of the learning objectives which participants
   are expected to achieve in the workshop (these appear in
   the upper block on each succeeding page in the workshop
   guide);
3. a list of the learning aids necessary to run the workshop;
4. a description of the procedures you may wish to follow (these
   are numbered consecutively, and are shown in capital letters);
5. a summary of the key points to be covered for each objective.

Please do not use the key points as a script to be read aloud. The
guide should serve as an information base, from which you should

prepare your own lesson outline. Be practical and flexible in using
the guide. Choose your own words, and be prepared to follow up on the
interests and questions of participants. Remember that people will
want to discuss real problems that have been or are still of concern
to them. These discussions should be encouraged, as they will add
meaning and realism to the workshop. You must be careful, though, to
focus on each workshop learning objective, and not get drawn into lengthy
discussions of things not directly related to the objectives. If some-
one raises a problem, let the group talk for a few minutes, then bring
them back to the handout or exercise being dealt with. Point out the
workshops in which other topics can be treated. Make a note of important
issues, and post them on flipchart paper for reference.

REMEMBER THAT THIS COURSE IS ONLY AN INTRODUCTION TO THE
ROLES AND RESPONSIBILITIES OF BAND COUNCILLORS. IT IS
AN ORIENTATION, NOT A SKILL DEVELOPMENT COURSE. ISSUES
THAT CANNOT BE DEALT WITH IN THIS COURSE WILL SERVE AS A
BASIS FOR FURTHER BAND TRAINING.

You will find that the case studies and role plays present familiar
situations, and should provoke responses which are within the range of
experience brought to the workshop by most participants. The key points
should be used to build or elaborate on this experience. Do not give
the key points before a case study, or role play.

You should not feel obliged to use all of the participant exercises
exactly as written. If time is short, you may decide to read a case
study aloud and discuss it directly rather than allow groups to work on
the exercise alone. This option might also be necessary where a group
has difficulty reading or understanding a handout.

You are not required to follow the sequence in which the workshops are
arranged in this guide. Nor are participants obliged to complete
all workshops. Workshop 1 makes a good opener, because it is short,

simple, and has immediate practical value. Workshops 2 and 6 are the longest in the course, and deal with the most complex concepts. Try to follow a sequence that makes sense to participants.

Finally, we would appreciate your letting us know what revisions you feel might improve the course. If you have case studies or other exercises which you find more effective than those provided, please give us a copy. Similarly, should you have difficulty with any of the materials, feel free to give us your suggestions. If changes have to be made, we would rather make them in a coordinated fashion than have each facilitator making his or her own adjustments to the basic package.

What is This Course About?

In this course, people will work out for themselves what councillors could and should be doing for the band. This means that you will learn about:

- the services and programs used by Indian bands;
- the authorities of band councils;
- the duties and responsibilities of band councils.

Ask yourself:

1. How does council go about setting up new programs?

2. What kinds of authority does council have?

3. What is the good of band council resolutions?

4. What is the best way to run a meeting?

5. What should council be doing about the management of band resources?

If you've ever wondered about these and similar questions, this course will hold your interest.

Who May Take the Course?

The course will be of most use to councillors, chiefs, and band employees. It is also available to band members.

How is the Course Taught?

Most of your time will be spent in informal discussions. There are several short films. You will not be asked to take notes, read books, or listen to long lectures. People will be free to work on the course with friends or in a group. There are no examinations.

Where is the Course Given?

You may ask for the course to be given in a community hall, school, private home, or wherever a small group of people can gather. If you prefer, courses might also be arranged in Williams Lake or other town.

How Long Will it Take to Finish the Course?

The course is set up so that you can take it all at once or in small
pieces. Most groups will finish it in three days. Some will finish
in less time than that, and others will take longer.

When Will the Course Be Given?

You may ask for the course to be given on weekends, in the evenings, or
during the day. Arrangements must be made in advance.

Who Will Teach the Course?

Several people will be available to teach this course. The facilitator
will be someone who has been selected on the basis of qualifications
set by a group of local Indian people. He or she probably will be
helped by one or more resource persons — Indian people, DIA staff,
or representatives from other organizations.

How Do you Arrange to Take the Course?

Ask your chief or a band councillor to call the DIA District Office
and arrange for a facilitator and the course materials. It may help
if you can find a group of band members who would like to take the
course with you.

Where Can You Get More Information?

For a course outline or other information, see your Band Office, or
contact:

> Band Training Coordinator
> Department of Indian Affairs
> 153 Borland Street
> Williams Lake, B.C.   Telephone: 398-8444

WORKSHOP #1: LIST OF LEARNING AIDS

1. FLIPCHART SHEET 1:1, showing the learning objective for Workshop #1.

2. FLIPCHART SHEET 1:2, showing various types of band problems.

3. FLIPCHART SHEET 1:3, giving solutions to exercise in Handout 1:2.

4. HANDOUT 1:1, Before the Workshop.

5. HANDOUT 1:2, with guide and description of programs.

6. HANDOUT 1:3, giving specified problems for group exercise.

7. HANDOUT 1:4, Workshop Evaluation.

8. HANDOUT 1:5, Identification of Further Training Needs.

9. GREEN BOOK, with adequate supply of order forms.*

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* Programs and Services Available to Indian People in British Columbia, Information Services, Department of Indian Affairs and Northern Development, B. C. Region.

SUPPORTING OBJECTIVE:

> This is the first of two workshops which will enable participants to describe generally the services currently and potentially used or administered by the band.

WORKSHOP OBJECTIVE: At the end of Workshop #1, participants should be able to identify major resource agencies capable of providing programs to the band.

PROCEDURE AND KEY POINTS	AIDS
1. INTRODUCE THE WORKSHOP	

1. **INTRODUCE THE WORKSHOP**

"One of the things that happen when you're a councillor is that people come to you for help with all sorts of problems. They may have a roof that leaks, a child having difficulty in school, a relative who needs medical treatment, or any of several hundred troubles. To help, the councillor has to know about the services made available by different agencies or run by the band itself. There are a great many sources of assistance, each offering a number of services and programs. To deal with any one problem, the councillor must first of all decide which resource agency is likely to have a program that might help."

"This workshop will help you find out where to go and who to see about problems brought to you by band members.

Flipchart Sheet 1:1, showing the learning objective for Workshop #1.

POST THE WORKSHOP LEARNING OBJECTIVE ON THE WALL OR CHALKBOARD.

INTRODUCE, DISTRIBUTE, AND COLLECT SELF-DIAGNOSIS OF COMPETENCY IN WORKSHOP LEARNING OBJECTIVE.

Handout 1:1

WORKSHOP OBJECTIVE:

At the end of this workshop, participants should be able to identify
the major resource agencies capable of providing programs to the band.

PROCEDURE AND KEY POINTS	AIDS
2. INTRODUCE THE DIFFERENT TYPES OF PROBLEMS COMMONLY BROUGHT TO THE COUNCILLOR BY BAND MEMBERS - DISPLAY FLIPCHART SHEET 1:2 - GIVE OR ELICIT EXAMPLES OF THE PROBLEMS FOUND UNDER EACH HEADING * * * 3. INTRODUCE AND DISTRIBUTE HANDOUT 1:2 Turn to the front of the handout. You will find a list of the major programs dealing with each type of problem. To use the handout, turn to the page number shown for the program or service which you think might help. For some agencies, you will find addresses, phone numbers, and the names of staff members to contact about particular things. In real life, it's not always easy to sort things out or decide where the problem lies. Unemployment, for example, might be a problem of education, economic development, or alcoholism. Remember that the staff at different agencies will change, sometimes quite frequently. If the person you want is not there, ask for the person doing his job. Get the name of the position as well as the person. A list and description of Indian organizations appears in Handout 2:5 in Workshop #2.	Flipchart Sheet 1:2 listing various types of problems. Handout 1:2, guide and description of major programs.

WORKSHOP OBJECTIVE:

Participants will learn to identify major resource agencies capable of providing services or programs to the band.

PROCEDURE AND KEY POINTS	AIDS

4. <u>DEMONSTRATE THE USE OF THE HANDOUT</u>

Suppose that a band wishes to improve a meadow that could be used to grow hay. The meadow must be cleared of brush and ditched before it can be used. In addition, the band will need to purchase haying equipment which it does not yet own. The band does not have the cash for these investments. Where can the money be raised?

This is an economic development problem. Your handout shows a number of agencies and programs that might be of help. Because there are so many, and their policies so complicated, you might find it convenient to begin with the Department of Indian Affairs District Office. On page ^{11}, you will find the name of ·the staff member whose job it is to provide advice on economic development proposals.

You have the right to go and see any of the agencies listed in this handout. However, DIA staff often are willing to help you get appointments or cut through the red tape. In some cases (as with wills and estates), DIA staff are obliged to be involved.

*   *   *

5. <u>ALLOW PARTICIPANTS TO EXAMINE THE HANDOUT, AND ENCOURAGE THEM TO DISCUSS IT AMONG THEMSELVES. ELICIT AND ANSWER QUESTIONS ABOUT PROBLEMS THEY MAY HAVE IN THEIR OWN BAND.</u>

<u>STRESS THE STEPS TO FOLLOW IN USING THE HANDOUT AND IN ACHIEVING THE LEARNING OBJECTIVE OF THE WORKSHOP.</u>

WORKSHOP OBJECTIVE:
Participants will learn to identify major resource agencies capable of providing programs to the band.

PROCEDURE AND KEY POINTS	AIDS
6. **PROVIDE PRACTICE IN USING THE HANDOUT** ORGANIZE PARTICIPANTS INTO GROUPS OF THREE OR FOUR PERSONS. EACH GROUP IS TO COMPLETE SEVERAL OF THE EXERCISES IN HANDOUT 1:2. READ THE INSTRUCTION ALOUD. WHEN ALL GROUPS HAVE FINISHED, COLLECT THEIR ANSWERS, EITHER IN WRITING OR ORALLY. * * *	Handout 1:3, giving specified problem for group exercise.
7. **DISCUSS THE ANSWERS WITH PARTICIPANTS** STRESS THE DIFFICULTY OF IDENTIFYING THE "ROOT CAUSE" OF ANY PARTICULAR PROBLEM * * *	Flipchart Sheet 1:3, giving solutions to exercise.
8. **WRAP UP THE WORKSHOP** Let's look again at the objective of this workshop. It is supposed to help you decide where to go and who to see about band problems. Nobody could possibly remember all the services and programs that can be used. Because of that, you have been given a handout that can be used as a guide. Does anyone have any questions about how to use the handout? If you want to know more about some of these agencies and their programs, your band might like to get a copy of this manual. DISPLAY AND CIRCULATE COPY OF GREEN BOOK.	Copy of Green Book, with supply of order forms.

WORKSHOP OBJECTIVE:

Participants will learn to identify major resource agencies capable of providing programs to the band.

PROCEDURE AND KEY POINTS	AIDS

8. CONTINUED

The Green Book is free to any band council or Councillor. Just fill in and mail one of the order forms in the front of this copy. Copies should also be available in your Band Office.

Remember that many programs may be run by the band office. In one of the other workshops, we will look more closely at this question. If you don't know which programs are being run by your band, check with the band office first when you run into a problem.

Several people have raised some very good questions that have not been answered in this workshop. Try not to be impatient. These questions will be answered in other parts of the course. For instance, most of us have found out the hard way that even when you know where to go for help with a problem, you often get what looks like the run-around between different offices. Workshop #5, which deals with communication, will help you cut down on this kind of thing.

RECORD ON FLIPCHART ANY QUESTIONS THAT ARE NOT DIRECTLY RELEVANT TO, OR WOULD NOT ASSIST PART-ICIPANTS IN ACHIEVING THE WORKSHOP LEARNING OBJECTIVE. | Blank flipchart.

REFER PARTICIPANTS TO THE COURSE OUTLINE, AND POINT OUT THE WORKSHOP IN WHICH EACH QUESTION IS LIKELY TO BE ANSWERED.

WORKSHOP OBJECTIVE:

> Participants will learn to identify major resource agencies capable of providing programs to the band.

PROCEDURE AND KEY POINTS	AIDS
9. INTRODUCE, ASSIGN, AND COLLECT EVALUATION HANDOUT This is not an examination. Nobody will be graded, and none of the participants will "fail". We want to know how well the workshop went from the point of view of those taking it. If we get this information we can improve the workshop.	Handout 1:4 Workshop Evaluation
10. INTRODUCE, ASSIGN, AND COLLECT TRAINING NEEDS IDENTIFICATION HANDOUT. It is hoped that this information will be useful to the bands, to DIA, to schools and colleges, and to the School District when plans are being made to prepare further courses for Indian people. This information also should be useful to individual participants when they want to decide what further courses they might like to take.	Handout 1:4, Identification of Further Training Needs.

Workshop #2: List of Learning Aids

1. FLIPCHART SHEET 2:1, showing learning objectives for Workshop #2.

2. FLIPCHART SHEET 2:2, showing four areas of legal authority.

3. FLIPCHART SHEET 2:3, with illustration of relationship between DIA, Band Council, and Federal Government.

4. FLIPCHART SHEET 2:4, Roles of Council, Committees, and Band Manager.

5. FLIPCHART SHEET 2:5, Band Organization Structure.

6. FLIPCHART SHEET 2:6, giving simple administrative organization chart.

7. HANDOUT 2:1, BEFORE THE WORKSHOP.

8. HANDOUT 2:2, with case studies illustrating typical problems arising from internal band authority.

9. HANDOUT 2:3, summarizing Council legal authorities.

10. HANDOUT 2:4, with group exercises in use of Indian Act.

11. HANDOUT 2:5, with case studies on authority problems between Council and Band Administration.

12. HANDOUT 2:6, listing Indian organizations, their purpose, and description.

13. HANDOUT 2:7, WORKSHOP EVALUATION.

14. HANDOUT 2:8, IDENTIFICATION OF FURTHER TRAINING NEEDS.

15. Indian Act.

SUPPORTING OBJECTIVE:
This portion of the course is included to help participants identify and describe the sources and extent of council authority.

WORKSHOP OBJECTIVE: 2:1 to 2:6, as specified.

