

E92
B6
1991
c.1

Evaluation Report

Devolution of Advisory Services to Tribal Councils & Bands

LIBRARY
INDIAN AND NORTHERN AFFAIRS
CANADA
OCT 23 1991
AFFAIRES INDiennes ET CUNORD
CANADA
BIBLIOTHEQUE

LIBRARY
POLICY AND CONSULTATION
DIAND
APR 19 1993
POLITIQUE ET CONSULTATION
MAINC
BIBLIOTHEQUE

572
86
1991

**Evaluation Directorate
Department of Indian Affairs & Northern Development**

November 1991

**Evaluation Report
Devolution of Advisory Services
to Tribal Councils & Bands**

Prepared by

**Karl Boudreault
A/Senior Evaluation Manager**

Lay-out by

Sonia Vaillancourt



Your file Votre référence

November 26, 1991

Our file Notre référence

**MEMBERS OF THE DEPARTMENTAL AUDIT
AND EVALUATION COMMITTEE**

**Re: Evaluation of the Devolution of Advisory Services to Tribal
Councils and Bands**

Attached, for your approval, is the report on the Evaluation of the Devolution of Advisory Services to Tribal Councils and Bands. The study was initiated in the spring of 1990. Difficulties were encountered that made the data collection activities and articulation of the various parts of the study difficult.

Findings: The evaluation has found that Bands are generally satisfied with the services provided. They see the Tribal Councils as a logical vector for the delivery of such services. Mandate, structure and resources problems exist with Tribal Councils that can be attributed to their young age to a large extent. Adjustments are occurring in many areas. A need for a better flow of information on the delivery of the Advisory Services has been identified. Member Bands need information on results and resources spent, while a need for information exchange among the delivering organizations would improve their learning and help avoid repetition of the same mistakes. The Devolution and downsizing initiatives in many cases were not synchronized which resulted in major impacts on service delivery. Some of the impacts of the Devolution policy have been: for DIAND a loss of expertise; for Tribal Councils an increase in responsibilities and workload, and for the Bands, better adapted services.

.../2

Recommendations: The evaluation identifies a need for resources to be kept available for service delivery to unaffiliated or dis-affiliated Bands. It also points out the need for "evaluative" information to be provided to the Bands by the Tribal Councils, and for that to be made a condition of further funding arrangements with a Tribal Council. Finally, it is recommended that further downsizing consequent to Devolution needs to be considered in light of the attainment of recognized Devolution milestones.

Marie-France D'Auray-Boult
Director
Evaluation Directorate
Room 1950

Attachment

c.c. Robert Bellehumeur

Table of Contents

	<u>Page</u>
EXECUTIVE SUMMARY	i
1. INTRODUCTION	1
1.1 Purpose of the Report	1
1.2 Evaluation Terms of Reference	1
1.3 Context of the Study	1
1.4 Evaluation Approaches and Methodologies	2
1.5 Organization of the report	5
2. DESCRIPTION OF THE DEVOLUTION OF ADVISORY SERVICES	7
2.1 Devolution initiative	7
2.1.1 Transfer Process	8
2.1.2 Tribal Councils	11
2.2 Advisory Services	11
2.2.1 Definition	11
2.2.2 Delivery of the Advisory Services	13
3. ISSUE 1: THE EXTENT TO WHICH THE ANTICIPATED RESULTS OF THE DEVOLVED ADVISORY SERVICES HAVE BEEN ACHIEVED	16
3.1 Satisfaction towards Advisory Services	16
3.2 Tribal Council Funding for Advisory Services	18
3.3 Accountability towards Member Bands and Communication	20
4. ISSUE 2: EFFECTIVENESS OF THE DEVOLUTION POLICY AND PROCESS AND POSSIBLE IMPROVEMENTS	22
4.1 Devolution and Downsizing	22
4.2 Appropriateness of the Advisory Services	24
4.2.1 Current services	24
4.2.2 Other services	25

Table of Contents

Page

5. ISSUE 3: IMPACTS AND EFFECTS OF THE DEVOLUTION POLICY AND PROCESS	26
5.1 Impacts on DIAND	26
5.2 Impacts on Tribal Councils	26
5.3 Impacts on Bands	27
6. FURTHER INDICATIONS ON THE EVOLUTION OF TRIBAL COUNCILS	28
6.1 Evolution of Tribal Councils	28
6.2 Tribal Council organization	29
6.2.1 Link with member Bands	29
6.2.2 Organizing Service Delivery	30
7. CONCLUSIONS AND RECOMMENDATIONS	35

APPENDICES

Appendix 1	Terms of Reference
Appendix 2	Headquarters Review and Process Reviews
Appendix 3	B.C. Region Review
Appendix 4	National Telephone Interviews (excluding B.C.)

EXECUTIVE SUMMARY

1. Purpose of the Report

This report provides the findings and recommendations of the Evaluation of the Devolution of Advisory Services. The evaluation was requested to provide information on certain aspects of the Devolution initiative. The focus of this evaluation is located at the intersection of three distinct subject areas: Advisory Services, Tribal Councils and the Devolution Initiative.

2. Methodology

The study results are based on a variety of sources, including an examination of the Devolution process, in-person and telephone interviews with regional staff, Bands and Tribal Councils representatives. The data collection could not be performed in the way and the timeframe originally planned, mainly as an effect of the Oka situation. Interviews became difficult to perform and case studies had to be cancelled. As a result, the last module of the evaluation could not be delivered before the month of May of this year.

3. Evaluation Issues and Findings

In the discussions that preceded the transfer of services to Indian Organizations, it became apparent that a significant share of the work performed by the Department employees consisted in the provision of Advisory Services to the Bands. For the purposes of Devolution, those services were grouped in five broad categories: Band Government, Financial Management, Planning, Technical Services and Economic Development. Tribal Councils were seen as the ideal vector for the delivery of those services.

The first issue the evaluation addressed was "*The extent to which the anticipated results of the Advisory Services were achieved*". The evaluation found that, with very few exceptions, the Bands interviewed are "satisfied" with the Advisory Services provided to them. In addition, all Bands indicated that Tribal Councils are, at least theoretically, the appropriate vector for the delivery of Advisory Services. Tribal Councils are struggling with problems inherent with young organizations. Those problems relate to mandate, structure and resources. Some problems exist with the level of qualification of some of the Tribal Councils' staff. The evaluation has found the current funding mechanism generally appropriate and sufficient to ensure the accountability of Tribal Councils towards member Bands.

The second issue of the evaluation addressed "*the effectiveness of the Devolution policy and process*". The evaluation found that, generally, downsizing and the transfer of services (Devolution) have followed two agendas that were of a different nature. The former was administrative and the latter political. While Devolution was dependent on the speed at which Tribal Councils were created and/or took charge of the services, downsizing was proceeding inexorably. The effect was that the creation of Tribal Councils and/or the transfer of service delivery had to be rushed in many cases. Saskatchewan Region was found to be an exception to this scheme. The training provided by the Department often concentrated on general business management and personnel hiring. When Tribal Councils started looking for help or training in the actual delivery of Advisory Services, downsizing had done away with it. As a result of those weaknesses, there is a feeling of frustration among Tribal Councils. Although all agree that the transfer of services is a step in the right direction, many felt rushed in taking over the services and then abandoned. Tribal Councils and Bands have identified the need for new advisory functions in the following areas: Legal Services, Education, Health Services, Social Services and Natural Resources.

