

INDIAN FIRST NATIONS:
CONCEPT PLAN AND STRATEGIC FRAMEWORK FOR
INAC AND SELECTED INDIAN BANDS

October, 1984

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→ GOVERNMENT DEVELOPMENT ←

→ MANAGEMENT DEVELOPMENT ←

→ FUNCTIONAL BUDGETTING ←

Concept Plan and Strategic Framework
For INAC and Selected Indian Bands

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FORWARD

The most significant issue confronting Indian Bands/Districts and INAC is that of the expansion and enhancement of Indian governance and administrative control. In this regard, there exist several major forces which independently and coterminously impact heavily upon both Indian and departmental authorities. In summary, these are;

- Band customary law and customary executive or management practices,
- Indian political aspirations and their interpretations of self-government, the treaties, and the Federal-Indian trust relationship,
- The Constitutional amendment process,
- Proposed Federal legislation pertaining to Indian self-government and Indian Act amendments,
- INAC's policy and facilitative capabilities or limitations,
- The uncertainty of funding and human resource availabilities.

Both INAC and the Tribal or Regional Councils require a strategic framework with which to approach and pursue developments in Indian self-government and the corollaries of new Indian management systems and functional budgetting/expenditures. Indian authorities require planning resources; INAC requires a strategy for mutual planning and for facilitation; and both require a new protocol and functional relationship.

KEY ASSUMPTIONS

- Indian "governance" is a reality;

To varying degrees Bands and Tribal Councils exercise authority over and the performance of functions for their political units; further they are involved in the political function of policy-making (again to varying degrees) as well as the administration of policy decisions be they generated by the Band, Tribal Council or by an external agent (i.e. INAC).

- Indian authorities are politically astute and have an ever-increasing sense of self-reliance and self-determination.
- Considerable anxiety exists in the minds of Indian authorities caused by the clash of two imperatives; the urgent need for development and the establishment of "capacity" on the one hand, and the absence of planning and design resources on the other hand.
- Indian authorities do not have a clear idea of INAC's role; viewing the department alternately as "facilitator" and as "control agent".
- Many INAC officials are unclear about the scope and pace of development that Bands or Tribal Councils wish to pursue; and this is compounded by the variations between Bands and between Districts.
- Many INAC officials are not aware of the exigencies of Indian self-government and of the implications for Bands resulting from prospective Federal legislation.
- Little joint Indian-INAC activity is occurring to deal, on a mutual basis, with long-term developments.
- The key zones of activity are, and should be, the Bands and the tribal or regional Councils.
- Functional duplication (INAC and Bands/Tribal Councils) is growing rapidly but not necessarily on the basis of accepted, or mutually understood, criterion and terms of reference.

➔ ISSUES

- * The development system is not adequately incorporating "grass roots" consultation and awareness.
- * "Individual rights" versus "collective rights" is causing confusion in the minds of Indian authorities and INAC officials particularly in respect of the department's role as trustee.
- * Bands are involved in internal and inter-Band planning or analysis regarding Indian government and executive management development, however, no general framework exists for Bands, or INAC, to progressively pursue developments.
- * There are a lack of policy and functional guidelines for budget input planning (utilizing the chart of accounts and the directory of services) at the Band, Tribal Council, INAC district, and regional office levels.
- * There are growing inquiries and political pressures at the Band level from non-Band members regarding membership re-instatement (12-1(B)) and rights to Band services.
- * There is a lack of clarity as to the respective roles of Bands, Tribal Councils, and the F.S.I.N. as to leadership concerning Indian government development and Indian executive management functions.
- * INAC experiences significant pressure to maintain fiscal and person year restraint which frequently results in pressure on the Bands/Councils to accept "devolution".
- * There remains a heavy emphasis upon detailed financial accountability by the Bands during a time of rising expectations for development and global financial management systems.
- * The lack of awareness by many INAC officials, particularly at the middle-management and district levels, of Band customary law, Indian government developments, and the potential impacts of Federal legislation (Bill C-52) and Federal changes to the Indian Act (12-1B) is having negative implications for constructive mutual activity in the following areas:

- Arranging resources for the planning and design requirements of Bands and Tribal Councils.
 - The development of "capacity" for the implementation and maintenance of Indian government and related Indian management structures.
 - Rational and mutually planned transfers of programs or functions.
 - Effective functional budget planning and expenditures management.
 - Constructive and harmonious protocol and process relationships between Bands/Tribal Councils and INAC officials.
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- * Little coordination exists at the Tribal Council level or within INAC district offices with respect to Indian government development and Indian executive management development.
 - * A policy vacuum exists within INAC as to the nature and scope of its role in facilitating Indian government development.