PROCEDURE AND KEY POINTS	AIDS
1. INTRODUCE THE WORKSHOP	

1. INTRODUCE THE WORKSHOP

Band councillors have the right to do certain things for the band. Ask yourself:

a) What sort of things can council do and not do?
b) Where does council get the right to do things?

These are questions about the authority of band councillors. This part of the course will help you find out how much authority council has, and where this authority comes from. In other words, it will teach you to:

1. Recognize the rights of council as seen by the band members.

2. Confirm generally the legal authority of council to deal with band affairs.

3. Point out differences between the authorities of council, its committees, and band employees.

4. Describe the authority of Indian organizations beyond the band.

5. Define generally the legal authorities of the DIA.

6. Recognize the authorities of other organizations and of council in dealing with these.

7. Identify sources and levels of authority in other jurisdictions.

Flipchart Sheet 2:1, showing learning objectives.

DISPLAY FLIPCHART SHEET 2:1.

INTRODUCE, DISTRIBUTE, AND COLLECT HANDOUT 2:1

Handout 2:1

WORKSHOP OBJECTIVE:

2:1 Participants will learn to recognize the rights of council as granted by the band membership.

PROCEDURE AND KEY POINTS	AIDS

2. INTRODUCE, DISTRIBUTE, AND DISCUSS CASE STUDY 2:2

The chief and council make many decisions and carry out many activities on behalf of the band members. They write checks, for example, pass by-laws, and produce Band Council Resolutions. They are able to do these things partly because the band expects and wants them to do so. In this sense, the members can be said to have given council certain rights, or authorities, to act for the band.

People accept the fact that councillors will act for them, but this does not mean that council can always make decisions without first hearing the opinions of band members. A lot of small, day to day problems, of course, are dealt with by the chief, a committee, or a single councillor. Bigger problems can be solved by the entire council, and the really important decisions generally require approval of the band membership. It is hard to set a rule for deciding which issues can be solved by the chief alone and which ones need discussion with council and the band. Each band does things a little differently, and even within any one band, different chiefs, councillors, and members all have their own opinions. Knowing when to act alone and when to talk first with other people is one of the hardest things a councillor has to learn.

People often expect and want different things from the chief and council. Even though a band member may say publicly that decisions should be made on the basis of need, for example, he may demand privately that the councillor give special favours to friends and relatives. Pressures from influential band members make it difficult for council to ignore the squeaky wheel and act for the band as a whole.

AIDS column: Handout 2:2, with case studies illustrating typical problems arising from internal authority.

WORKSHOP OBJECTIVE:

> 2:2 Participants will learn to confirm generally the legal authority of council to deal with band affairs.

PROCEDURE AND KEY POINTS	AIDS

3. **REVIEW GENERALLY THE STATUTARY AUTHORITIES OF COUNCIL**

- The legal authority of Council to do certain things is stated in the Indian Act. Legally, the Chief and Council can do only those things which are granted by the Act.

Sections 81 and 83 of the Act give Council the right to make by-laws. Section 81 says that a Council can make by-laws about such things as:

a)	traffic control on band lands;
b)	law and order on the reserve;
c)	prevention of disorderly conduct;
d)	dividing the reserve for different land uses;
e)	removing and punishing trespassers.

Flipchart Sheet 2:2 Point 1

Section 83 gives Council the right to collect taxes and the fees from business licences on reserve property. All such money by-laws must be approved by the Minister of Indian Affairs. Section 83 says that, with the approval of the Minister, a Band may:

a) raise money by:

- selling business licences;
- collecting water fees;
- taxing band members to support local projects.

b) spend the money it has collected to:

- meet Band expenses;
- pay wages to Band staff;
- pay the Chief and Councillors.

To pass by-laws, and to raise or spend money, the approval of a Council majority is required.

Remember that by-laws must be realistic and enforceable. If a by-law cannot be enforced, it may not be a good by-law.

Flipchart Sheet 2:2 Point 2

Some of the other things done by Council can be carried out legally only if the majority of the Band members give their consent. According to

WORKSHOP OBJECTIVE:.

2:2   Continued

PROCEDURE AND KEY POINTS	AIDS
Section 2(3), (a) (b), five authorities require majority approval. These are the authority to:	
a) surrender band land to the Crown so that it may be sold, leased, or rented on the Band's behalf;	
b) obtain complete control of reserve land, within the restrictions of the Act;	
c) manage and spend its own revenue money;	
d) allow alcohol to be brought onto the reserve and be sold there;	
e) hold a referendum that would have the Band taken out from under the Indian Act."	
Other Council authorities are shared with the Minister of Indian Affairs. These are known as authorities of consent. This means that the Minister has the right to do certain things only with the consent of Council. These are the authority to:	Flipchart Sheet 2:2 Point 3
a) administer reserve land;	
b) grant timber cutting licences on band land;	
c) improve unused band land;	
d) spend Band capital and revenue money;	
e) allot reserve land to an individual for his use;	
f) admit a person into membership in another Band.	
The last group of rights include the authority to run programs that have been transferred to the Band by the Department of Indian Affairs. What happens here is that the Department passes along some of its own authority in the administration of programs. This is a result of DIA policy, not a legal requirement.	Flipchart Sheet 2:2 Point 4
DISTRIBUTE COPIES OF INDIAN ACT AND HANDOUT 2:3 WHICH SUMMARIZES COUNCIL LEGAL AUTHORITIES.	Indian Act and Handout 2:3

WORKSHOP OBJECTIVE:

2:2   Continued

PROCEDURE AND KEY POINTS	AIDS

Remember, this handout is only a rough guide to the authorities of council. Check first with the Indian Act if you want to check something out. The UBCIC has prepared a booklet which explains the Act in everyday language. It is available by writing to:
 	
            Union of B.C. Indian Chiefs
            440 West Hastings Street
            Fourth Floor
            Vancouver, B.C.
            V6B   1L4
            Telephone: 684-0231
 	
    You will probably need legal advice for some issues, or assistance from the DIA.
 	
4.   INTRODUCE AND ASSIGN SMALL GROUP EXERCISES IN USING THE INDIAN ACT TO CONFIRM THE LEGAL AUTHORITY OF COUNCIL.
 	
DISCUSS THE ANSWERS PROVIDED BY GROUPS.
 	
Refer back to Indian Act.
	Handout 2:4, with small group exercises.

WORKSHOP OBJECTIVE:.

    2:3   Participants will learn to recognize the significance of DIA legal authorities, policies, and guidelines.

PROCEDURE AND KEY POINTS	AIDS

5.   PRESENT AND DISCUSS INFORMATION ABOUT THE LEGAL BASIS OF DIA AUTHORITIES, POLICIES, AND GUIDELINES.

    We have seen that some council authorities are shared with the Minister of Indian Affairs, and that others come from the policies and guidelines of the DIA. The DIA cannot do just as it chooses. It gets its authority from the Federal Government, which in turn is restricted by the laws of the Canadian constitution, and is accountable to the Canadian public. This means that to get things done for a band, a councillor must deal with two things:

    a)   the laws which authorize the actions of the Federal Government and the DIA;

    b)   policies and directives followed by the DIA in carrying out the wishes of Parliament."

    Let's start from the top. The laws by which the Federal Government is supposed to operate are stated in the British North America Act. Changes to this Act require the approval of Parliament, and possibly of the Crown. Differences of opinion about the meaning of the BNA Act are settled legally by the Supreme Court of Canada.

Flipchart Sheet 2:3, with illustration of relationship between DIA, Band Council, and Federal Government.

    The Federal Government has the right to pass Acts and laws about matters which are within its control. This is where the Indian Act came from. The Indian Act was first passed in 1870, and was last revised in 1951. It is soon to be changed again, to keep pace with demands being made on the Federal Government by Indian people.

    The authorities and duties of the DIA are stated very broadly in another Act passed by the Federal Government. This is known as the Department of Indian Affairs and Northern Development Act. The Minister of Indian Affairs is a member of the Federal Government. His Department is required by

WORKSHOP OBJECTIVE:

2:3   Continued

PROCEDURE AND KEY POINTS	AIDS

law to carry out the policies of the Federal Cabinet,
and Departmental guidelines are supposed to help
DIA staff make decisions and perform their duties in
a way that supports these policies. The money used
by the DIA comes from the Federal Treasury Board,
which distributes funds to all Government Departments
as directed by the Cabinet."

If a councillor is unhappy about the way in which
the DIA is treating his band, the first thing he
should do is find out whether the things that dis-
please him are being done as directed by Departmental
policies and guidelines. If they are not, it means
that the DIA staff involved are acting improperly
and can be corrected.

Where DIA policies and guidelines are being
followed, there is usually little that Departmental
employees can do about a grievance except make sure
they are interpreting policies correctly and then
pass along to their superiors the feelings of Indian
people. The staff themselves cannot change Depart-
mental policies, since that is the right of the
Minister and the Federal Cabinet. If Indian people
want to change DIA policies, get more money for
Indian Affairs, or alter the laws affecting them,
they must persuade the politicians in Ottawa that
action is necessary.

The DIA carries out the policies of the Government,
in accordance with the regulations and guidelines of
its own act,

WORKSHOP OBJECTIVE:.

> 2:4   Participants will learn to distinguish between the authorities of Council, Council Committees, and the Band Administration.

PROCEDURE AND KEY POINTS	AIDS
6. **INTRODUCE, ASSIGN, AND DISCUSS GROUP WORK ON CASE STUDIES WHICH PRESENT AUTHORITY PROBLEMS BETWEEN COUNCIL AND THE BAND ADMINISTRATION.**	Handout 2:5

6. **INTRODUCE, ASSIGN, AND DISCUSS GROUP WORK ON CASE STUDIES WHICH PRESENT AUTHORITY PROBLEMS BETWEEN COUNCIL AND THE BAND ADMINISTRATION.**

   Most bands today hire a small staff (1 to 15 persons) to run projects, keep books, deliver services, and so on. The band administration works under the direction of the Band Manager, who is hired and held accountable to the Chief and Council. Disputes and breakdowns in Band services often occur when people are uncertain about the division of authorities between Council and the Band Administration.

   Council's job is to make decisions on matters of band policy, which means to:

   - find out what things are most important for the band to do;
   - set over-all plans and schedules for achieving band objectives;
   - allocate funds to various projects and programs;
   - direct the Band Manager;
   - provide general standards and guidelines by which the Band Administration may act;
   - satisfy itself that its policies are being carried out according to standards and guidelines.

   Flipchart Sheet 2:4 Point 1 (A) to (F)

   The Band Manager and his staff should have the authority to carry out the policies and plans of Council, following the guidelines that have been set for them. The Band Manager may make recommendations to Council, but should not make decisions on matters of policy. He should follow the directions of Council, not set directions for the Band.

   Flipchart Sheet 2:4, Point 2

WORKSHOP OBJECTIVE:

2:4   Continued

PROCEDURE AND KEY POINTS	AIDS
Council committees come somewhere between the Band Council and the Band Administration. They follow policies set by Council, but look after many of the day-to-day problems that employees of the band cannot solve by themselves. Committees help the Council maintain control over band operations, and are useful when a large number of projects and programs have to be maintained.	Flipchart Sheet 2:4, Point 3, (A,B.C.)
In some cases, a councillor may be asked by council to oversee a particular program.	
Band employees cannot do their work properly if the Chief or Councillors interfere very often in the daily routine. On the other hand, Council is accountable to the Band, and must insist that the Administration provide regular financial and progress reports. Council also has the right and the obligation to investigate complaints from Band members about the work of the Administration. Knowing when and when not to interfere is something that each Councillor must learn for himself.	Flipchart 2:5 Typical Band Council Organization Chart
It is often difficult to separate the authorities of council, council committees, and band administrators. This is becouse council will give some decision-making authority to others, and because a single person may do several jobs (e.g., the Chief may also be the band manager).	

WORKSHOP OBJECTIVE:

2:5 Participants will learn to recognize levels and divisions of authority within administrative organizations.

PROCEDURE AND KEY POINTS	AIDS

7. **PRESENT AND DISCUSS FOLLOWING INFORMATION**

Every day, the lives of Indian people are affected by the authorities and actions of various government departments, crown corporations, and private firms. In many cases, these organizations provide a useful service to the Band. In carrying out their business, however, they sometimes come into conflict with band members. Logging companies, for instance, may damage a traditional Indian fishing stream or game area. The Forest Service may grant grazing permits which restrict the range used by Indian livestock. Hydro may wish to run a power line across Band lands. Or the Ministry of Highways might want to build a new road over the reserve or change the route of an old one. The list goes on and on.

What happens when a councillor opposes one of these organizations? The first thing he usually finds is that the organization has the legal right to carry out its business. The second thing he is told is that the local staff are only following the policies and directives of people "higher up". If the councillor persists, he might make a third discovery -- that if you have no luck with one person, it is often worthwhile going to see people in other branches or at different levels within the same organization.

Here's what happens. In any large organization, various groups have different jobs to do. This means that the staff working in one part of the organization do not have the authority to make decisions about the work being done by people in other branches. For example, the people who look after grazing problems in the Forest Service cannot make decisions about the sale of Crown timber. You have to talk to the right people when you want decisions.

Flipchart Sheet 2:6, with mock organization chart.

A and B

WORKSHOP OBJECTIVE:

2:5   Continued

PROCEDURE AND KEY POINTS	AIDS
Here's another side to the use of authority in large organizations. Sometimes you don't get the answer you want because the person you are talking to does not have <u>enough</u> authority to help with your problem. For example, if a local road foreman tells you that he can't do anything about the dust on a highway through your community, try contacting a District Technician or District Highways Manager; someone up there may have enough authority to provide the necessary funds! If you feel that a decision based on policy or directives is unfair or not sensible, you need not give up. Trying someone with more authority occasionally will get a different interpretation of policy and guidelines. If you have a good case and go high enough, you might even get the policy itself changed! Different levels of authority within any organization can be used to your advantage if you know what they are. The trick is to find someone with enough authority to give the right decision. Remember, your Band Administration will probably be organized in the same way, if it is large enough. Band members who have problems getting service from programs run by the band may follow the same route up the authority ladder.	