The third issue examined covered "*The impacts and effects of the Devolution policy and process*". Tribal Councils have seen their responsibilities, workload and staff increase considerably. For Bands, the effects appear to have been mainly positive. The initiative has brought them greater independence from the Department, better adapted services and developmental opportunities for the Indian workforce. The main impact on DIAND has been a considerable loss of expertise. This was perceived as impacting not only on DIAND, but on the other stakeholders as well.

The evaluation also found further indications on the status and evolution of Tribal Councils. Tribal Councils were found to be struggling with difficult mandate, structure and personnel problems. Many of those difficulties have to do with the fact that they are still very young organizations.

Recommendations include:

- ensuring that resources are available to account for the provision of Advisory Services in those cases where Bands are not affiliated or withdraw from a Tribal Council;
- facilitating the establishment of a forum where Advisory Services experience can be shared;

- including a clause in the Financial Agreements with Tribal Councils, ensuring the provision of "evaluative" information by Tribal Councils to their member Bands;
- ensuring the coordination of any new Downsizing to the attainment of Devolution milestones as opposed to specific dates; and
- ensuring that in any further Devolution instances, the division of training be provided in two distinct phases: the first one covering administrative matters, and the second one concentrating on actual delivery of the services.

1. INTRODUCTION

1.1 Purpose of the Report

This report presents the findings, conclusions and recommendations of the Evaluation of the Devolution of Advisory Services to Tribal Councils and Bands.

The report is based on three different research modules carried out between July 1990 and May 1991, as well as on data from secondary sources.

1.2 Evaluation Terms of Reference

The Devolution Initiative has been central to the Department strategy during the '80s. An evaluation was requested in order to help in the review of the Departmental strategy on Devolution and on the delivery of Advisory Services to Indian Bands.

The evaluation has received the mandate to examine the following three issues:

- the extent to which the anticipated results of the devolved Advisory Services have been achieved;
- the extent to which the Devolution policy and process have been effective and how they could be improved; and
- the impacts and effects of the Devolution policy and process on the Department, Tribal Councils, and the Bands.

1.3 Context of the Study

The context of this study is unusual. A considerable amount of time had to be invested at first in order to identify the exact nature of the Advisory Services and the context of their delivery.

This evaluation is limited to a portion of the Devolution initiative: the Devolution of Advisory Services. A good part of our initial confusion came from the fact that those services did not always correspond to specific functions performed by the Department, but rather services rendered on a ad-hoc basis when needed. We will see, later in the document, that this definition problem still exists among the service providers, as well as service consumers.

A particular emphasis has been placed on Tribal Councils because they have been chosen as the preferred "vector" for the delivery of Advisory Services to Bands. It became apparent, in the course of the study, that the expectations about the study were geared more towards these organizations than towards the Devolution process per se, as one might have thought from the title of this study.

1.4 Evaluation Approaches and Methodologies

This evaluation study was initiated in the spring of 1990. At that time, the data collection was planned to cover the subject in four different ways. First, process reviews were expected to provide insight on the devolution process and its impacts on the various stakeholders. Second, three to five case studies were to be conducted with different Advisory Services providers in order to document specific difficulties or good practices that could be of use to other providers. Third, interviews were to be conducted with Bands across the country in order to measure their satisfaction towards the services provided. Fourth, Band Support personnel were to be interviewed in order to learn about the devolution process and impacts, as well as to enquire about the current status of the Advisory Services transfer and delivery. Each consultant hired was to conduct a file review at the regional office and interviews with the regional staff, in order to get familiarized with the topic.

An Advisory Committee was formed to provide information and insight on some of the difficult aspects of this evaluation, and to advise on its general conduct.

The Evaluation could not be carried out the way it had been originally planned. Most of the data collection such as interviews and case studies had been planned for the summer and fall of 1990. The impact of the Oka situation, however, was considerable. The study team encountered an unusually high level of reluctance on the part of almost all Indian organizations asked to participate in the study. Only one case study could be completed out of the five that had been planned. Most of the interviews could not be completed.

At its meeting held at the end of September 1990, the Evaluation Advisory Committee recommended, in light of these difficulties, to concentrate on the first evaluation issue: "the extent to which the anticipated results of the Advisory Services have been achieved". The remaining two issues were still covered, but did not receive as much attention. The Committee also recommended that a last research module should be conducted and should reach the greatest possible number of Bands and Tribal Councils. This module was delivered in its final form in May of 1991.

The findings of the evaluation are found in the three research modules described below. Although no element of the study is complete in itself, together the three modules provide solid evidence to address the evaluation issues.

The following table presents the various modules and data sources used for this study, their initial intent and their respective limitations.

TABLE 1
DATA GATHERING AND DATA LIMITATIONS

Study Module	Initial intent of the module (mandate)	Scope of the findings (limitations)
1. Examination of the Devolution process	Five case studies of transfer of services were planned. The studies were to begin with a file review and a series of interviews at Headquarters. The same type of review was planned in five Tribal Councils and their affiliated Bands.	After meeting considerable difficulties, the module had to be stopped. A partial report was provided that outlines what could be collected. (See Appendix 2)
2. Interviews by phone and in person, and regional review: British Columbia	A series of interviews and a file review at the regional office to provide good understanding of the subject and the context. Interviews in person and by phone were conducted with Bands and Tribal Councils in British Columbia, as well as a few others elsewhere in Canada.	The module provides a good view of the situation in British Columbia. The opinions of the stakeholders are clearly outlined. However, the findings can not be generalized for the rest of Canada. A meeting of Band Support regional representatives revealed that many differences exist between the regions. (See Appendix 3)
3. National telephone interviews	A series of phone interviews specifically aimed at measuring the satisfaction of Bands towards Advisory Services, and at learning about the perceptions of the Tribal Councils and the regional Band support staff knowledgeable of the subject. Short interviews geared at the first evaluation issue.	Interviews were conducted with a sample of: . 24 Bands . 18 Tribal Councils . 13 Employees from regional offices Six regions covered: Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Atlantic. (See Appendix 4)
4. Other sources	In order to manage the project properly, a basic knowledge of the Advisory Services and the Devolution process had to be developed. This was accomplished through a visit to the Quebec Regional office and a case study of the Conseil Atikamekw-Sipi.	As only one case study could be performed, presenting it as a separate item was deemed inappropriate. The interviews conducted during the case study were amalgamated to the other interviews conducted in the course of this evaluation.

A last round of phone calls to the regional offices was made in October of 1991 in order to enquire on the evolution of the situation of the Tribal Councils, as well as on the continued relevance of our results. The result of this quick survey confirm the dynamics described in this document. Adjustments are still underway in the world of Tribal Councils. In the last year, some Tribal Councils have split up, while the situation is being stabilized in other areas. The learning process is on-going.