➤ PROPOSAL

➤ PROBLEM IDENTIFICATION AND VERIFICATION

1. INAC
 - (a) Regional management
 - (b) Regional/District offices
2. Tribal Councils

➤ EDUCATION, AWARENESS AND ORIENTATION

(Regional Office and District Offices)

- Customary law

- Treaties
- Indian political processes
- International developments
- Indian Act
- 12-1B
- Proposed Bill C-52

► IDENTIFICATION OF NEW PROTOCOL AND PROCESS RELATIONSHIPS

1. INAC (emphasis upon District office)
2. Tribal Councils

This will be comprised of respective role clarification in the following areas:

- Indian government authority
- Indian political processes regarding policy development and administration
- Joint Indian-INAC approaches to needs assessments and development planning
- Joint approaches for transfers and program/service implementation
- Joint evaluative approaches and mechanisms
- Long-range planning

► CLARIFYING INAC'S ROLE AS FACILITATOR AND RESOURCE SUPPLIER

1. INAC;
 - (a) Identifying management practices and budget input planning which reflects Indian government needs and which is conducive to the enhancement of Indian government development and Indian executive management capacity.
 - (b) Identifying methods and means within INAC for effective inter-branch co-ordination as it pertains to:
 - Indian government development
 - Indian management development
 - Functional budgeting

- (c) Establishing new formal communication and administrative practices which are sensitive to Indian government development and which respect the authority and responsibility of Bands and Tribal Councils.
- (d) Clarifying and communicating INAC's legal and "trustee" responsibilities and establishing an "operational handbook" for distribution to Bands and Tribal Councils.
- (e) Assessing the possibility of revising the functional activity of District office staff to better facilitate Band and Tribal Council initiatives and developments.

2. Bands/Tribal Council;

- (a) Identifying the need for inter-Band cooperation at the District/Council level in the areas of human, financial, and territorial activity in respect of Indian self-government development and coordination.
- (b) Identifying the need for, and establishing consensus upon, a common approach to the following:
 - mechanisms to incorporate Band customary law and Band constitutions,
 - approaches to codifying laws, by-laws, and regulations,
 - mechanisms and methods for delegating or assigning authority to subsidiary agencies (eg. school boards),
 - preparatory approaches to 12-1B,
 - mechanisms and methods for assigning or delegating powers to Tribal Councils,
 - analysis of the implications of the proposed Bill C-52.

(c) Establishing an understanding of the role to be played by INAC in terms of:

- facilitating Indian government development
- facilitating Indian management development
- joint program and global budget planning and expenditure accountability

(d) Establishing an awareness of the need for efficient "devolution" and wherever feasible, minimal duplication of services and functions.

▶ IDENTIFYING THE RESIDUAL FUNCTIONAL REQUIREMENTS AND RESPONSIBILITIES OF INAC FOLLOWING "DEVOLUTION"

1. Identification of functions, services and programs to be transferred to Indian governments (Bands & Tribal Councils).
2. Identification of the duplication of service requirements during transition.
3. Identification of the long-term functional roles of the INAC district offices (post-devolution).
4. Recommendations for the management structure and operational systems required by INAC district offices after devolution.

➡ ALTERNATIVES FOR IMPLEMENTATION

1. HEADQUARTERS AND "DEMONSTRATION ZONE"
2. ALBERTA REGIONAL OFFICE AND ALL DISTRICTS
3. REGIONAL OFFICE AND PILOT DISTRICT(S)
(District meaning INAC office and chiefs)
4. SINGLE DISTRICT/REGION

➡ RECOMMENDATION

Combination of alternatives #1 and #3;

- Headquarters endorsement and designation of Alberta Region as the demonstration "zone";
- Regional office and one pilot district
- Evaluation report
- Following due approval process, expand to all districts/regions in Alberta.

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