WORKSHOP OBJECTIVE:

2:6   Participants will learn to identify the influence of Band Council and other Indian organizations in dealing with band members and external agencies.

PROCEDURE AND KEY POINTS	AIDS

8.   <u>PRESENT AND DISCUSS INFORMATION DISTINGUISHING</u>
<u>BETWEEN THE AUTHORITY AND POWER OF BAND COUNCILLORS</u>

At the start of this workshop, we saw that the councillor has the authority to do things partly because the band members have elected him and have thereby given him the right to act on their behalf. The authorities granted by the band often go far beyond those legally stated in the Indian Act. There are many things that a councillor does not have legal authority to ask of a band member. The Councillor cannot pass laws, for example, that would force a person to undergo treatment for alcoholism. But an alcoholic person might be obliged by Council to take treatment for his problem because he knows that Council has the support of the band and can bring community pressures to bear against him. He might not like or respect the Chief and Council, and he might insist that they do not have the right to order him around. Nevertheless, he might do as he is told because he is afraid of the consequences. In cases such as this, the councillor is using his position in the band as a source of influence, or power, over other people.

The councillor's position can also be used to influence governments, their departments, Crown corporations, private industry, and so on. When you introduce yourself as a chief or a councillor, people believe that you are a respected leader in your community, and that the band will support you in case of a dispute. As a councillor, you cannot directly order a public servant to do anything; only his boss can do that. However, it is more likely that he will change his mind for a councillor than for an individual band member. This is because he believes that the councillor has earned the respect of the community and has the weight of the band officially behind him.

Flipchart 2:7

PROCEDURE AND KEY POINTS	AIDS
The same sort of influence is carried by Indian organizations, such as the District Council, Area Council, National Indian Brotherhood, and the Union of B.C. Indian Chiefs. They may also, of course, use their positions within the band to influence the organizations to which they belong.	Handout 2:6

With disputes, the councillor must be sure of real support from the band if he is to successfully influence others. If people are pushed hard enough, they will challenge the authority granted to a councillor by the band. If the large number of band members really don't care what you do, or are displeased with your work, there is always the danger that people outside the band will find out. When this happens, your power to influence external agencies will be weakened, and may disappear altogether.

9.   WRAP UP THE WORKSHOP

Stress the following points, using Flipchart or Chalk-board:

-    Chiefs and councillors have the authority to act on band affairs partly because the band membership has granted them the right to do so.

-    The legal authorities of Council come from the Indian Act, and are limited to the authorities stated therein.

-    The DIA carries out policies of the Federal Government, according to their regulations and guidelines.

-    Council has the authority to make policy decisions for the band while the Band Administration carries out policies as set by the Council.

-    The position of councillor can be used as a source of power to influence band members, Indian organizations, governments, and other agencies.

WORKSHOP OBJECTIVE:

2:6   Continued

PROCEDURE AND KEY POINTS	AIDS
10. INTRODUCE, ASSIGN, AND COLLECT EVALUATION HANDOUT This is not an examination. Nobody will be graded, and none of the participants will "fail". We want to know how well the workshop went from the point of view of those taking it. This information can be used to improve the workshop.	Handout 2:7 Workshop Evaluation
11. INTRODUCE, ASSIGN, AND COLLECT TRAINING NEEDS IDENTIFICATION HANDOUT It is hoped that this information will be useful to the bands, to DIA, to schools and colleges, and to the School District when plans are being made to prepare further courses for Indian people. This information also should be useful to individual participants when they want to decide what further courses they might like to take.	Handout 2:8, Identification of Further Training Needs

Workshop #3: List of Learning Aids

1. FLIPCHART SHEET 3:1, Workshop Learning Objectives.

2. FLIPCHART SHEET 3:2, Problem with Administrative Funding

3. FLIPCHART SHEET 3:3, Transferrable and Non-Transferrable Programs.

4. FLIPCHART SHEET 3:4, Steps in Band Take-Over of Programs.

5. FLIPCHART SHEET 3:5, Typical Council Problems in Running
    a Program.

6. FLIPCHART 3:6, Participation in District Office Decisions.

7. HANDOUT 3:1, Before the Workshop.

8. HANDOUT 3:2, Breakdown of District Budget.

9. HANDOUT 3:3, Program Groupings.

10. HANDOUT 3:4, Group Exercise with Terms in L.S.A.'s

11. HANDOUT 3:5, Typical Solutions to Group Exercise 3:4.

12. HANDOUT 3:6, Group Exercise in Transfer

13. HANDOUT 3:7, Case Study, Failure of Band Program.

14. HANDOUT 3:8, Evaluation Handout, Workshop Evaluation.

15. HANDOUT 3:9, Identification of Further Training Needs.

SUPPORTING OBJECTIVE:
   This is the second of two workshops which will enable participants to describe
   generally the services currently and potentially used or administered by the
   band.

WORKSHOP OBJECTIVE:
   3:1 to 3:9, as specified.

PROCEDURE AND KEY POINTS	AIDS
1. INTRODUCE THE WORKSHOP	Flipchart Sheet 3:1
Band Councils have been taking over the administration of many programs and services that used to be run by the Department of Indian Affairs. The transfer of programs to Band Councils is a Federal policy which is meant to support local government by Indian bands and to give Indian people more control over matters which affect their lives.	
This workshop will help you to:	
1. Determine the general extent to which bands in your district have taken over program admin.istration.	
2. Recognize the major advantages and disadvantages of a band running its own programs.	
3. Recognize funding problems which arise from transferral of a program to band administration.	
4. Distinguish between programs which can be transferred to the band and those which cannot.	
5. Explain the general purpose of the terms and conditions typically included in general guidelines and local services agreements.	
6. Specify generally the major steps followed by a Band in taking over administration of a program.	
7. Explain the need to identify band training and organizational requirements before transferral takes place.	
8. Identify the major advantages and disadvantages of program administration by the Tribal Council.	
9. Identify chances for participation in DIA and other agency decisions.	
INTRODUCE, DISTRIBUTE, AND COLLECT HANDOUT 3:1	Handout 3:1

WORKSHOP OBJECTIVE:

3:1   Participants will learn to determine the general extent to which
bands in their District have taken over program administration.

PROCEDURE AND KEY POINTS	AIDS

2.   PRESENT AND DISCUSS DISTRICT AND BAND PROGRAM
INFORMATION

How far do you think the bands in this District have
gone in taking over the administration of programs
and services? One way of answering this is to com-
pare the amount of money being spent in band-admin-
istered programs with the amount being spent by DIA.

As an example, here's a recent breakdown for the
Williams Lake District.

FILL IN FINANCIAL DATA ON HANDOUT 3:2 WITH PARTICIPANTS*   Handout 3:2

A breakdown like this is put together by the District
Office at the end of each month.

Core funding is money used to pay for the operating
expenses (staff salaries, phone bill, and so on) of
the band office; it is money used to keep things
running. Capital funding is money used to buy or
construct or repair things such as buildings, roads,
or water systems.

Money that is given to the band for core funding usually
cannot be used to pay major capital expenses. Nor can
capital money be spent for operating expenses.

ASK THE GROUP TO LIST THE PROGRAMS ADMINISTERED BY   List of Band-admin-
THEIR BAND, OR BANDS. RECORD THIS LIST ON FLIPCHART   istered Programs*·
PAPER. CHECK THEIR LIST AGAINST ONE PREPARED BY THE
DISTRICT OFFICE.

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*

NOTE: The instructor will have to prepare this informa-
tion individually for each band being taught.

WORKSHOP OBJECTIVE:

3:2   Participants will learn to recognize the major advantages and dis-
advantages of a band running its own programs.

PROCEDURE AND KEY POINTS	AIDS

3.   <u>GET FROM THE GROUP AND DISCUSS THE ADVANTAGES AND
DISADVANTAGES OF BAND ADMINISTERED PROGRAMS</u>

The group should answer the following questions:

1.   Why do you think a band might want to administer
its own programs?

2.   What disadvantages do you think they might find
in running their own programs?

RECORD CLASS RESPONSES ON FLIPCHART OR CHALKBOARD.

REVIEW AND DISCUSS CLASS RESPONSES. At a minimum, the
class should arrive at the following:

Advantages

a)   administration of programs provides jobs for band
members;

b)   through the Chief and Council, band members are
able to influence the quality of service they
receive;

c)   the management skills of Council are developed;

d)   programs may become more flexible and responsive
to local problems, particularly in the allocation
of funds;

e)   band members may feel more comfortable approaching
band employees than dealing with public servants;

f)   band employees are often from the local area, and
therefore may share the language and culture of
band members.

Disadvantages

a)   band administration is sometimes subject to the
wrong sorts of interference from Council;

b)   it is sometimes more difficult to criticize a band
employee than a stranger from another agency;

c)   even with a good band manager, program administra-
tion will take up a lot of Council time;

d)   some band members may be concerned about the
delivery of the program.

WORKSHOP OBJECTIVE:

   3:3   Participants will learn to recognize administrative funding problems
         which arise from transferral of a program to band administration.

PROCEDURE AND KEY POINTS	AIDS
4. PRESENT AND DISCUSS THE FOLLOWING INFORMATION When a band takes over a program, it is given the authority to use funds which have been set aside by DIA to provide the service. In addition to these funds, the band will need an allowance to cover the cost of extra supervision, office space, equipment, telephones, and so on. For example, a Social Assistance program would be given enough money to pay for the welfare aid, and it will also require funds for the extra time spent by the band manager in supervising the aid. Without additional administrative funding, the band would have to do more work, at greater expense, but with no extra money. Indian people often ask why the DIA does not turn over to the band that part of the District budget which the Department used to administer a program prior to takeover. When a program is transferred from the DIA to a band, the District costs are not necessarily reduced. This is because District staff continue to have a responsibility for giving advice and assistance after a program has been transferred. Once a program has been transferred, the band can include in its budget forecast for the following year enough money to cover the additional cost of administering the program. The band should realize, however, that funding for program administration is set at a negotiated percentage of the amount used in delivering the program. These amounts may be equal to or less than the previous District budget for administration of the program.	Flipchart Sheet 3:2

WORKSHOP OBJECTIVE:

3:4   Participants will learn to distinguish between programs which can be transferred to the band and those which cannot.

PROCEDURE AND KEY POINTS	AIDS

5. PRESENT AND DISCUSS THE FOLLOWING INFORMATION

Programs that can be taken over for administration by a band council are called "transferrable programs". These fall into two groups. "Non-transferrable programs" cannot be given to a Band Council.

Transferrable Under General Guidelines

Even when authority for administering a program has been transferred to a band council, the DIA is held accountable by the Federal Government for any problems that may arise. For this reason, band councils are given funding and may administer certain programs only as long as they follow general guidelines set down by the DIA. A formal agreement based on the guidelines is written up between the band council and the DIA. The band council must submit a Band Council Resolution requesting transferral of the program. For some programs, spending levels set by the Federal Treasury Board are included in the guidelines. Advice and assistance in running programs is provided by the DIA.

If a band council fails to operate a program properly, the DIA may step in to carry out key administrative duties, leaving the band council to perform others. This state of "co-management" can continue until the difficulties have been overcome, at which time full authority for program administration will again be given to the band council.

Transferrable Under Special Standards of Performance

Some programs must be operated according to special standards as well as the general guidelines. Both the band council and the DIA must agree to the terms set down in a Local Services Agreement.

Flipchart Sheet 3:3

WORKSHOP OBJECTIVE:

3:4   Continued

PROCEDURE AND KEY POINTS	AIDS
Programs That Cannot be Transferred to Band Councils The authority to administer some programs cannot be turned over to band councils. These are called "non-transferrable programs". In some cases, the DIA is prevented by law (such as the Indian Act) from transferring a program. In other cases, the program or service is operated jointly with an agency (such as the RCMP) which is prevented by its own regulations from delegating its authority to a band council. 6. GIVE AND DISCUSS EXAMPLES DISTINGUISHING BETWEEN THE THREE PROGRAM GROUPS.	Handout 3:3, with Program Groupings

WORKSHOP OBJECTIVE:

3:6   Participants will learn to recognize the general purpose of the terms
      and conditions typically included in the General Guidelines and
      Local Services Agreements.

PROCEDURE AND KEY POINTS	AIDS
7. INTRODUCE, ASSIGN, AND DISCUSS GROUP EXERCISES DEALING WITH TERMS AND CONDITIONS IN LOCAL SERVICES AGREEMENTS	Handout 3:4 with group exercises.
The General Guidelines and Local Services Agreements contain many terms and conditions which band councils and the Department must agree to if a band wishes to operate its own programs. These terms and conditions are meant to:	Handout 3:5 with typical terms and conditions relevant to group exercises.
a) protect the rights of band members;	
b) assure an adequate standard of service;	
c) protect public funds;	
d) specify Departmental and Band Council responsibilities.	
POST GROUP RESPONSES TO THE EXERCISES ON FLIPCHART OR CHALKBOARD, AND COMPARE WITH THE "SOLUTIONS" GIVEN IN HANDOUT 3:5.	

WORKSHOP OBJECTIVE:	

3:6   Participants will learn to specify generally the major steps followed by a band in taking over administration of a program.

PROCEDURE AND KEY POINTS	AIDS

8.   <u>PRESENT AND DISCUSS THE FOLLOWING INFORMATION</u>

Supposing that a band council feels it would like to administer a service presently being operated by the DIA. What steps should it take to arrange the transfer?

a)   Decide whether the service is really worth having. Some services are not used very much if at all. Would band members miss the service if it were dropped? If the service is not being used, is this because people don't want it or because they don't know it is available to them? Discussion with band members may be necessary to answer these questions. Previous financial reports may also help to determine past use.

        Flipchart Sheet 3:4

b)   Determine whether people are satisfied with the way in which the DIA is operating the service. If there are only a few minor problems, these probably can be straightened out without taking over the program. You <u>may</u> decide that administering the service will be more trouble than it is worth.

c)   Find out what other advantages there might be in having the band administer the program. Will it provide jobs, a sense of pride, or other benefits?

d)   Identify and weigh all the possible disadvantages.

e)   Find out from the DIA what funding will be available for the service. If you feel the service cannot be run properly within the budget, can this be increased? If not, will the band council do a better job of allocating and administering scarce funds than the DIA?