1.5 Organization of the report

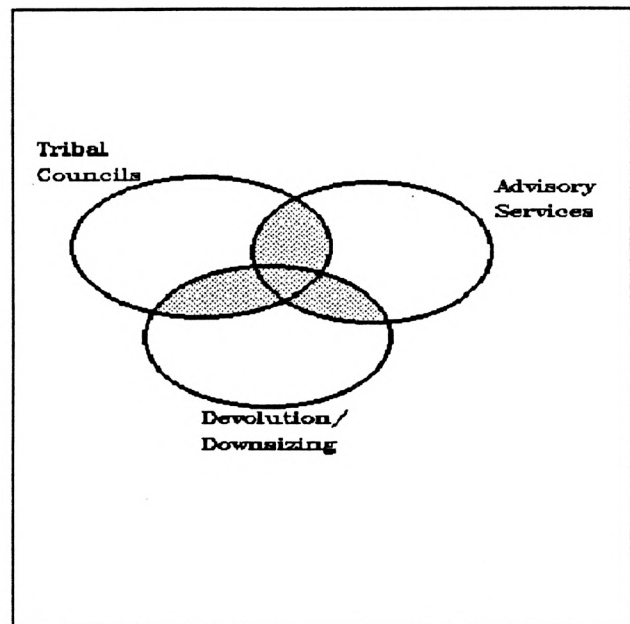
The difficulty in articulating this report comes from the fact that its subject is located at the intersection of three very distinct themes: Advisory Services, Tribal Councils and the Devolution Initiative.

Before the Devolution Initiative, **Advisory Services** were provided to Bands by the Department in five general areas¹. They are currently provided by: Tribal Councils, some Bands and the Department on a residual basis.

Tribal Councils have

become one of the main players in the service delivery to Indian Bands. The devolution of Advisory Services has considerably increased their role, but they are also involved in the delivery of other types of services as well as in political representation activities on behalf of their member Bands.

Figure 1



¹ Band Government, Community Planning, Financial Management, Economic Development and Technical Services. See section 2 for definitions.

The Devolution Initiative has been an integral part of the Departmental strategy for over 30 years. It was advanced very significantly by the addition of the downsizing initiative. As section 2 will show, there is more to devolution than that of Advisory Services.

The goal of section 2 is to provide the historical and definitional background necessary for the understanding of the rest of the review. The interaction between Devolution, Advisory Services and the Tribal Councils are further explained.

Section 3 establishes the "Extent to which the anticipated results of the devolved advisory services have been achieved". Three items are covered: the satisfaction of Bands towards the devolved services and the appropriateness of the current funding mechanism for Advisory Services, especially in light of the accountability of Tribal Councils towards member Bands.

Section 4 examines the "Extent to which the Devolution policy and process have been effective and how they could be improved". The examination of this Issue was made difficult by the circumstances of the study. The main thrust of the section is towards the examination of the interaction between the devolution and downsizing initiatives.

Section 5 briefly reviews the "Impacts and effects of the devolution policy and process on the department, the Tribal Councils and the Bands".

During the course of the evaluation, it became apparent that a large part of the expectations about the study regarded Tribal Councils. Section 6 presents information touching Tribal Councils more specifically: their evolution, their organization, and some of the problems they are facing.

Section 7 presents the main conclusions and recommendations.

2. DESCRIPTION OF THE DEVOLUTION OF ADVISORY SERVICES

2.1 Devolution initiative

The transfer of programs and services delivery to Indian organizations, or Devolution, has been an integral part of the Departmental strategy for many years. The box below dates the origin of the Devolution initiative as far back as 30 years ago.

A chronological account of the Transfer of Services	
Prior to 1956	DIAND delivers services directly to individual Indians.
1956	Limited funding provided to Indian Band councils for the establishment of school committees.
1956-1964	More transfers of funds from DIAND to Bands for the management and delivery of programs (e.g., Education).
1964-1979	Over 30 separate authorities received for program transfers.
1968	Grants to Bands Policy formulated.
1979	Treasury Board approves the first set of Terms and Conditions for contributions to Indian Bands and organizations.
1986	Seventy-five percent of Indian and Inuit Affairs Program budget administered by Bands (59%) or provinces (16%). DIAND, therefore, administers 25% of services.
1988-1989	82% of the Indian & Inuit Affairs Program budget administered by Indians (69.1%) or provinces (13.1%).
Sources:	Corporate management plan, 1987. Main estimates part III, 1990-91.

The Devolution initiative has two main objectives:

- Foster community self-reliance; and
- Increase the accountability of Indian governments to their communities.

The "Devolution initiative" is the general principle. Alternative Funding Agreements, Self-government and Flexible Transfer Payments are the primary mechanisms through which the principle is operationalized.

2.1.1 Transfer Process

In November 1986, Treasury Board approved the Departmental transfer and downsizing plan for the years 1986-87 to 1990-91. The "Corporate Management Plan" provided a framework for the transfer of most of the Department's programs and services to Indian administration. The most significant transfers were in the fields of education (primary and secondary), Indian Pension Plans, Capital Management and Social Assistance. Tribal Councils were a major player in the process, since they were perceived as the logical choice for the delivery of some services to the Bands. This year (1990-91), approximately 16% of the total Band Support budget is channelled through Tribal Councils for operating expenses and for Advisory Services delivery.

The following three figures illustrate the impact of the transfer process on the Indian & Inuit Affairs Program operations. In the last decade, the share of the expenses of the Program administered by Indians has increased regularly to reach almost 70%, while the program's person-years and administration budget were following an opposite trend.