WORKSHOP OBJECTIVE:

3:6   Continued

PROCEDURE AND KEY POINTS	AIDS
f) Find out what General Guidelines and special standards of performance are likely to be insisted upon by the DIA and the band council. Do these seem reasonable to you, or will they be difficult to live with? Make sure you thoroughly understand all of the terms and conditions that are likely to be included in the Agreement.	
g) Satisfy yourself that the band council has the ability to administer the service. Do you have enough people trained in management, supervision, and financial control? If it is a professional or technical service, do you have someone around who knows the business and can stand up to the specialists employed to deliver the service? Remember, controlling staff can be difficult if you don't know what they are supposed to do or how they are supposed to go about it.	
h) It is usually best to hold a meeting and pass a resolution indicating that the band members approve of council taking over the program. Explain the advantages and possible disadvantages with them.	
i) Submit a Band Council Resolution requesting transfer of the program and its funds.	
j) Negotiate and conclude an agreement with the DIA. Make sure that all members of council and the band manager fully understand the terms and conditions of the agreement before it is signed. Pay particular attention to clauses dealing with renegotiation, cancellation, training, arbitration, audits, and progress reports.	
The documents used to transfer programs are being revised. You may wish to ask a District Program Manager for further information about these documents.	
9. INTRODUCE, ASSIGN, AND DISCUSS GROUP EXERCISES IN TAKEOVER	Handout 3:6, Group exercise.

WORKSHOP OBJECTIVE:

3:7   Participants will learn to explain the need to identify band training
      and organizational requirements before transferral takes place.

	PROCEDURE AND KEY POINTS	AIDS
10.	INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY DEALING WITH THE FAILURE OF A BAND ADMINISTERED PROGRAM	Handout 3:7

This program failed for a lot of reasons. To operate
a service smoothly, the band council must be able to
rely on people who are properly trained and organized.
The band manager can make recommendations and look
after routine problems, but he will need direction
and assistance from Council in many matters. Here are
some of the things Council will become involved in:

Flipchart 3:5

- the preparation and/or approval of budgets and
  financial reports;

- deciding on staffing, building, and equipment
  requirements for the service;

- interpreting and/or preparing progress and
  evaluation reports for the program;

- preparing and/or approving job descriptions and
  terms of employment for employees in the program;

- negotiating and/or approving contracts;

- explaining the program to band members, and ensur-
  ing that complaints are answered properly;

- dealing with problems in the hiring, firing, or
  discipline of employees.

Council should satisfy itself that its members have
the training, experience, and time to do this kind of
work properly. If not, other band members might be
persuaded or hired to work on committees to look after
the program. This would leave council free to concen-
trate on policy matters. Many bands have a large pool
of experience and training to draw upon for committee
work. It is important to remember, however, that the
skills and knowledge of band members have to be
organized and put to use in order to administer a
service effectively.

WORKSHOP OBJECTIVE:

3:7   Continued

PROCEDURE AND KEY POINTS	AIDS

Council's work in administering a program can be made easier if the band membership understands what is involved. Band members may not realize:

- the funding arrangements and limitations with which Council must work;

- the terms and conditions of the Agreement with DIA;

- the importance of their participation in decisions about the service;

- the amount of work done by Council in looking after the service;

- their own responsibilities in reporting to Council any problems with the quality of service.

Attention must also be given to administrative planning and to the capabilities of the band manager and staff. Answer the following questions.

a)   Does the band manager know and understand completely the terms and conditions included in the Agreement with DIA?

b)   Has the band manager had special training and experience in the operation of this kind of service?

c)   Does the band manager know and understand the objectives, policies, and guidelines he is to follow in running the service?

d)   Does the band manager know what funds, staff, and physical resources are necessary to run the service?

e)   Does the band have job descriptions and a written understanding of the terms of employment applied to employees in this program?

f)   Does the band manager have a clear understanding of the financial and progress reports that are required for this program?

WORKSHOP OBJECTIVE:

3:7   Continued

PROCEDURE AND KEY POINTS	AIDS
If the answer is "no" to any of these questions, Council must ensure that steps are taken to provide the band manager either with the training and time to prepare for taking over the program or with adequate consultative assistance in running the service. Unless the band manager has the skills and knowledge to operate a service effectively, it is unfair and unwise for Council to give him this responsibility.	

WORKSHOP OBJECTIVE:

3:8　Participants will learn to identify typical advantages and disadvantages in program administration by the Tribal Council.

PROCEDURE AND KEY POINTS	AIDS

11.　OBTAIN FROM THE GROUP THE POINTS THEY SEE AS ADVANTAGES AND DISADVANTAGES IN PROGRAM ADMINISTRATION BY THE TRIBAL COUNCIL. OR AREA COUNCIL

Sometimes, especially with small bands, a Council may feel that it has neither the time nor the ability to administer a program effectively. In such cases, it may make sense for the program to be operated by a Tribal Council. This has the same advantages and disadvantages as having a program run by the band office. Bands considering this option should also consider the following.

Advantages

a)　Combining the administration of several bands results in a more efficient use of time and money.

b)　The pooling of program funds makes it possible to acquire staff and physical resources that a single band could not afford.

c)　The Tribal Administration is able to tap the skills and knowledge of several bands.

d)　The allocation of funds between bands can be done by band representatives rather than by DIA staff.

e)　The Tribal Council represents a larger number of people and has more political influence, particularly in negotiating Agreements with DIA, acquiring funds, and administering contracts.

Disadvantages

a)　From the viewpoint of band members, the Tribal Council is more remote geographically and politically than the Band Council.

b)　Because it must follow DIA guidelines, the Tribal Administration office might be criticized for operating much like a District Office.

WORKSHOP OBJECTIVE:

3:8   Continued

PROCEDURE AND KEY POINTS	AIDS
c) - Some bands might feel that their wishes are not given enough respect or that the Tribal Council favours some at the expense of others. d) Hostility between bands may be increased as a result of disputes over the allocation of funds or other problems. e) If the Tribal Administration fails, the programs of all bands are affected.	

WORKSHOP OBJECTIVE:

3:9   Participants will learn to identify chances for participation in DIA and other agency decisions.

PROCEDURE AND KEY POINTS	AIDS
12. PRESENT AND DISCUSS THE FOLLOWING	

12.   <u>PRESENT AND DISCUSS THE FOLLOWING</u>

We have seen in this workshop that some programs cannot be transferred to band administration, and that Council may decide to let the DIA continue operating others. It is sometimes believed that Council has no voice in non-transferrable programs or in programs which toncinue to be operated by another organization. This is not the case, however. Indian people very often can and do influence the operation of programs which are not administered by Band Councils.

<u>Participation in Decision-Making</u>

Indian representatives already take part in some decisions made by the DIA and other agencies. Participation has occurred in the following matters.

DISPLAY FLIPCHART SHEET 3:6.   Flipchart Sheet 3:6

ASK PARTICIPANTS TO LIST WHAT OTHER MATTERS THEY THINK SHOULD BE OPEN TO INDIAN REPRESENTATION. RECORD THEIR LIST ON FLIPCHART. BE SURE TO INCLUDE OTHER AGENCY ACTIVITIES. ENCOURAGE DIS-CUSSION OF PROBLEMS IN GETTING RIGHT TO PARTICIPATE

WORKSHOP OBJECTIVE:

3:9   Continued

	PROCEDURE AND KEY POINTS	AIDS
13.	**REVIEW AND CONCLUDE THE WORKSHOP**	
	This workshop has been about the transfer of services and programs to band council administration. Remember, many of the things you have looked at here apply to the operation of services provided by agencies other than the DIA.	
	Let's have one last look at what we were trying to learn in this workshop.	
	DISPLAY FLIPCHART SHEET 3:1 AND SOLICIT QUESTIONS.	
14.	DISTRIBUTE, INTRODUCE, AND HAVE PARTICIPANTS COMPLETE HANDOUT #3:7, Workshop Evaluation.	Handout 3: 8
15.	DISTRIBUTE, INTRODUCE, AND HAVE PARTICIPANTS COMPLETE HANDOUT #3:8, Identification of Further Training Needs.	Handout 3: 9

WORKSHOP #4: LIST OF LEARNING AIDS

1. FLIPCHART SHEET 4:1, Workshop Learning Objectives.

2. HANDOUT 4:1, Before the Workshop.

3. HANDOUT 4:2, Advantages and Disadvantages of Meetings.

4. HANDOUT 4:3, Purpose of Different Kinds of Meetings.

5. HANDOUT 4:4, Regulations Concerning Band Meetings.

6. HANDOUT 4:5, Exercise in Calling a Meeting.

7. HANDOUT 4:6, Details in Planning a Meeting.

8. HANDOUT 4:7, Exercise on the Film, "I Move".

9. HANDOUT 4:8, Exercise with By-Laws Under Council Jurisdiction.

10. HANDOUT 4:9, Exercise in Signing BCR.

11. HANDOUT 4:10, Hints for BCR's.

12. HANDOUT 4:11, Workshop Evaluation

13. HANDOUT 4:12, Identification of Further Training Needs.

14. Indian Act

15. Regulations on Procedure at Band Council Meetings.

16. Sample blank BCR.

17. Film, "I Move".

SUPPORTING OBJECTIVE:

This is the first of three workshops which will enable participants to identify and describe the major functions of the Band Council.

WORKSHOP OBJECTIVE:

4:1 to 4:6, as specified.

PROCEDURE AND KEY POINTS	AIDS

1. INTRODUCE THE WORKSHOP

One of the most important things in the work of a Band Councillor is the exchange of information. One can communicate in a number of ways: on a one to one basis with a small group of people or with a large audience. When we communicate or hold a meeting, we may be trying to make decisions, tell people something, or gain information, opinions, and ideas.

Band Councillors meet to discuss matters of the community and arrive at decisions, and they also meet with Band members in a group to discuss matters that affect the membership as a whole. Meetings take place also with DIA, other government agencies, industrial and commercial agencies, firms, and so on.

Meetings, meetings, meetings: if a band is going to work together on its problems, it has to hold meetings. Yet many people get uptight about meetings. Whether you're a band member, a councillor, a band employee, or a chief, you will often find yourself asking or answering some of these questions:

1) Why do we have to have meetings in the first place?

2) What kind of meetings should we have?

3) What should we do to get ready for a meeting?

4) What are the regulations about meetings?

5) How do we notify people and get them to come?

6) What should the chairman and secretary do?

7) How should the meeting be conducted?

8) What are by-laws all about?

9) What is a band council resolution?

This workshop will help you to answer these and other questions. Let's look at what you will learn to do.

WORKSHOP OBJECTIVE:

PROCEDURE AND KEY POINTS	AIDS
1. INTRODUCE THE WORKSHOP (Continued) This workshop will help you to: a) Recognize the major advantages and disadvantages of meetings; b) Recognize the purposes of a meeting. c) Identify and explain the major regulations applying to Council meetings. d) Identify essential planning details and general guidelines for the conduct of meetings. e) Identify the purpose, definition, formulation, and types of by-law under council jurisdiction. f) Identify the purpose of and general guidelines for writing and signing Band Council Regulations. INTRODUCE, DISTRIBUTE, AND COLLECT HANDOUT 4:1	Flipchart 4:1 Handout 4:1

WORKSHOP OBJECTIVE:

4:1 Participants will learn to recognize the major advantages and disadvantages of meetings.

PROCEDURE AND KEY POINTS	AIDS
2. ASK PARTICIPANTS TO STATE BRIEFLY THE ADVANTAGES AND DISADVANTAGES OF MEETINGS BY ANSWERING THE FOLLOWING a) What band meetings have they attended? b) What did they think of these meetings? c) How well did these meetings run? d) If they have attended band council meetings, what did they think of these? e) Did these meetings have a purpose? f) Were decisions made at these meetings? g) What do they think are the advantages and disadvantages of meetings. Record these on a blank flip chart. **3. INTRODUCE, DISTRIBUTE AND DISCUSS HANDOUT 4:2** Meetings are ways in which a group of people can get together to make decisions, to exchange points of view or to give information that will affect community life. When decisions are made collectively people are more willing to accept and work towards common goals and objectives. They feel themselves involved and committed.	Handout 4:2 Advantages and disadvantages of meetings.

WORKSHOP OBJECTIVE:

4:2   Participants will learn to recognize the purposes of a meeting.

	PROCEDURE AND KEY POINTS	AIDS
4.	**INTRODUCE AND DISCUSS HANDOUT OUTLINING THE PURPOSE OF DIFFERENT MEETINGS**	

4.   INTRODUCE AND DISCUSS HANDOUT OUTLINING THE PURPOSE
     OF DIFFERENT MEETINGS

     There are different types of meetings for different
     purposes. We touched lightly on some of these differ-
     ences when we talked about Band Council meetings
     and Band member meetings held by the Band Council.

     Councillors become involved in:

     a)   Nomination and election meetings;
     b)   Council meetings;
     c)   Committee meetings;
     d)   Band membership meetings;
     e)   Informal and one to one meetings with band members;
     f)   Meetings with DIA;
     g)   Meetings with Indian organizations;
     h)   Meetings with other government agencies;
     i)   Meetings with industry and commercial enterprises;

     ALLOW PARTICIPANTS TO READ THE HANDOUT AND DISCUSS
     IT AMONG THEMSELVES

     The most important are Band Membership and Band Council
     meetings.

     You will observe in Handout 4:3 that the purpose of
     Band Membership meetings is to inform and hear the
     opinions of Band members about:

     a)   what is being done by the Council about community
          affairs:
     b)   the planning or major development work that the
          Band council is considering. This is very important
          as the Council might believe that they should pro-
          ceed, and find out later that the Band members do
          not agree with the action taken.
     c)   how Band funds and program funds from the govern-
          ment are being spent. Councillors should be pre-
          pared to listen, explain, make decisions, and
          answer Band members complaints or suggestions.

Handout 4:3
Giving purpose of
different meetings.