FIGURE 2

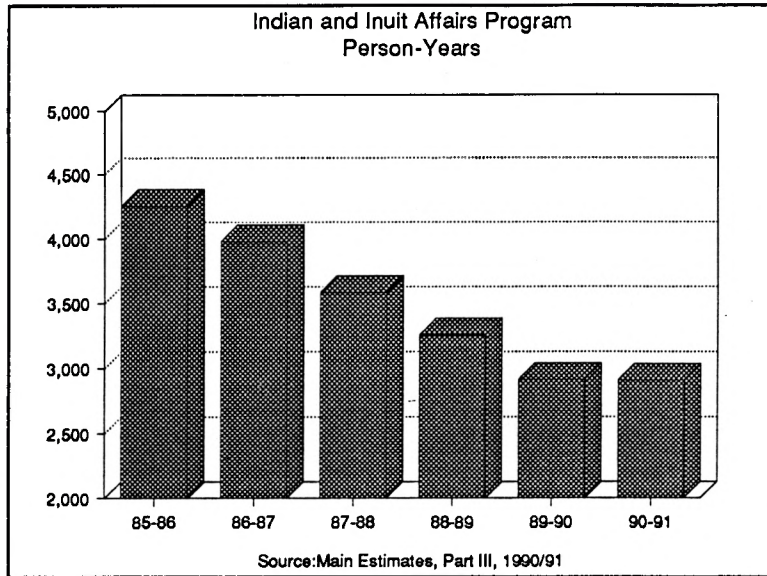


FIGURE 3

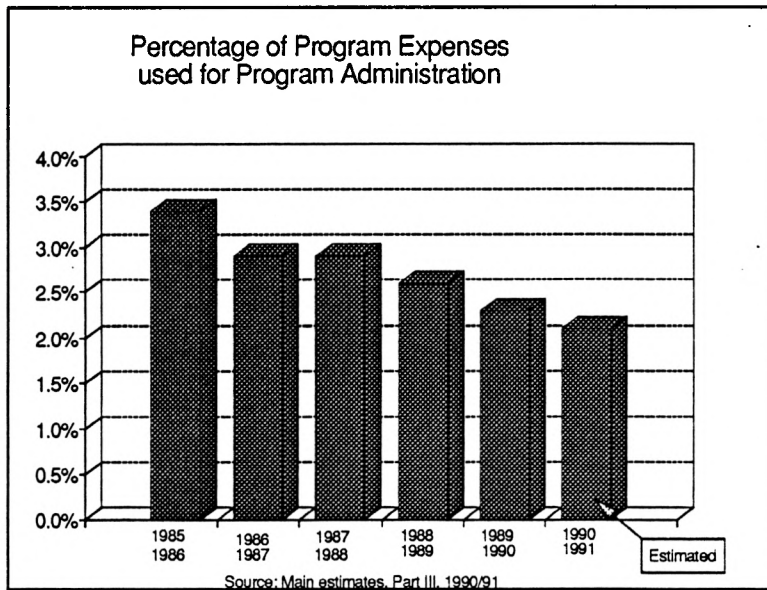
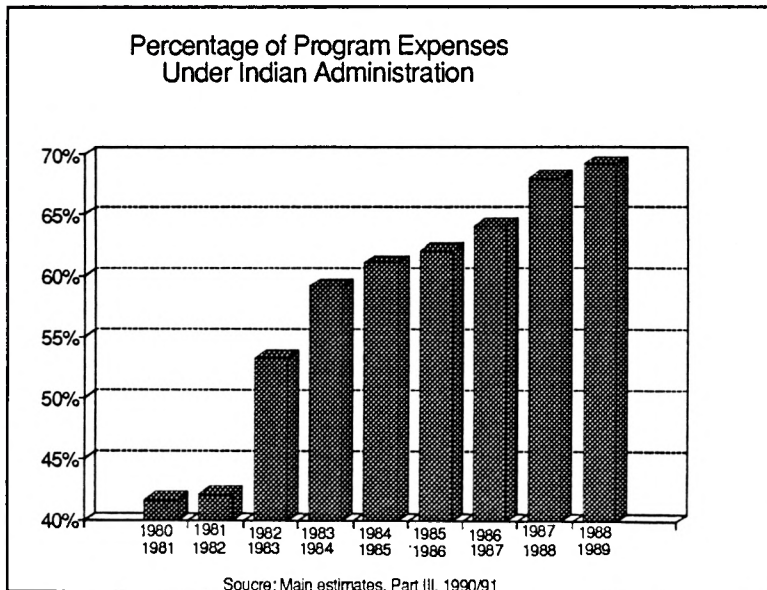


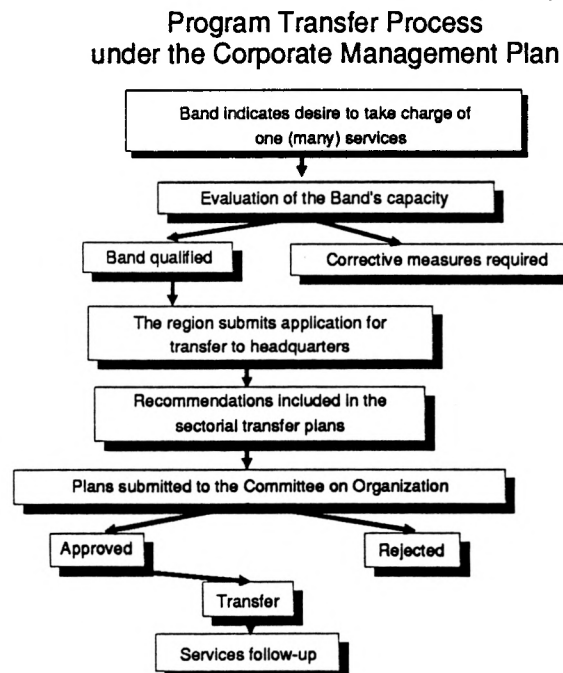
FIGURE 4



The transfer of services generally followed the process as shown in the model presented in figure 5. In all cases, except for that of the transfer of Advisory Services, the Band is the Department's only interlocutor. Tribal Councils are involved only to the extent that advice is needed in negotiating agreements.

Generally, the Band notifies the regional office of its desire to assume the responsibility for the delivery of a service. The request is examined and action is taken. Positive recommendations are included in the Annual Devolution Plan. Once the transfer is performed, a follow-up ensues.

Figure 5



2.1.2 Tribal Councils

According to the Tribal Councils Policy (D-2), a "Tribal Council" is an incorporated grouping of Bands who have voluntarily agreed to combine financial and human resources primarily to facilitate the administration or delivery to their Band members or, in the case of advisory services, to Band leaders and staff of one or more local services for which financing is provided by the Department.

The Tribal Council Policy was issued in 1984. The Policy defines the Tribal Council as an extension of the member Bands. Tribal Councils are therefore accountable to their member Bands from which they receive direction.

These guidelines were revised in March 1989. The most significant modification² has allowed the transfer of funds for Advisory Services directly to Bands with 2,000 members or more.

Tribal Councils currently deliver over 80% of the Advisory Services to Bands.

2.2 Advisory Services

2.2.1 Definition

In the discussions that preceded the transfer of services to Indian organizations, it became apparent that a significant share of the work performed by the Department's employees consisted of the provision of advisory services to the Bands. For the purposes of Devolution, those services were grouped in the five categories outlined below.

² Other modifications included: responsibilities of the Tribal Councils, a more equitable distribution of resources between Tribal Councils, the addition of subsidiary communities (off-reserve), the possibility of delivery of services to bands without reserves and a discussion of funding to cover travel in remote areas.

The goals of the five Advisory Services are:

- Band Government: to assist and advise Indian Bands and their organizations with the development of local government procedures and Band management systems.
- Financial Management: to assist and advise Indian Bands and their organizations with the development of financial management and control systems.
- Planning: to assist and advise Indian Bands and their organizations with the development of socio-economic, physical and land-use community planning.
- Technical Services: to assist and advise Indian Bands and their organizations with the planning, design, construction and maintenance of community infrastructure facilities.
- Economic Development: to assist and advise Indian Bands and their organizations with economic development.

Those are broad categories of services. The Program has always refrained from trying to impose a specific vision of their content or of the way they should be delivered to the Bands. The reasons for this are elaborated in section 6.