WORKSHOP OBJECTIVE:

4:3   Participants will learn to identify and explain the major regula
applying to Council meetings.

PROCEDURE AND KEY POINTS	

5.   PRESENT AND DISCUSS THE FOLLOWING:

Although the regulations are seldom used, and Band
Councils usually carry out their meetings without
interference, there are regulations covering the
conduct of the Band Council meeting in the Indian Act.

In Workshop #2, you were given copies of the Indian Act.   Indi;
If you turn to page 37, Section 80 of the Indian Act,
you will read that:

The Governor in Council may make regulations with
respect to band meetings and council meetings and,
without restricting the generality of the foregoing,
may make regulations with respect to:

a)   presiding officers at such meetings;
b)   notice of such meetings;
c)   the duties of any representative of the Minister
at such meetings; and
d)   the number of persons required at the meeting to
constitute a quorum.

An order in council of the Federal Government was made
under this section of the Indian Act. It is called
"Regulations Governing Procedure at Indian Band Council
Meetings".

This is a legal statute. Even though immense discretion
is now given to Band Councils in the conduct of their
meetings, it should be realized that Band Council
members or Band members can legally challenge Band
Councils if these statutes are not observed. It is
therefore worth discussing the important points covered
in the Regulations.

6.   DISTRIBUTE REGULATIONS AND DISCUSS BRIEFLY   Regul;
Proce
Let us look and discuss briefly at certain sections   Band
in the Regulations just handed to you.   Meeti;
1313

WORKSHOP OBJECTIVE:

4:3　Continued

PROCEDURE AND KEY POINTS	AIDS
(see below)	Handout 4:4

WHEN SHOULD MEETINGS BE HELD?

Section 3(1) states:

The first meeting of the Council shall be held not later than one month after its election, on a day, hour and place to be stated in a notice given to each member of the Council, and meetings shall thereafter be held on such days and at such times as may be necessary for the business of the Council or the affairs of the band.

WHO SHOULD ATTEND?

Section 3(2) states:

No member of a Council may be absent from meetings of the Council for three consecutive meetings without being authorized to do so by the Chief of the Band or Superintendent, with the consent of the majority of the Councillors of the Band.

WHO MAY CALL A COUNCIL MEETING?

Section 4 states:

The Chief of the Band or District Manager may at any time, summon a special meeting of the Council, and shall summon a special meeting when requested to do so by a majority of the members of Council.

HOW MANY COUNCILLORS MUST BE PRESENT?

Section 6 states:

A majority of the whole Council shall constitute a quorum, but where a Council consists of nine or more members five members shall constitute a quorum.

"Quorum" means the number of people who must be present for Council to legally conduct business.

WORKSHOP OBJECTIVE:

4:3   Continued

PROCEDURE AND KEY POINTS	AIDS

WHAT HAPPENS IF THERE IS NO QUORUM?

Section 7 states:

If no quorum be present within one hour after the time
appointed for the meeting, the Secretary shall call the
roll and take the names of the members then present
and the Council shall stand adjourned until the next
meeting.

WHAT IS THE CORRECT ORDER OF BUSINESS?

Section 11 states:

The order of business at each regular meeting shall
be as follows:

a)   reading (correction, if any) and adoption of
     the minutes of the previous meeting;
b)   unfinished business;
c)   presentation and reading of correspondence and
     petitions;
d)   presentation and consideration of reports of
     committees;
e)   new business;
f)   hearing deputations
g)   adjournment.

CAN BAND MEMBERS ATTEND COUNCIL MEETINGS?

Section 23(1) states:

The regular meetings shall be open to members of the
Band and no member shall be excluded there from
except for improper conduct.

Here the instructor should explain that by custom
members of the Band may be excluded when the Band Council
has confidential matters to discuss. Band members cannot
take part in discussions unless asked by the Council
and that Band member cannot vote at Band Council meetings.

WORKSHOP OBJECTIVE:

4:3   Continued

PROCEDURE AND KEY POINTS	AIDS
CAN COUNCIL MAKE ITS OWN RULES ABOUT MEETINGS? Section 31 states: The Council may make such rules of procedure as are not inconsistent with these regulations in respect of matters not specifically provided for thereby, as it may deem necessary.	

WORKSHOP OBJECTIVE:

4:4   participants will learn to identify essential planning details to and
       general guidelines for the conduct of meetings.

PROCEDURE AND KEY POINTS	AIDS
7. **INTRODUCE, ASSIGN, AND DISCUSS EXERCISE IN CALLING A MEETING** We all know that it is sometimes difficult to get Band members out to Band membership meetings. After several attempts to hold meetings some Band Councillors give up, and go ahead and make important decisions without consulting the Band membership. After these decisions have been made the Band Councillors may begin to hear complaints and criticisms about their actions.	Handout 4:5 Handout 4:6
8. **INTRODUCE, ASSIGN, AND DISCUSS THE FILM, "I MOVE"** a) Distribute and permit participants to read Handout 4:7. b) Run the film, stopping it at appropriate intervals for discussion of key points and questions. c) Review with the class their answers to questions in Handout 4:7.	Film "I Move" Handout 4:7

WORKSHOP OBJECTIVE:

4:5 Participants will learn to identify the purpose, definition, formulation, and types of by-law under council jurisdiction.

PROCEDURE AND KEY POINTS	AIDS

9. PRESENT AND DISCUSS THE FOLLOWING INFORMATION

a) What is a By-Law?

A by-law is simply a local law that is applicable to a particular place or group (such as a town or Indian band) which is controlled by a local government or council. By-laws are written and passed by Band Councils. These by-laws therefore apply only in the territory that the Council has control over, i.e., all reserve land owned by the band, whether under individual title or not. A band by-law has no effect over land that the Band Council has no control over, such as non-reserve land.

b) What is the Purpose of By-Laws?

How many times have you heard complaints about a door-to-door salesman working on the reserve? You might also have heard Band members complain about cattle running loose in the community, or running on pasture land belonging to other people. Or have Band members complained to you about reckless drivers speeding on reserve roads?

Municipalities pass by-laws to provide for the administration and control of activities that may lead to problems within the municipality. There are by-laws to control business, weeds on private property, parking on the street, traffic speed around schools, garbage collection, animals on the street, and so on.

Band Councils also can make by-laws that will regulate many areas of activity on the reserve. Some of these are: traffic control, trespass by cattle, road and fence maintenance, zoning, weed control, and control of salesmen.

Aside from the above, Band Council can also make "money by-laws" to raise money by taxation of land or the selling of business licences.

WORKSHOP OBJECTIVE:

4:5   Continued

PROCEDURE AND KEY POINTS	AIDS

c) **What is the general process by which Council makes By-Laws?**

By-laws are passed when the Council decides that it has a need to establish regulations on control over certain activities on the reserve. The Council writes up the rules of control that it wants. These are known as a by-law which is voted into force by the Council. A by-law developed by a Band Council must be registered with the federal government through the Department of Indian Affairs. It must also have the approval of the Minister of Indian Affairs, so that if it is to be a legal by-law, it can be enforced in court.

d) **What kind of By-Laws can Band Councils make?**

"Section 81 of the Indian Act gives the Band Council authority to make specific by-laws. Band Councils do not have authority to make by-laws that are not listed in the Act. Nor can Band Councils pass by-laws which are contrary to the Indian Act, its regulations or any other federal law.

ALLOW PARTICIPANTS TO READ SECTION 81.

Discuss any question they might have. Note on a blank flip chart some by-laws that they might wish to enact or pass. Ask participants if they are aware of any by-laws that have been enacted by previous Band Councils. List these on a separate blank flip chart.

Ask participants to turn to page 39, Section 83 of the Indian Act. Have some of the participants read aloud the items in Sections (a) to (g). Discuss with participants the implications of items such as:

(b) "the appropriation and expenditure of moneys of the band to defray band expenses",

(c) "the appointment of officials to conduct the business of the Council, prescribing their duties and providing for their remuneration

WORKSHOP OBJECTIVE:

4:5   Continued

	PROCEDURE AND KEY POINTS	AIDS

d) Continued

out of any moneys raised pursuant to
paragraph (a)." What about care and admini-
stration funding?

(d) "the payment of remuneration in such amount as
may be approved by the Minister, to Chief and
Councillors, out of any moneys raised pursuant
to paragraph (a).

Because these are by-laws involving money, Band
Councils have to apply to the Federal Cabinet for
the authority to make any of these by-laws. The
Federal Cabinet issues the authority to the band
through a special order-in-council.

"Once the Band Council has received authority to
make by-laws under Section 83 ("money by-laws", as
distinct from by-laws under Section 81) it is still
necessary to have all by laws approved by the
Minister of Indian Affairs.

10. INTRODUCE, ASSIGN, AND DISCUSS CLASS EXERCISE   Handout 4:8

Answers to questions in Handout 4:8.

Refer to Sections 81 and 83.

Question	Section
(1)	83(a)(1)
(2)	81(g)
(3)	81(j)
(4)	81(c)(d)
(5)	83
(6)	81
(7)	NO

WORKSHOP OBJECTIVE:

4:5   Continued

	PROCEDURE AND KEY POINTS	AIDS

11.   PRESENT AND DISCUSS RULES FOR MAKING BY-LAWS

A by-law is not a law and cannot be enforced in the
courts until it has been properly enacted and made
into a legally registered federal law.

Remember that Band Council by-laws should be made only
when they are needed. Before they are enacted, they
should have general band membership acceptance. There
is no sense in making a by-law when it is not really
needed, or when you know that the general feeling of
most of the band members would be against that particular
by-law.

A by-law must apply to all people on your reserve land,
Whether they normally live on the reserve or not, or
whether they agree with the by-law or not. It also
applies to all the band councillors.

According to Section 82 of the Indian Act, after a
by-law has been drawn up and accepted by the Band Council:

(1) "A copy of every by-law made under the authority
    of Section 81 shall be forwarded by mail by the
    Chief or a member of the Council of the band to
    the Minister within four days after it is made."

(2) "A by-law made under Section 81 comes into force
    forty days after a copy thereof is forwarded to the
    Minister persuant to sub-section (1) unless it is
    disallowed by the Minister within that period, but
    the Minister may declare the by-law to be in force at
    any time before the expiration of that period."

    A full training session of Band Council by-laws
    would consider:

    -   Drafting a By-Law
    -   Enacting a By-Law
    -   Enforcing a By-Law
    -   Amending or Changing a By-Law
    -   Repealing or Cancelling a By-Law.

WORKSHOP OBJECTIVE:

4:5   Continued

PROCEDURE AND KEY POINTS	AIDS

A by-law must not discriminate. For example, you can-
not pass a by-law to tear down a particular person's
old run down house. The by-law must apply to all old
run down houses. Such a by-law must say that all old
abandoned, run down houses are health, safety, and
fire hazards and must be torn down.

A by-law must not create a monopoly situation. A band
should not pass a by-law providing for the development
of a grocery store by one of its members and use the
by-law to prevent any other member from getting into
the same grocery store business. The by-law could
specify the maximum number of stores on the reserve to
prevent too many stores developing, which might prevent
anyone from having enough business.

In drawing up-by-laws, it might be important for the
Band to use the Band legal solicitor.

WORKSHOP OBJECTIVE:

4:6   Participants will learn to identify the purpose of and general guid
      for writing and signing Band Council Regulations.

PROCEDURE AND KEY POINTS	
12. <u>PRESENT AND DISCUSS THE FOLLOWING INFORMATION</u> What is a Band Council Resolution: A Band Council Resolution is a written statement of intent agreed on by a Band Council. If, for instance, the Band Council wishes to pay the salary of a Band Social Welfare Worker from "Band Funds", the Band Council after discussion makes a decision at a regular Band Council meeting and records that decision on a form called a Band Council Resolution form. DISTRIBUTE COUNCIL RESOLUTION FORMS TO NOTE THAT THERE ARE SPACES FOR THE SIGNATURES OF THE CHIEF AND THE BAND COUNCILLORS. THE PARTICIPANTS SHOULD ALSO NOTE THAT ON THE BOTTOM LEFT CORNER, JUST ABOVE THE SPACE PROVIDED FOR SIGNATURES, THERE IS A BOX STATING "A QUORUM FOR THIS BAND CONSISTS OF _____ COUNCIL MEMBERS. This means that the Band Council Resolution must be signed by the majority of the Band Council members, including the Chief. Band Council resolutions serve as a guide to the Department of Indian Affairs and the Band Employees in following a course of action which expresses the wishes of the Council. When the intent of the Council has been recorded on the Band Council Resolution, they are signed, numbered, and sent in three copies to the Department of Indian Affairs. A fourth copy is retained on file in the Band office.	Band Cour tion Form
13. <u>DISTRIBUTE, ASSIGN, AND DISCUSS GROUP EXERCISE WITH BCR.</u> a) The Band Council Resolution was never discussed at a Band Council meeting. b) The two signatures are not enough to represent a quorum. c) It is better business to have a Band Council Resolution signed at a regular Band Council meeting, after a definite decision of the Council has been reached.	Handout

WORKSHOP OBJECTIVE:

4:6   Continued

=	PROCEDURE AND KEY POINTS	
	d) Discuss with the participants if they should sign a blank Band Council Resolution, with not even the resolution recorded.	
14.	DISTRIBUTE HANDOUT LISTING THE STEPS LEADING TO THE SIGNING OF B.C.R.	Handout
15.	INTRODUCE, ASSIGN, AND COLLECT EVALUATION HANDOUT. This is not an examination. Nobody will be graded, and none of the participants will "fail". We want to know how well the workshop went from the point of view of those taking it. If we get this information we can improve the workshop.	Handout
16.	INTRODUCE, ASSIGN, AND COLLECT TRAINING NEEDS IDENTIFICATION FORM. It is hoped that this information will be useful to the bands, to DIA, to schools, colleges, and the School District when plans are being made to prepare further courses for Indian people. This information also should be useful to individual participants when they want to decide what further courses they might like to take.	Handout

WORKSHOP #5: LIST OF LEARNING AIDS

1. FLIPCHART SHEET 5:1, Workshop Objectives.

2. FLIPCHART SHEET 5:2, Serving On Other Agency Committees.

3. HANDOUT 5:1, Before the Workshop

4. HANDOUT 5:2, Case Study, Band Communication Barriers.

5. HANDOUT 5:3, Role Play, Gossip, Criticism, and Disputes.

6. HANDOUT 5:4, Case Study, Problems With The Mail.

7. HANDOUT 5:5, Case Study, Communication Among Councillors.

8. HANDOUT 5:6, Case Study, Proposal Strategies.

9. HANDOUT 5:7, Role Play, Do's and Don'ts In Dealing With Public Servants.

10. HANDOUT 5:8, Case Study, Support With Band Problems.

11. HANDOUT 5:9, Workshop Evaluation

12. HANDOUT 5:10, Identification of Further Training Needs.

SUPPORTING OBJECTIVE:

This is the second of three workshops that are meant to help participants identify and describe the major functions of the band council.