The Tribal Councils were seen as the ideal vector for the delivery of those services mainly for reasons related to efficient delivery:

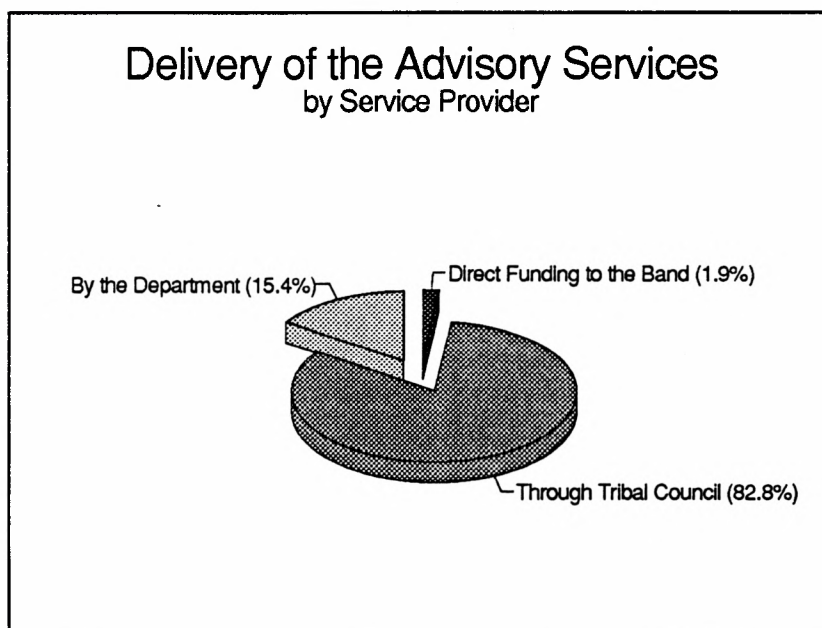
- the required expertise is often costly to acquire and to maintain (all services);

- economies of scale are expected in the execution of certain tasks (technical services, financial management);
- under a certain level³ of effort, some expenditures may not have a noticeable impact (Economic Development); and
- a detached stance is often essential for opinions to be objective (all services).

2.2.2 Delivery of the Advisory Services

Figure 6 presents the share of each of the providers of Advisory Services to Bands. More than 80% is now delivered by Tribal Councils. The department's role is residual.

Figure 6



³ The excessive division of the budget could lead to a complete dissolving of the impact. In Economic Development, a large share of the activities are conducted on a project basis. Monies can be divided only so much.

The Advisory Services are currently provided by 71 Tribal Councils. Seven other Tribal Councils are in the course of setting up the delivery of Advisory Services to their member Bands. A total of 485 Bands and 9 associated Band-administered communities are currently affiliated to a Tribal Council. 11 Bands with membership above 2000 receive Advisory Services Funding directly from the Department. The 90 remaining Bands still count on the Department for the delivery of those services. The Department does not believe that this proportion will change greatly in the future. Therefore, residual Advisory Services delivery capacity needs to remain available to all Bands that are not affiliated.

Table 2 below indicates that the maximum funding currently available for Advisory Services has almost been reached. Currently, 378 "units" are funded over a possible maximum of 402. The "units" represent the application of the funding formula. To calculate the number of units a Tribal Council can get, the formula takes into account the size of member Bands and their location. On average, in 1990, a unit cost \$50,300, travel allowances included. To be funded, a Tribal Council must agree to take on responsibility for all five advisory functions, as resources become available to them.

Table 3 presents the distribution of Tribal Councils, affiliated and unaffiliated Bands, by region.

Table 2

Advisory Services Provided by the Tribal Councils, by Year & by Type

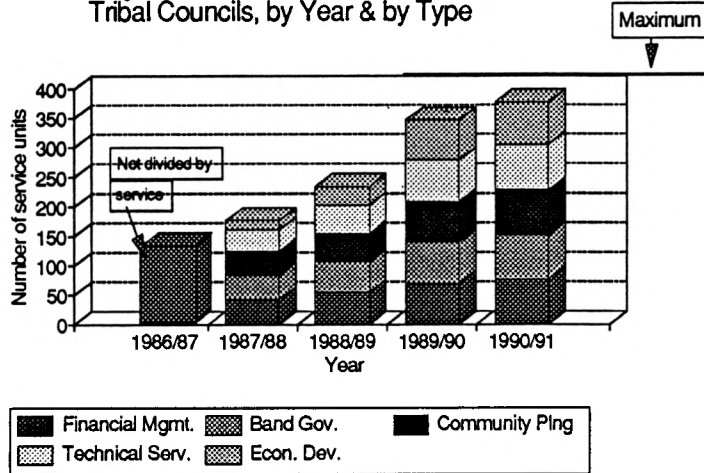
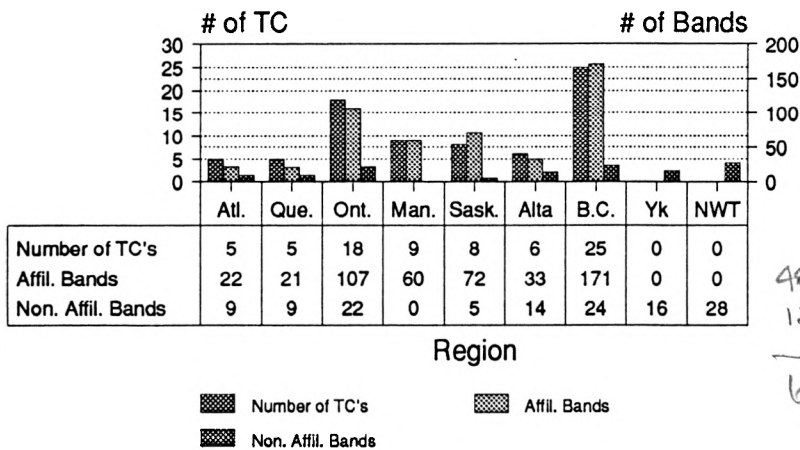


Table 3

Distribution of Tribal Councils & Bands by Region



Source: Band Support Funding Database
1989-90

The following three sections (3, 4 and 5) present the results of the evaluation as regards the three issues outlined in the evaluation Terms of Reference

3. ISSUE 1: THE EXTENT TO WHICH THE ANTICIPATED RESULTS OF THE DEVOLVED ADVISORY SERVICES HAVE BEEN ACHIEVED

3.1 Satisfaction towards Advisory Services

One of the major difficulties in programming this study has been to establish the nature of the Advisory Services and in to clarify the results expected from them. The Evaluation Advisory Committee has adopted the position that, given the Program's philosophy according to which the definition of the services to be provided should be dictated by the needs expressed by the Bands, the anticipated results of the Advisory Services are achieved to the extent that Bands expectations are fulfilled.

The interview modules of the Evaluation show consistent results: with very few exceptions, the Bands interviewed indicated that they were "satisfied" with the services provided. There is a general agreement that Tribal Council services are "better" than pre-devolution services. The reasons offered for this are: greater frequency of contacts, better awareness of the needs of the clients, greater care and empathy, and less confusion on the programs and services.

Some problems were, however, noted.

- The level of qualification of some of the Tribal Councils staff is believed to be inadequate. This was noted in all parts of the study, although the evidence for this was indirect. Among the possible reasons, the following were suggested: - the youth of the Tribal Councils that have not yet, for many of them, had the time to gather all the necessary expertise and; - the local hiring policy that could make hiring of qualified staff relatively more difficult. Worth noting, it was argued by both Bands and Tribal Councils that the current level of funding for the advisory services might inhibit the ability of Councils to hire experienced and qualified advisory staff.

- Satisfaction is unequal among the services provided. This could be due to the wide range of services to be delivered and the variety of needs they can be brought to address. The satisfaction has been found to be highest with Financial Management and lowest with Economic Development. It should be noted that two of the areas: Planning and Band Government seemed poorly understood (or not adequately defined) by the Bands and Tribal Councils. Planning for instance was often confounded with Technical Services or even Financial Management.

Financial Management is in very high demand.

Bands are also very specific about what they need in this area.

- when problems arise in this area, Bands tend to look for immediate solutions. Assistance is needed in a frequent and sustained manner;
- a supplementary difficulty comes from the Bands' desire to computerize their bookkeeping. To install new systems and implement new practices, special expertise is requested; and
- Bands tend to ask that their employees be trained appropriately, as opposed to having to rely constantly on external help.

Most Bands interviewed indicated their satisfaction for the services provided by the Tribal Councils.

Module 3: Phone Interviews all Regions but BC (17 Bands)

Service	Satisfaction "Rate"
Band Government	73%
Financial Management	79%
Technical Services	75%
Planning	70%
Economic Development	69%
Overall Satisfaction	73%

Scores were given by the consultant on the basis of the appreciation expressed by the interviewees:

not satisfied = 25%

very satisfied = 100%.

Module 2: Interviews in BC Region (13 Bands)

The module indicates that the Bands are generally satisfied with the services provided. The Module insists on some problems related to the lack of qualification of some of the Tribal Councils staff.

When asked whether they believe the Department should have a role in the delivery of Advisory Services, Bands indicated very clearly, that they see no role whatsoever for the Department in this area, beyond the role of a funding agent. However, in the course of the interviews, the need appeared for the Department to be involved in the following areas: link with other departments, delivery of services on a residual basis and advise to Tribal Councils.

In conclusion, evidence exists that the Tribal Councils are having success as a vehicle for service delivery. They are still young organizations struggling with internal problems, but appear to be delivering the services in a way that satisfies their clients. Bands indicate that post-devolution services are better than pre-devolution services, a statement supported by their perception that there is no role for the Department in Advisory Services delivery.

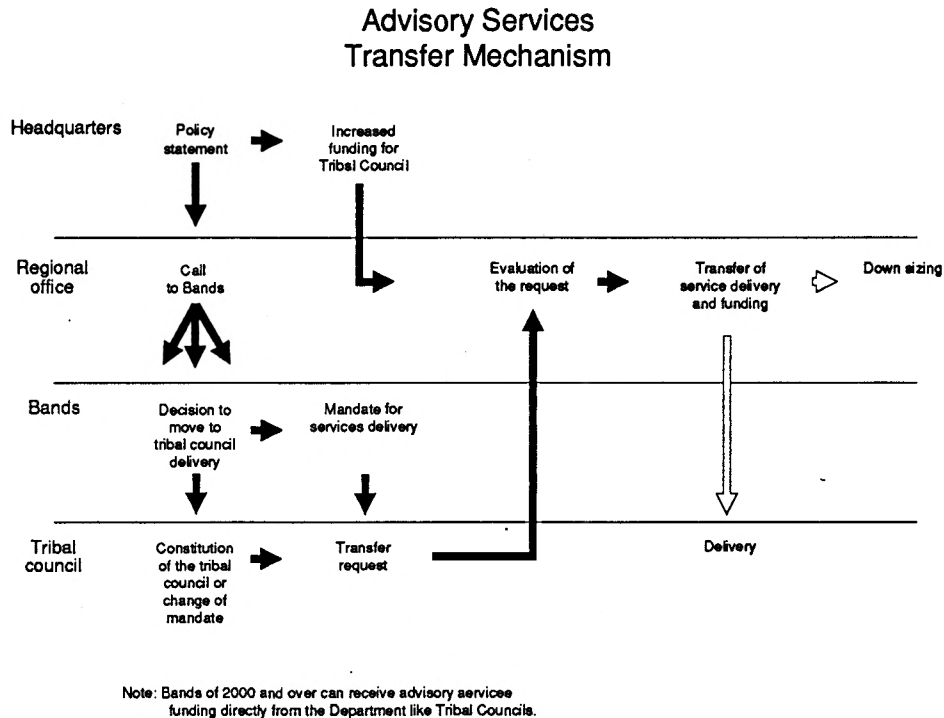
It should be noted that even when Bands were not satisfied with the services, they all indicated that Tribal Councils are, at least theoretically, the appropriate vector for the delivery of the Advisory Services.

One Band manager indicated that this way of delivering the services provides all parties involved a greater sense of their responsibility and achievement. Even obstacles and errors are seen as positive since they are part of a necessary learning process.

3.2 Tribal Council Funding for Advisory Services

The current procedure for the Tribal Council funding for advisory services is illustrated in Figure 7. The Tribal Council must obtain a mandate from member Bands to which services will be delivered. Once the mandate is obtained, the Tribal Council will receive the funding required for the delivery of Advisory Services directly from DIAND.

Figure 7



In 1983-84, the possibility of providing funds directly to all Bands for advisory services was examined. The proposal was not well received by the existing Tribal Councils. The current practice was then proposed and accepted. It is worth mentioning that if a Band Council withdraws its mandate, the funding of the Tribal Council is recalculated to take into account the lower service requirement. The "saved" funding does not become available to the Band unless the Band has sufficient on-reserve membership. The Band, however, is free to give its mandate to another Tribal Council⁴.

⁴ Theoretically, if the services are not delivered to a Band by a Tribal Council, that is if the Band is not affiliated or funded directly, the Department should see that advisory services are available to the Band.

The possibility of having funding for Advisory Services given directly to the Bands was pointed by a minority of Bands as one good way of increasing accountability. Most, however, did not see a problem with the current mechanism. There is a high risk that changing the funding mechanism at this stage would have a severe impact on the Tribal Councils.

The current funding is allocated on the basis of a formula. The formula takes into account items such as the number of Bands served, average Band population and remoteness of client Bands. The formula indicates how many "units" the Tribal Council is eligible for, and an allocation is given for each unit.

Few comments were made on the formula itself, except to indicate that travel money was perceived to be insufficient for the Tribal Councils serving Bands in remote locations. Most of the comments regarded the level of funding. Tribal Councils, and a few Bands, indicated the level was hindering the recruitment of qualified personnel. A common complaint was to the effect that the allocations were not indexed yearly to take into account the increase in the cost of living, or that the current level did not allow them to compete with high salaries paid within government or private sectors elsewhere in the area.

3.3 Accountability towards Member Bands and Communication

Tribal Councils are funded directly by the Department but are accountable primarily to their member Bands which are their constituents. The Tribal Council Policy deals with this paradox by requiring the Tribal Council to obtain a "mandate" from each member Band in order to receive Advisory Services funding. Normally, Band chiefs sit at the Tribal Council Board. This ensures that, in most cases, concerns can be voiced and dealt with directly. In the most extreme cases, if the services are not provided in a satisfactory manner, the Bands can withdraw their mandate, thus causing the funding to stop.

The evaluation found this mechanism to be generally appropriate and sufficient to ensure the accountability of Tribal Councils towards member Bands. One regional office has indicated that member Bands can be very efficient at getting service delivery back on track when they decide it is needed. However, the evaluation also found that Bands do not always know the nature and extent of the services they could expect from their Tribal Council. Once they learn it, means are available for them to obtain the services.