WORKSHOP OBJECTIVE:

5:1 to 5:9, as specified.

PROCEDURE AND KEY POINTS	AIDS

1. **INTRODUCE THE WORKSHOP**

It is sometimes useful to think of an Indian band as a group of people that can get things done by pulling together. The band may want to put in a new water supply, run its own social development program, or influence Forest Service decisions about the use of land near the reserve. Whatever, the case, part of Council's job is to get the band together, present a more-or-less united front to the outside world, and keep the people informed about the results. This means that council must gather facts, ideas, and opinions from the membership, turn these into policies that can be acted upon, and then tell the members what has happened. All of this takes a lot of communication -- talking to individuals and families, holding meetings, writing letters and proposals, negotiating with outside agencies, and so on. Workshop #5 looks at the communication done by council. In more detail, you will learn to:

Flipchart Sheet 5:1, Illustrating Communication Flow and Workshop Objectives.

1) Identify and describe typical band communication barriers.
2) Identify problems in dealing with gossip, hindsight, criticism, habitual complainers, and disputes.
3) Explain the advantages and disadvantages of keeping members informed about Council work and issues.
4) Investigate means and channels of communication within and between Bands.
5) Explain the importance of communication among Band Councillors.
6) Recognize the value of preparing for and following up on meetings, interviews, and presentations.
7) Specify general hints for securing service from outside agencies.
8) Define generally the meaning of political, public, and legal support.
9) Assess the advisability of agreeing to represent the Band in meetings held by other agencies.

INTRODUCE, DISTRIBUTE, AND COLLECT HANDOUT 5:1.

Handout 5:1

WORKSHOP OBJECTIVE:

> 5:1 Participants will learn to identify and describe typical band
> communication barriers.

PROCEDURE AND KEY POINTS

2. INTRODUCE, ASSIGN, AND DISCUSS GROUP WORK ON
    COMMUNICATION BARRIER EXERCISES

    Chiefs and councillors very often feel troubled
    and frustrated because some band members will not
    speak out openly about things that matter. You hear
    by the grapevine that so-and-so has said something,
    or you find out too late that people really wanted
    one thing while you thought they wanted another.
    They talk privately among themselves, but they
    won't come before Council with their concerns.
    Even people who talked freely to you before you
    got elected may withdraw once you become a council
    member. WHY WON'T PEOPLE SPEAK UP? is one of the
    most common questions asked by band councillors".

Handou

> 5:2 Participants will learn to identify problems in dealing with gossip,
> hindsight, criticism, habitual complainers, and disputes.

PROCEDURE AND KEY POINTS	AIDS
3. INTRODUCE, ASSIGN, AND DISCUSS ROLE PLAY EXERCISE When people go to a councillor with a problem, they expect to be taken seriously and to have some action taken. The best way to deal with complaints and criticisms is to head them off before they occur — i.e., to listen, and to act on people's concerns. Some people love to criticize from hindsight. When the job is all done, they'll come up to you and point out what was done wrongly. The best solution is to ask loud and long for suggestions and opinions while a project is being planned. Listen to people's ideas, and act on the good ones. Explain your decisions if you cannot go along with what people want. Then, when the project is finished, you can always say to the critics: Where were you and your ideas when we were trying to get the job going? Some people are known by all to be habitual complainers. Usually they are ignored, unless a lot of other people are also discontented. Even the habitual complainer has to be taken seriously by a councillor, however, since he can sometimes be right. A councillor cannot afford to act on gossip. It is unfair and unwise to act on hearsay. Very often, when the person responsible for gossip is asked to step forward and speak up, he will deny everything. Often, even the plainest of facts are distorted by rumours. When asked to settle disputes, the councillor cannot play favourites. He must act for the good of the whole band.	Handout 5:3 with role play

WORKSHOP OBJECTIVE:

5:3 Participants will learn to explain the advantages and disadvantag
of keeping members informed about council work and issues.

PROCEDURE AND KEY POINTS	

4. **PRESENT AND DISCUSS THE ADVANTAGES AND DISADVANTAGES OF AN INFORMED BAND MEMBERSHIP**

Advantages

- Minimizes the possibility of complaints that Councillors secretly favor themselves or their relatives;
- Is consistent with values about democracy and participation;
- Gives people a chance to feel and to be involved;
- May lead to participation and commitment from band;
- Gives people a chance to head off or correct Council mistakes;
- Makes it possible for band members to make up their own minds about issues, and arrive at better decisions. This leaves Council free to follow the will of the people, rather than imposing its own views;
- Is necessary before band can really participate in Council matters.

Disadvantages

- Takes time, work, money, and tact to keep the people informed;
- May lead to more discussion and explanation of Council work (this can be an advantage in the long run, but many Councillors find it a lot of trouble);
- Means that Council must genuinely wish to follow the will of the people rather than run the whole show.

Stress - The importance of planning, budget, and financial control information.

Record oi
Flipchar

WORKSHOP OBJECTIVE:

5:4   Participants will learn to investigate means and channels of co
cation within and between bands.

PROCEDURE AND KEY POINTS

5. INTRODUCE, ASSIGN, AND DISCUSS GROUP EXERCISE IN
    SORTING BAND MAIL TO DECIDE WHICH ITEMS SHOULD BE
    PASSED ALONG TO MEMBERSHIP   Handout

    External agencies who wish to communicate with
    band members very often write or telephone the Band
    Office. When this happens, the Band Manager or
    Chief has decide whether or not to pass the
    message along. For a very important matter, a
    meeting might be called. For less important questions,
    the Chief or Manager will tend to make a decision
    without telling anyone about the message. This is
    a judgement call that will differ from band to band and
    from person to person.

6. INTRODUCE, ADMINISTER, AND DISCUSS THE FOLLOWING   Record c
    EXERCISE   Flipchar

    It is mid-January. The Chief has just heard that
    his band could have an additional $20,000 for
    employment programs to be used before the end of
    March. However, he must get things organized and
    submit a proposal for approval within two weeks.
    He wants the band to help him pick out worthwhile
    projects and to decide on the wages of the members
    who will be hired.

    List all the ways in which the chief might quickly
    inform people of this opportunity.

7. PRESENT AND ALLOW FOR DISCUSSION OF THE FOLLOWING

    Communication between bands in the Cariboo and
    Northern Interior is hampered by distance, bad roads,
    skimpy telephone service, and slow mail delivery.
    The Raven Radio is a convenient way of contacting
    other bands to discuss a problem, arrange a meeting,
    or pass along information. However, there are also
    problems with the Raven Radio. Some band offices
    do not keep the radio on, or are vacant for certain
    periods of the day. This means that the office some-
    times cannot be contacted by another band. One way
    of overcoming this difficulty would be to arrange a
    regular time each day for messages on the Raven Radio.

WORKSHOP OBJECTIVE:

5:5   Participants will learn to explain the importance of communication
       among Band Councillors.

PROCEDURE AND KEY POINTS	AIDS
8. INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY DEALING WITH COMMUNICATION PROBLEMS AMONG COUNCILLORS	Handout 5:5

8.   INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY DEALING
      WITH COMMUNICATION PROBLEMS AMONG COUNCILLORS

      Frequent and regular communication between councillors
      is necessary to ensure that:

      -    the workload of the Band council is shared
           fairly by all Council members;
      -    councillors are well-informed on community
           affairs, and can participate effectively in
           decisions;
      -    important issues are discussed properly before
           decisions are made;
      -    all Council members feel involved in and
           committed to Council activities;
      -    Council decisions are not dominated by any
           particular faction within the band.

WORKSHOP OBJECTIVE:

5:6   Participants will learn to recognize the value of preparing fo
and following up on a meeting, interview, or presentation.

PROCEDURE AND KEY POINTS

9.   INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY IN WHICH
A BAND WISHES TO PRESENT A PROPOSAL TO AN OUTSIDE
AGENCY

Handou
Case S

Game Planning

1.   Know your agency. Be sure you can answer these
questions;

- what are the policies of the agency?
- who are the people with authority and
responsibility to deal with your proposal?
- how have these people responded to similar
proposals in the past?
- who are the superiors of the people you intend
to see?

2.   Know yourself.

- what is your purpose in making the proposal?
- what alternatives might be acceptable to you?
- what are your legal rights in this matter?
- what are your political·strengths and weak-
nesses?

3.   Know your strategy:

- do you expect to achieve results in one meeting,
or will a number of meetings be necessary?
- is your plan flexible enough to let you take
advantage of unforeseen opportunities as they
occur?
- are you prepared to see other people and other
agencies?

Gathering Information

1.   Make enquiries to find out what information
might be required by the agency you are dealing
with.

2.   Decide for yourself what information should be
given to support your presentation. Keep it
relevant.

3.   Get reliable information, bearing in mind the
source.

WORKSHOP OBJECTIVE:

5:6 Continued

PROCEDURE AND KEY POINTS

Gathering Technical Data

1. Opinions and beliefs are useful only to a point. Beyond that, your proposal may be shot down for a lack of technical information that can be collected only by specialists. Don't be reluctant to use consultants.

2. Other bands may have already made similar proposals. They are an important source of technical and negotiating advice.

3. Many issues are common to bands across B.C. and the rest of Canada. Indian organizations, such as the UBCIC, have their own specialists in some issues.

Put it in Writing

Although some things have to be left off the record, normal business conduct should be confirmed in writing. This is not a question of trusting or mistrusting someone. It is a matter of making sure that both parties understand each other clearly, and that you will both remember (days, weeks, months, or years from now) what was agreed to.

WORKSHOP OBJECTIVE:
Participants will learn to
5:7 specify general hints for securing service from outside agenci

PROCEDURE AND KEY POINTS	

10. **INTRODUCE, ASSIGN, AND DISCUSS CONTINUATION OF PRECEDING CASE STUDY**

Handout
Role Pl

All public service agencies, crown corporations, and so on have the duty to inform people concerning their policies, guidelines, regulations, and programs. They should do this without being asked. When they answer questions from the public, they are not doing someone a favour, but carrying out an obligation.

Going to see someone is frequently more effective than phoning or trying to explain things in a letter. When you appear in person, you are not so easily brushed aside, and you are usually able to give a fuller explanation of your case. In addition, the person you are talking to is able to ask questions about the things he needs to know in order to make a decision.

Make appointments whenever possible — they make life easier for you and for the person you are trying to see. Do not be upset when a secretary insists you make an appointment to see someone; the appointment system is simply a necessary way of ensuring that everyone takes their turn, rather than letting the squeaky wheel in ahead of everyone else. If you can't wait, explain why. If you still have no luck, ask if the matter could be taken to the person in charge. Don't be put off easily, but don't push without reason — remember, other people have a right to service, too.

In making a presentation, be emphatic and do not allow yourself to be brushed aside easily. Even if you are normally a shy sort of person, remember you are representing the band, not yourself, and you owe it to your people to be persistent. Ask for an explanation if you are turned down. Find out what facts or arguments might have produced a favourable answer. Make sure the decision follows the policies of the agency concerned and is not a personal judgement being made by the person you are dealing with.

WORKSHOP OBJECTIVE:

5:7 Continued

PROCEDURE AND KEY POINTS

If you are not satisfied, don't give up. Ask the person who has made the decision whether he minds if you appeal to a higher authority. Most public servants will say that they don't mind at all, as long as they are kept informed of what is going on. Don't go over someone's head without telling them that you intend to do so. Find out who the appeal should be made to, on what grounds, and in what way. Try to keep the person you are dealing with on your side.

Don't forget alternative agencies, programs, and methods of approach. If you're turned down at one office, try another. It shouldn't happen, but even within one single agency, different branches will give you different answers.

WORKSHOP OBJECTIVE:

> 5:8 Participants will learn to define generally the meaning of polit
> public, and legal support.

PROCEDURE AND KEY POINTS	
11. <u>INTRODUCE, ASSIGN, AND DISCUSS GROUP EXERCISE IN</u> <u>WHICH PARTICIPANTS SPECIFY POTENTIAL SOURCES OF</u> <u>EXTERNAL SUPPORT FOR BAND ACTIVITIES</u> Political pressure means gaining the assistance of MLA's, MP's, and Cabinet Ministers. Politicians are usually highly sensitive to their public image. Even if your votes are relatively few in proportion to the total population, politicians will listen if they believe you have a good enough case to influence public opinion. Public pressure depends on gaining support from newspapers, radio, and television. The involvement of the media is not always sympathetic, and cannot be relied upon to produce a favourable effect. Getting your message across through the media requires specialist skills which few of us can acquire except through training or hard experience. Public and political support is more likely if you do a good job of educating the public, which means , making people aware of and knowledgeable about your point of view. Again, public relations is a job for the specialist. Legal support means hiring lawyers to deal with external agencies and to bring your concerns before the course if necessary. Legal aid can be expensive, and carries no guarantee of success. Assistance in making the best use of political, public, and legal support often can be obtained from Indian organizations and from bands which have had experience in these matters.	Handout

WORKSHOP OBJECTIVE:

5:9   Participants will learn to assess the advisability of agreeing to represent the band in meetings held by other agencies.