It follows that in order to ensure an efficient delivery of the services Bands must be made aware of the nature, quantity and results of the services delivered to them. It would then become possible for them to adjust their expectations or require the necessary changes to be made. This information is of an "evaluative" nature but could (should) be produced by the Tribal Council itself - to the member Bands.

On a greater scale, in discussing with the stakeholders, the evaluation found that the information on Advisory Services does not circulate well. Tribal Councils seldom talk to each other either at the corporate or service levels. As a result, experience is not shared and Tribal Councils go through the same learning pattern making the same mistakes.

To summarize the evaluation results on this topic, we found the Bands to be generally satisfied with the devolved Advisory Services. When dissatisfaction occurs, means are available for them within the current policy framework to have the situation corrected.

4. ISSUE 2: EFFECTIVENESS OF THE DEVOLUTION POLICY AND PROCESS AND POSSIBLE IMPROVEMENTS

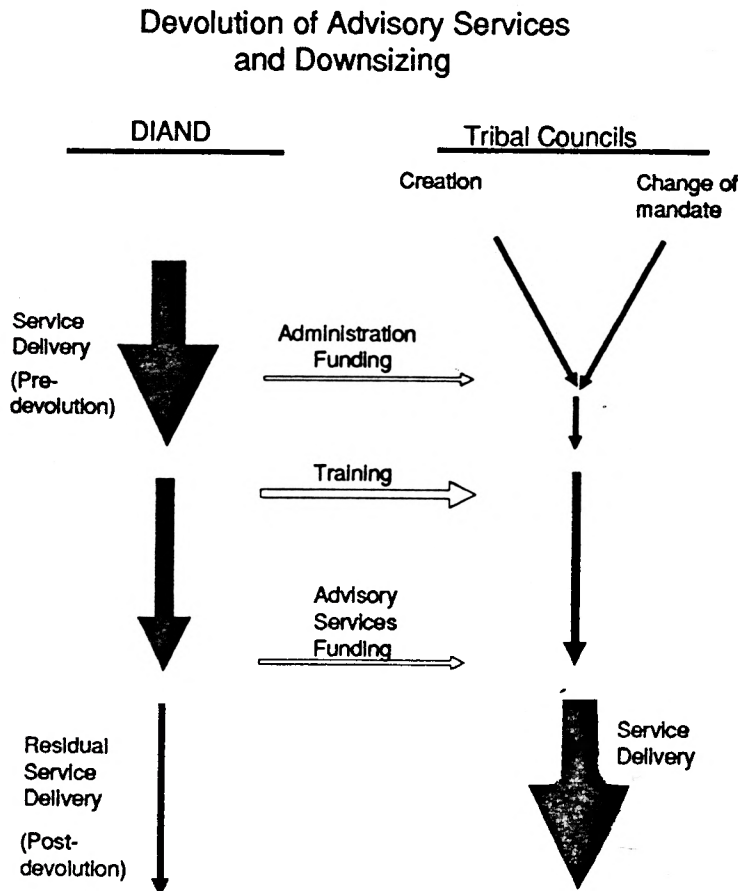
The research on this issue was greatly affected by the data collection problems described earlier. Only general indications could be obtained. We have not been able to gather information on the timing of the process and the necessity of each step.

4.1 Devolution and Downsizing

A major part of the expected efficiency of the transfer process rested on its simultaneousness with the downsizing process.

Figure 8 below illustrates the effect that was sought by the process.

Figure 8



The process allowed a change to advance from a situation of delivery of Advisory services by the Department, to one of delivery by the Tribal Councils. In order to achieve this, Tribal Councils were provided with the following elements:

- Administration funding
- Training
- Advisory services funding

Here are the problems that were noted with the process.

- Downsizing and the transfer of services (Devolution) have followed two agenda that were of a different nature. The former was administrative and the latter political. While the second one, devolution, was dependent on the speed of creation of Tribal Councils and/or taking charge of services, the first one was inexorable. The effect was that the creation of Tribal Councils and/or the transfer of service delivery had to be rushed in many cases.
- A transfer strategy that aims at placing new delivery organizations in a "fait accompli" situation is not without merit. The sooner real problems are confronted, the better the delivery organization can learn about its own strengths, weaknesses, and the kind of help and training it might require. Training is more efficient since the trainees have a frame of reference to which notions can be immediately applied. As well, work duplication between DIAND and the Tribal Council is avoided; thus, theoretically, it makes good sense.

However it appears that, in most cases, when Tribal Councils took over the delivery of Advisory Services and started looking for the appropriate help, it was not available anymore. Downsizing had done away with it. Certain services were withdrawn by DIAND before Tribal Councils were able to set up replacement services. There was, thus, an interruption in service delivery in many areas. Saskatchewan

was found to be a noticeable exception to this⁵. The region decided on a more gradual reduction in person-years over the initial three years of the five years of the downsizing plan. Services were transferred to Tribal Councils before the district offices were closed over two to three years. DIAND advisory personnel met with the Tribal Councils and trained their personnel on various aspects of service delivery. This process has allowed to ensure continuity of services throughout the transfer period.

- Training was provided to the Tribal Councils. It appears however that it was concentrating mainly on the hiring of personnel and general business management, rather than on Advisory Services Delivery.

As a result of these weaknesses there is a feeling of frustration among the Tribal Councils. Although all agree that the transfer of services is a step in the right direction, many felt rushed in taking over the services and then being abandoned.

4.2 Appropriateness of the Advisory Services

4.2.1 Current services

As shown earlier, Bands indicate they are satisfied with the current services, mainly because they now have a say in the delivery of the services and because it serves to bring them increased autonomy.

The quality of services is improved as Bands define their needs and make their expectations more explicit, and as Tribal Councils adapt their services to Band expectations. Bands have not indicated to us that the need for any of the five advisory services did not exist. They were, however, often unsure about the nature of "Band Government" and "Community Planning Services".

⁵ The case is presented in greater detail in Appendix 4, pp. 3-5, 3-6 and 3-7.

4.2.2 Other services

The Corporate Management Plan has defined the parameters for program transfers. The assumption used as a starting point, in the case of Advisory services, was that the services already provided by the Department were those needed by the Bands. The definitions of the services were kept intentionally fuzzy in order to allow the Tribal Councils to adapt them to the perceived needs. As we will see later, this "non-directive attitude" was interpreted so narrowly in some cases that it prevented the diffusion of material that could have helped the Tribal Councils.

Tribal Councils and Bands have indicated the need for new advisory functions at the Tribal Council level in the following areas:

- Legal Services
- Education
- Health Services
- Social Services
- Natural Resources

Those needs have already been identified by the Department. Financial implications are being studied.

The results of the interviews suggest that the fact that so many respondents believed that the Tribal Councils' areas of expertise should be broadened is perhaps one of the best indications possible of the success of Tribal Councils as a vehicle for service delivery.

5. ISSUE 3: IMPACTS AND EFFECTS OF THE DEVOLUTION POLICY AND PROCESS

5.1 Impacts on DIAND

There is no doubt that downsizing has had a very significant impact on employee's morale. It was described by some as "a disaster from a human resources perspective". Another view was expressed according to which the combined effects of devolution and downsizing had been part of the Department's life for many years. The whole thing was described as very unpleasant, but something the employees have learned to live with.