PROCEDURE AND KEY POINTS	AIDS

12.   PRESENT AND DISCUSS THE FOLLOWING INFORMATION

Gaining Indian participation is a concern to a number of organizations which serve Indian people. At times, there is a genuine wish to learn from the ideas and opinions of Indian representatives who agree to serve on committees. In other cases, the agency simply wants to put a good image on something it wants to do but is afraid to carry out without Indian involvement and agreement. THE MOTIVES OF THE AGENCY DON'T MATTER THAT MUCH, PROVIDED YOU KNOW HOW TO MAKE MAXIMUM USE OF THE OPPORTUNITY. All you need do is be firm in stating the terms and conditions governing your agreement to serve as an Indian representative. Don't be afraid to demand reasonable terms - remember, the agency is not doing you a special favour; it needs you. In each case, ask yourself the following questions:

1.   Do you have a vote on the committee? If not, are you satisfied merely to voice your opinion and then sit back while the committee makes a decision?

Flipchart Sheet 5:2

2.   If you do have a vote, are you likely to be out-numbered on important issues?

3.   Is it possible to issue a minority report if some committee members disagree with the majority.

4.   What are the rules about secrecy? Are committee meetings open to the public, and are you free to report your findings to the people you represent?

5.   Are you prepared to face criticism from some of your own people if the committee arrives at an unpopular decision?

6.   Will you be paid for your time and expenses? If not, what benefits to your band would justify your involvement?

WORKSHOP OBJECTIVE:

5:9   Continued

PROCEDURE AND KEY POINTS	

13.   CONCLUDE THE WORKSHOP

    a)   Review Communication Flow and Workshop
          Learning Objectives.   Handout

    b)   Introduce, Assign, and Collect Workshop
          Evaluation.   Handout

    c)   Introduce, Assign, and Collect Identification
          of Further Training Needs.   Handout

1.   FLIPCHART SHEET 6:1, Workshop Objectives.

2.   FLIPCHART SHEET 6:2, Planning.

3.   FLIPCHART SHEET 6:3, Problems with Community Values.

4.   FLIPCHART SHEET 6:4, Problems With Other Agencies Resources.

5.   FLIPCHART SHEET 6:5, Advantages of Other Agency Resources.

6.   FLIPCHART SHEET 6:6, Major Planning Details.

7.   FLIPCHART SHEET 6:7, Major Decisions in Project Planning.

8.   FLIPCHART SHEET 6:8, Financial Information.

9.   HANDOUT 6:1, Before the Workshop.

10.   HANDOUT 6:2, Community Goals and Priorities.

11.   HANDOUT 6:3, Community Goals and Priorities.

12.   HANDOUT 6:4, Planning: Resource Requirements.

13.   HANDOUT 6:5, Planning: Decisions About Resource Requirements.

14.   HANDOUT 6:6, Programs Relying on Other Agencies.

15.   HANDOUT 6:7, Planning a Community Project.

16.   HANDOUT 6:8, Planning a Community Project.

17.   HANDOUT 6:9, Organization Problems.

18.   HANDOUT 6:10, Example of Band Job Description.

19.   HANDOUT 6:11, Financial Control of Band Projects.

20.   HANDOUT 6:12, Example of Band Balance Sheets and Statement of
       Revenues and Expenses.

21.   HANDOUT 6:13, Controlling Workers and Contracts.

22.   HANDOUT 6:14, Workshop Evaluation.

23.   HANDOUT 6:15, Identification of Further Training Needs.

24.   FILM, "It's Not My Fault"

SUPPORTING OBJECTIVE:
This is the third of three workshops which are meant to help participants identify and describe the major functions of the band council.

WORKSHOP OBJECTIVE:
6:1 to 6:8, as specified.

PROCEDURE AND KEY POINTS	AIDS
1. INTRODUCE THE WORKSHOP	
This workshop is an introduction to the management of band resources and programs. What we are going to do here is break the job of management into four steps: (1) planning a project or program; (2) organizing the men, materials, and money that are needed to carry out the project; (3) giving directions to the people who will be doing the work; and (4) controlling the progress of the job to see that it is being properly done according to directions and within the budget that has been set for it. We'll look more closely at each of these steps as we go along. The workshop will help you to:	
1) recognize the importance and difficulty of selecting long term goals and priorities based on community values;	Flipchart Sheet 6:1
2) identify major resource requirements in planning band development programs;	
3) identify the major advantages and problems in planning for programs which involve resources administered by external agencies;	
4) identify the major items specified during project planning;	
5) specify the major decisions taken in organizing a band project or program;	
6) distinguish between effective and ineffective ways of directing work;	
7) Recognize the purpose, types, and use of financial information available to Band Councils;	
8) specify the purpose and nature of administrative control over workers and contracts.	
INTRODUCE, DISTRIBUTE, AND COLLECT HANDOUT 6:1	Handout 6:1

WORKSHOP OBJECTIVE:

PROCEDURE AND KEY POINTS	AIDS

2.   <u>AS PART OF THE INTRODUCTION, SHOW AND DISCUSS BRIEFLY THE FILM, "IT'S NOT MY FAULT".</u>
 	
Participants should be encouraged to identify the mistakes which <u>they</u> think were made in the management of the project shown in the film.
 	
These should be recorded on flipchart, and compared with management errors identified by the facilitator in:
 	
    –   planning the program
    –   organizing resources
    –   giving directions
    –   controlling the project.
	Film: "It's Not My Fault"

PROCEDURE AND KEY POINTS	AIDS

WORKSHOP OBJECTIVE:

6:1   Participants will learn to recognize the importance and difficulty
of selecting long term goals and priorities based on community
values.

3.   <u>DISTRIBUTE, ASSIGN, AND DISCUSS EXERCISE IN COMMUNITY
VALUES AND PRIORITIES</u>

PARTICIPANTS SHOULD COMPLETE HANDOUT 6:2 INDIVIDUALLY
OR IN PAIRS, AND THEN COMPLETE HANDOUT 6:3 IN SMALL
GROUPS.

Handouts 6:2 and 6:3

Flipchart Sheet 6:2

Planning means deciding on long term solutions to
community problems. To find lasting solutions for
community problems, people should learn to look for the
connection between different issues. Take housing for
instance. If people had steady work with good pay,
they would not need to depend on housing assistance from
the DIA or other government agencies. Poor housing is
therefore partly a result of employment problems, which
in turn may stem from a lack of education or training.
To make progress with one problem, it may be necessary
for a band to tackle several at once.

Planning a large, long-term program may be necessary
to overcome a lot of smaller, urgent problems in the
here and now. Getting a house for a few families now
might solve <u>their</u> immediate need for shelter, but it is
not a lasting solution for the children and grandchild-
ren of a band whose population is growing. To prevent
the housing shortage from becoming a permanent feature
of life on the reserve, we have to plan ahead. Saying
that we must look to the future is not a way of suggest-
ing that people should be satisfied with what they have
because it will take a long time to improve things. Nor
is it an excuse for not doing something right away
about urgent problems. Rather, long term planning
is a way of getting ourselves in gear to ensure that
today's problems do not carry on indefinitely into the
future.

To solve any kind of a community problem, Council must
first of all decide what the band members want. This
is not easy, because people very often disagree on
what they think is important. Some will say that housing
is the biggest problem facing their band, while others
will want action on education or employment problems.
Furthermore, Council might believe that people do not always

Flipchart Sheet 6:3

WORKSHOP OBJECTIVE:

6:1   Continued

PROCEDURE AND KEY POINTS

know what is best for them. The band members, for
example, might want to build a community hall to offer
better recreational facilities, while Council believes
that it makes more sense to invest in economic develop-
ment projects. Moreover, people's values and goals change
with time — sometimes a remarkably short time. At one
moment, people might be more concerned with securing the
necessities of life for themselves than with long term
economic planning for the entire community. Next year,
next month, or next week, they might decide that
independence from government programs is so important
to them that they are willing to give up some important
sources of financial support. The next time you ask,
you might find that they think of independence as a
question of having jobs in town. Trying to set goals
that will make sense to band members for a period of ten
or twenty years is not an easy task, important though
it is.

Even when people agree on community objectives, they
will often argue about the means which the band should
use to reach these goals. If housing is seen as a
priority, the band has to find the money to provide it.
Council then has to decide whether it should attempt to
raise funds from the DIA or from the development of
band economic resources. If economic development is
chosen, it becomes a question of whether band members
will support the changes that might occur in such
matters as the use and distribution of band lands.

With some community development programs, there are
losses as well as benefits. Suppose the band uses a
housing project as an opportunity to train band members
in construction skills. When people have enough train-
ing to hold down a good job, they might move away from
the reserve, either by choice or out of necessity.
They might benefit individually, but their skills and
labour are lost to the band. In much the same way,
the use of band timber or other resources may mean
giving up land that once provided cover for the game
upon which some members depend for meat. There are no
easy answers in planning. Nobody has a master plan which
could or should be followed by all bands, even within
the same area.

WORKSHOP OBJECTIVE:

6:1   Continued

PROCEDURE AND KEY POINTS

Having a plan for community development pays off in
improvements to the image which Council presents to
the external world and to band members. A band council
that knows where it is going and how it intends to
get there makes a very strong and positive impression
on politicians, government departments, businessmen,
and the public in general. On the home front, band
members are apt to become much more enthusiastic about
Council activities when they can see that the work they
are doing today will in the long run do away with many
of their problems. Planning offers the hope that
people will not have to continue fighting the same
battles over and over again. It thereby helps to over-
come feelings of frustration and helplessness, and it
can help to restore a sense of purpose and pride. Any
council that has a realistic community development plan
has taken the first important step towards pulling
the band together.

WORKSHOP OBJECTIVE:

6:2   Participants will learn to identify major resource requirements in
       planning band development programs

PROCEDURE AND KEY POINTS	AIDS
4. **INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY DEALING WITH THE IDENTIFICATION OF RESOURCE REQUIREMENTS** Planning to achieve community goals is not the same as dreaming idly about things that never come true. Nor is it something we do before we get down to work. Planning is an essential part of getting things done. To solve band problems, we need three things – materials, money, and manpower. A community plan is completely un-realistic unless we have figured out what we need, where the resources might come from, and what steps will be necessary to get them. DISTRIBUTE AND ALLOW FOR EXAMINATION OF HANDOUT 6:4 Did the group consider need for suitable location and land? It's easy to see from the exercise we've just done that planning a community program means getting started on a lot of smaller plans. To put together a community recreation plan, for example, Council might have to: – prepare and present proposals to several different agencies; – make budget forecasts for several years in advance; – organize a group of band members to administer and carry out the program; – set up a training program for band members who might be employed in constructing, maintaining, or operating recreation facilities; – write, advertise, and approve contracts for work; – seek and evaluate advice from technical or pro-fessional experts. Council has to consider a number of questions. Which of these steps should be taken first? Who's going to look after each of them? Do we have the time, the money, and the knowledge to do all of these things? What do we do if something goes wrong with some of these steps? Figuring out what resources will be needed for a community program and then planning the steps that will be necessary to put the resources together is itself a big job.	Handout 6:4 Handout 6:5

WORKSHOP OBJECTIVE:

6:3 Participants will learn to identify the major advantages and problems in planning for programs which involve resources administered by external agencies.

PROCEDURE AND KEY POINTS	

5. **INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY IN ECONOMIC DEVELOPMENT**

Handout 6

Almost all band development programs have to make use of resources other than those found on band lands. The major requirements are for:

a) money, from various government programs, including those which are available to all Canadians as well as those meant specifically for Indian people;

b) access to natural resources (timber, grazing, game etc.) on land presently owned by the Crown.

In either case, planning carried out by band councils is influenced by the policies, regulations, and funding practices of external agencies. No matter how much progress is made in developing band resources, these will never be sufficient to allow complete independence in band planning.

The major limitations of plans involving resources administered by other agencies are as follows:

Flipchart

a) There is seldom certainty from year to year on the amount of funding that will be made available.

b) Funding requirements have to be forecast up to a year in advance. This means that budget increases cannot be made quickly to make up forecast inaccuracies.

c) Funding is often given on a first come, first served basis. Those who submit their proposals early and support them forcefully may get more than a fair share of the available money, while others go without. In situations where the squeaky wheel gets the grease, it is almost impossible for a band to plan long-term development programs.

d) The use of resources on public land must conform to the policies and regulations of the agency which administers these resources.

WORKSHOP OBJECTIVE:

6:3   Continued

PROCEDURE AND KEY POINTS	A

e)   In relying on public land resources, the band must
     compete with other users -- e.g., loggers, hunters,
     ranchers, and mining companies. Council must be
     alert to protect band development plans from such
     competition.

f)   The development of Council plans to develop public
     resources may conflict with the traditional uses
     made by band members.

The major advantages of using resources on public land
are as follows:

a)   the band gains access to a much larger resource
     base;

b)   resources on band lands are not used up so quickly;

c)   government, industry, and the public are given a
     demonstration of the stake which Indian people have
     in public land use;

d)   the concern of Indian people for their own economic
     development and independence is demonstrated;

e)   band members increase their knowledge and under-
     standing of how to use external agencies;

f)   band members might overcome the feeling that the
     external world is pressing them back within the
     confines of the reserve boundaries.

Flipchart

WORKSHOP OBJECTIVE:

6:4   Participants will learn to identify the major items to be specified du
       project planning.

PROCEDURE AND KEY POINTS	A

6.   INTRODUCE TOPIC OF PROJECT PLANNING

      All large community development plans include a number
      of projects. For instance, a plan to improve community
      sanitation conditions would cover garbage collection and
      disposal, installation of sewage treatment facilities,
      and provision of a suitable water supply. Each of these
      is itself a major project which requires planning.

      Except that it is more complicated, the planning that
      goes into a community project is really not much different
      from the planning which most of us do when we set out to
      buy something like a car. When you go to buy a car, the
      salesman will want to know roughly how much money you
      mean to spend, and he will probably guess that you intend
      to compare prices at other dealers. He might ask how
      large a car you want, what size of engine you need,
      whether you want a standard or automatic transmission,
      and so on. He might also want to know how quickly you
      would like to take delivery of the vehicle. In answering
      such questions, you are making decisions about the details
      of your purchase. Similar decisions are made in planning
      a community project.

      Let's look more closely at our example. We've said you   Flipchart
      need to decide on:

      -    your cost limitations (how much money can you be sure
           of having?)
      -    your shopping practices (how are you going to shop
           for the best deal?)
      -    the specifications of your purchase or project (what
           standard features and options do you want?)
      -    the schedule for delivery (when do you want to begin
           using the facility?).

7.   INTRODUCE, ASSIGN, AND DISCUSS GROUP EXERCISES WITH   Handout 6
      WATER SYSTEM PROJECT   Handout 6

      PARTICIPANTS SHOULD ARRIVE AT ANSWERS TO QUESTIONS IN
      HANDOUT 6:7, AND THEN COMPARE THESE WITH THE PARAGRAPHS
      LISTED IN HANDOUT 6:8. THE INSTRUCTOR SHOULD DISCUSS
      THE COMPARISON WITH THE CLASS.

WORKSHOP OBJECTIVE:

6:4   Continued

PROCEDURE AND KEY POINTS	AIDS

For most projects, it is difficult to determine exactly
how much money should be set aside in the budget. A
general idea of costs can be gained from other bands
or from DIA staff who have had experience with similar
projects. Often, however, it is necessary to get a
rough estimate from one or two contractors with good
reputations for the kind of work you have in mind. They
will want to know the general specifications for the
project before giving an estimate. A large margin
should be allowed for inflation if Council knows that
the project is unlikely to get started for several months
or years. In addition to construction costs, provision
should be made for maintenance and operating expenses.

Once you are ready to start, shopping for a contractor
is a good deal more complicated than shopping for a car,
but the purpose is much the same -- Council wants to get
the lowest price for a comparable facility. What happens
for large projects is that Council will advertise the job,
asking contractors to submit written estimates of what
their charges will be for completing the work. The
company submitting the lowest estimate will almost always
be given the contract.

Like all politicians, councillors will be criticized by
their public (in this case, band members) in situations
where a company owned by themselves or a relative is
awarded a contract for a band project. A councillor
should tell the chief and the rest of council when a
firm which he or his relatives owns is bidding on a
contract. His connection with the company should in no
way influence the choice of a successful bidder. The
procedures for handling a situation of this kind are
exceptionally strict, and must be followed to the letter.

Band councillors do not have to become experts in all the
technical and engineering details of a project. Council
may choose to hire a private consulting firm to prepare
the blueprints and set down the specifications for a pro-
ject, or it may ask the DIA to look after this. The
Chief and Council will be called upon, however, to tell
the experts exactly what the band wants from the facility
(the seating capacity of a community hall, for example,
or the number of houses to be served by a water system),
where it should be located, what it should look like,
and so on. These are policy-level decisions that will
affect the cost and design of the facility.

WORKSHOP OBJECTIVE:

6:5   Participants will learn to specify the major decisions taken in org
a band project or program.

PROCEDURE AND KEY POINTS

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8.   INTRODUCE, ASSIGN, AND DISCUSS GROUP WORK ON ORGANIZATION
ASSIGNMENT   Handout

Once a job has been planned, the next step is to organize
the resources that will be necessary to complete the
project. This means:

a) making sure that the necessary money and the right
men, materials, and equipment arrive at the right
time in the right place;

b) putting a capable person or group in charge of the
work and setting up a chain of command so that
employees can be supervised adequately and the pro-
gress of the project can be checked easily.

Here are the major decisions involved in organizing a
band project or program.

DISPLAY FLIPCHART SHEET 6:7   Flipcha

Problems always crop up, even with well-organized
projects. Sometimes a tradesman will fail to show up at
the right time because of other jobs he has to finish.
At other times, building supplies will be delayed
because of a hold-up at the manufacturing plant or
because a delivery truck has broken down. Employees
quit, get sick, or fail to do a good job and have to be
fired. Or the weather gets too hot or too cold,
interrupting construction for days or weeks at a time.
Sometimes it seems that the list is endless. To anyone
in charge of a project, the words he hears most often
are, "We've got a problem here. What do you want to
do about it?" Because problems always continue to appear,
the job of organizing, re-organizing, and re-organizing
goes on and on and on and .... Organizing is not some-
thing that can be done and forgotten about once and for
all at the beginning of a project.

WORKSHOP OBJECTIVE:

6:6   Participants will learn to distinguish between effective and ineffective
ways of directing work.

PROCEDURE AND KEY POINTS	AIDS

9.   INTRODUCE, ASSIGN, AND DISCUSS GROUP WORK ON CASE
STUDY IN DIRECTING WORK

If a person is to work effectively, he or she must
be given sufficient information about the job to be
done. It is neither fair nor sensible to expect someone
to do a job for you unless he is told:

- exactly what work you wish to have done
- how much authority he will be given to do things
  such as spend money, or hire or fire other
  employees on your behalf
- how much he is to be paid, and when
- how quickly you want the job finished
- exactly how you want the job to be done
- what other persons will be workingon or assisting
  with the job
- who does he take orders from, who he is in charge
  of
- who is going to provide the necessary tools, equip-
  ment, or supplies
- what other benefits (vacation pay, statutary holidays
  etc.) he can expect
- what expectations you have concerning things as
  hours of work, overtime, travel time, and so on.

AIDS: Record on Blan Flipchart

It is essential that regular band employees be given a
written description of their job. In a sense, the
job description can be seen as a sort of agreement
between the employee and the employer. In accepting
the job, the employee agrees to the terms and conditions
stated in the description. In hiring the worker, the
employer also agrees to abide by the job description and
not to ask the employee to do more than is stated in it.
Such an agreement prevents many misunderstandings between
the employer and his workers, although it will never
rule out the possibility of disputes.

AIDS: Handout 6:9

All employers, including band councils, must abide by
a very large number of regulations established by agencies
such as the Unemployment Insurance Commission, the Workers
Compensation Board, the Labour Relations Board, and so
on. Most of these regulations are meant to protect the
worker, but they also help the employer avoid unsafe or
unfair working conditions.

WORKSHOP OBJECTIVE:

6:6 Continued

PROCEDURE AND KEY POINTS

The way in which you tell a person to do something
has a big effect on how well they do it. Some people
want to be left alone to do the job in their own way,
while others need to be told how to do every little
thing. In the same way, some people will work best if
they are offered extra pay, while others are satisfied
with a word or two of praise, and still others must
be threatened or pushed all the time. No single
supervisory style will work for all people. A good
supervisor will be bossy with those who need to be
bossed, but will allow a great deal of freedom to
those who are independent and self-directing.

It is often said that supervision is more effective
if people are led, not driven. Leadership comes in many
styles. A leader may be:

- autocratic, basing his style on the military model.
  He gives orders and expects them to be obeyed.
  He is effective with insecure workers, because
  these need to be told what to do. He may also
  be effective with aggressive, hostile workers
  who believe in the same kind of supervision;

- democratic, tending to see employees as "his
  people", and caring about what they think. He is
  able to accept talents and ideas from them and
  to put these to work. Employees have the feeling
  that they have a stake in the operation. This
  style works well with most employees who are
  assertive, but not hostile.

- free rein, leaving his crew pretty much to their
  own devices. He limits himself to suggesting
  areas of concern, and then leaves employees alone
  to carry on with the job. He allows maximum
  freedom of thought and action. This style tends
  to work well with creative persons who have some
  talent and like doing their thing.

WORKSHOP OBJECTIVE:

6:7   Participants will learn to recognize the purpose, types and use of financial information available to band councils.

PROCEDURE AND KEY POINTS	AIDS
10. INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY DEALING WITH FINANCIAL CONTROL OF BAND PROJECT.	Handout 6:11

Financial information is necessary if a council is to:

- make sure that the expenses of band projects and programs can be paid (when there is danger that a budget might be exceeded, Council may have to cut down or stop further spending for the project; secure additional money from the funding agency; or divert funds from another project.

- make reliable budget forecasts for the future;

- satisfy band members that their money is being spent properly and wisely;

- satisfy the auditors of public funding agencies as to the correct use of monies administered by Council.

A great deal of financial information comes into and goes out of all band offices. Included in the records are bills for goods and services purchased by the band, bank account statements, cheque book records, receipts for invoices that have been paid, and so on. The bookkeeper's job is to arrange all this information in such a way that people can make decisions about the use of band funds. To do this, the bookkeeper prepares each month a statement of revenues and expenses which shows the amount of money spent by the band and the amount of money it has on hand for different programs and services. The bookkeeper also prepares a balance sheet, showing:

1) a) how much money the band has in the bank, or is owed to the band (current assets);
   b) the value of band buildings, equipment and property (fixed assets);
2) how much money the band owes (liabilities); and
3) the source and use of Band revenue (equity, or net worth - the difference between assets and liabilities)

By looking at the monthly financial statements, people can find out where the money has gone, how much has been spent, and how much is left.

DISTRIBUTE AND DISCUSS HANDOUT 6:12

Each band receives from Ottawa a statement of the balance held in the band trust account. In this course, we are not going to show you how to read the financial statements. We simply want you to know that they exist and what they can be used for.

Handout 6:12, Typical Band Financial Statements.

WORKSHOP OBJECTIVE:

6:7   Continued

PROCEDURE AND KEY POINTS

The band's monthly financial information should be available | Flipchar
to all band members. However, it serves little purpose
unless it is

- accurate (free from recording and computing errors;
- current (up to date);
- complete (showing all expenses, assets, and incomes);
- verifiable (supported by receipts, purchase orders,
  etc.);
- detailed (showing the balance for separate programs);
- understood (by the band manager, councillors, and
  members);
- used! (studied when money-related decisions are
  being made).

WORKSHOP OBJECTIVE:

6:8   Participants will learn to specify the purpose and nature of controlling work and contracts.

PROCEDURE AND KEY POINTS	AI

11.   INTRODUCE, ASSIGN, AND DISCUSS CASE STUDY ILLUSTRATING TYPICAL PROBLEMS IN CONTROLLING BAND PROJECTS

It is not enough to plan a project, organize the necessary resources, and direct a crew to do the work. Someone must make sure that it actually gets done according to directions. This usually means that a foreman or supervisor must be assigned to correct mistakes, keep track of the amount of work being done, and watch for problems in safety, morale, and so on. Although it is true that some people work very well without direct supervision, it is unwise to count on this except in the case of crews who have demonstrated their ability in the past. Even then, somebody has to make periodic checks to see that things are going well. It is not necessary for a foreman to be given the authority to fire or discipline workers, but everyone should know that his instructions are to be followed. The foreman should always be held reqponsible for the quality, quantity, and safety of the work done by his crew. If things go wrong, he is as much to blame as the people working under his direction.

The general rules for keeping control over most projects are not difficult to learn. Simply make sure that:

Handout 6:

-    someone is appointed to act as a foreman on the job site;
-    the foreman and his crew all know that he is in charge;
-    the foreman reports immediately any problems that he cannot handle;
-    the foreman is at the job site at all times (with small crews, he may work with the crew, while with larger groups his time will be taken up with organizing, directing, and controlling the work of others;
-    prompt action is taken on problems taken by the foreman to his supervisor;
-    the foreman's own supervisor makes periodic checks to see that the work is going well.

PROCEDURE AND KEY POINTS	AIDS

With regular, long-term employees (Welfare Aids, Book-
keepers, Teacher Aids, Home-School Coordinators, etc.),
the situation is a bit more complicated. Here, it is
often neither feasible nor desirable to have a supervisor
constantly checking on the quality and quantity of work
being done. However, either the band manager or some
other responsible person in the band administration
should be in close enough daily contact with the employee
to spot quickly any problems in job performance. In
addition, interviews should be held at least once a year
to carry out an appraisal of the employee's performance.
At a minimum, these appraisals should determine whether
the employee is performing satisfactorily the duties
listed in his or her job description.

Controlling work (whether by informal daily contact or
through formal appraisal interviews) should not be a
matter of threatening or punishing people for their
mistakes. Handled well, it is more a question of showing
people how they can build on their strengths and thereby
get more satisfaction from the job. Attempts to get
more productivity or a higher standard of work can have
the reverse effect if they are handled poorly. People
get upset, their morale drops, and you end up with more
problems than if you leave things alone! This is why
foremen, supervisors, and managers should be chosen as
much for their ability to deal effectively with Indian
people as for their knowledge of the work being done.

As well as ensuring control over the work done by band
employees, band councils have to maintain control over
the performance of companies who carry out projects under
contract to the band. A contract is a legally binding
agreement between Council and some other person or
company concerning the terms of a deal that has been
worked out between them. To avoid misunderstandings and
to strengthen the legality of the agreement, contracts
should be in writing and signed by both parties.

A contract may contain any terms which both sides agree
to. For example, the contract may state:

WORKSHOP OBJECTIVE:

6:8   Continued

PROCEDURE AND KEY POINTS	AIDS

- the total cost of the project;
- the date and method of payment;
- an exact description of the work to be done;
- a schedule for commencement and completion;
- quality standards;
- inspection procedures;
- penalties for non-compliance with the contract;
- conditions under which the contract may be re-negotiated or terminated.

Payment practices vary from one contract to the next. Some firms will request payment for materials once these have been delivered to the site, with further payments for labour as the work progresses. Others may be satisfied with a single payment on completion of the job. Reputable firms will guarantee the quality of their work beyond the term of the contract. In most cases, council will withhold a portion of the contract price until a thorough inspection of the work has been made by a competent person who is not an employee of the contractor.

The contractor is responsible for the daily supervision of his crew, and will resent direct interference with his workmen. However, council has a duty and a right to satisfy itself as to the quality of the work being done. Problems should be brought promptly to the attention of the contractor. If these are not resolved, council should consider seeking legal advice to enforce the terms of the contract. Where council feels that it lacks the expertise to evaluate the quality of workmanship, assistance may be sought from the DIA or an independent consultant or agency.

12.   INTRODUCE, ASSIGN, AND COLLECT EVALUATION HANDOUT   Handout 6:14

13.   INTRODUCE, ASSIGN, AND COLLECT TRAINING NEEDS   Handout 6:15
      IDENTIFICATION FORM