Because of the relationship between Devolution and Downsizing described in the previous section, there is no doubt that a considerable amount of expertise was lost in the process. This had a negative impact on all stakeholders.

The structure of the Department and the nature of the work were of course altered profoundly by the Devolution and Downsizing initiatives. It has also changed the rapport between the Department and the Bands. The nature of the work has also changed. For example, as stated in one of the research modules, Bands would tend to use more and more the Ministerial route to express problems or to seek intervention, generating a steady flow of "Ministerial Enquiries". However, data could not be found that would have allowed us to generalize this statement. Nevertheless, it is a possible unintended impact that may have further reaching implications.

5.2 Impacts on the Tribal Councils

The major impacts on Tribal Councils were increases in staff, workload and responsibility.

The Devolution of Advisory Services is an endorsement of the role and usefulness of Tribal Councils. For those Tribal Councils that existed before the Tribal Council Policy, the side effect of funding is that they are

considered an extension of the Band Councils to which they are now fully accountable, as opposed to what many of them were before, fairly independent bodies, charged with the conduct of negotiations.

The increased responsibilities and funding has favoured the development of a bigger bureaucracy and the emergence of considerable tensions in the structure of Tribal Councils. Some Tribal Councils could not resist and finally broke apart, others reorganized their structure in order to separate political and administrative service delivery activities. One research module explored the impact of separate versus grouped structure for dealing with the political and administrative issues. Although a Cartesian would suggest that a separate structure would be more appropriate, no evidence was found to indicate that the pursuit of a political agenda was adversely affecting the delivery of Advisory Services.

5.3 Impacts on Bands

Globally, the effect appears to have been positive. Among the noted effects:

- Greater independence of the Bands from the Department;
- A better balance in the delivery of services between Bands regardless of location, i.e.: close to or further from DIAND's offices;
- A developmental opportunity for Indian workforce; and
- Advisory services better adapted to the Bands' needs.

As indicated earlier, the superimposition of the Devolution and Downsizing initiative has brought in certain cases a temporary reduction in the availability of services to Bands. The impact of this is unknown yet.

6. FURTHER INDICATIONS ON THE EVOLUTION OF TRIBAL COUNCILS

Tribal Councils are currently responsible for the delivery of the best part of Advisory Services for more than 80% of the Bands. This activity has become central for a majority of Tribal Councils. In some cases, this was the main reason why the Tribal Council was created.

The goal of this section is to provide further indications gathered by the study on the Tribal Councils and their evolution in the delivery of Advisory Services.

6.1 Evolution of Tribal Councils

Some Tribal Councils existed before the Devolution Initiative. They were mainly political entities, charged with the negotiation of land claim settlements. The others were created under the new Tribal Councils Policy for the primary purpose of delivering Advisory Services.

1) Evolution from a political to an administrative structure

This type of evolution is more common in the Western part of the country where many Tribal Councils have been in existence for many years.

The superimposition of new administrative duties in addition to those of representation, lobby or negotiation has brought many adaptation problems to the Tribal Councils. The introduction of the new service delivery requirement changed the focus of the organizations. The type of management and resources required was different. Some Tribal Councils adapted by changing their structure and separated the political action from the services delivery. Others could not adapt quickly enough and lost a few member Bands in the process.

2) Creation of Tribal Council for the purpose of services delivery

This type of evolution is a direct result of the devolution initiative. It was further stimulated by the Department downsizing. In some cases, Bands had spontaneously started grouping together when district offices were shut down.

These Tribal Councils encounter problems inherent to young organizations. Before being able to concentrate on services delivery, they have to undertake activities such as: establishment of an appropriate structure, definition of a mission and priority setting, recruitment of personnel, policy setting, etc.

In all cases, the growing up process or adaptation to a new mandate is difficult. Clearly, for the Tribal Councils, the delivery of Advisory Services is an activity that is still too new to be familiar and easy to accomplish, especially considering the other difficulties Tribal Councils are facing as part of their growing process.

6.2 Tribal Council organization

6.2.1 Link with member Bands

The link between the Tribal Councils and Member Bands is maintained through the participation of Band chiefs on the Tribal Council Board of Directors. In all cases, the intent is to provide accountability to each Band as indicated in the original D-2 Policy statement on Tribal Councils:

- "Tribal Councils shall be viewed as creations of Band Councils and are responsible to and take direction from their member Bands."
- "Tribal Councils in acting as an extension of Band Councils, may be funded for the same purposes for which Band Councils are funded."

The more recent version adds that "Tribal Councils must be accountable primarily to councils of member Bands..."

Some already existing Tribal Councils had difficulties in adapting to the new rapport with their member Bands defined by the Policy. Some independence might have been lost in the process of getting Tribal Council and Advisory Services funding.

The evaluation reveals another type of stress, this one associated with some more recently created Tribal Councils. The delivery of services could be made more difficult by the absence or weakness of historical/cultural ties between the Tribal Council and the member Band(s).

6.2.2 Organizing Service Delivery

Tribal Councils had difficulties in getting organized for the delivery of Advisory Services. The difficulties noted are of three types:

1) Difficulties in reconciling the political and administrative duties

As indicated earlier, the internal conflicts generated by the two missions are still unresolved in some cases. A structure separating the two functions would probably make things easier although, again, evidence was not found to indicate that any form of organization is significantly more efficient in delivering the services.

2) Nature of services, identification of a demand for the services

The following definitions are a summary of the perceptions of Tribal Councils on the Advisory Services. They still reflect the original definitions from DIAND, but appear closer to the actual practice of service delivery.

The first series of definitions are extracted from Module 2, definitions in italics are extracted from Module 3.

Band Government: provide advice on by-laws (creation and implementation), elections, government policy and funding (eg. how DIAND policy impacts on the community), and municipal government (how to develop and implement local systems); *to support Bands politically; to assist in setting up governmental systems, Band constitutions, develop by-laws and Band policies; to help Bands interpret DIAND and federal government policies; to provide counsel on Indian Act; to encourage self-government by providing leadership and administrative training; to advise on taxation and legal matters.*

Financial Management: help Bands understand how new DIAND policies and funding initiatives will impact on their accounting and reporting systems; assist Bands in preparing audits and financial statements (includes training); assist Tribal Council in establishing the priority of Band needs and aid to Bands; capital project planning; train Band members on computerized accounting systems; *to standardize accounting systems, implement recommendations of auditors; to counsel in banking, loan application, budgets, financial statements.*

Community Planning: offer advice in all aspects of planning including, changes in planning and policy initiatives as a result of DIAND program changes, land-use (eg. creation of housing and subdivisions), environment concerns, and health services; *to review and update community plans; to provide long-term infrastructure (engineering planning); to provide counselling on community planning issues from project development to project completion; to review Band financial management plans; to provide an annual review of all Bands strategies and goals; to assist in developing long and short-term capital goals; to network Bands together and provide workshops to give Bands skills to develop community plans.*

Technical Services: this service is closely tied to planning services especially in the area of housing (applications and construction) and engineering. This service, according to those interviewed, can be almost anything and often requires a consultant with a special area of expertise; *to provide advice on technical projects and operations maintenance; to undertake housing and compliance inspections; to undertake maintenance and construction planning and supervision for housing and engineering infrastructure projects; to coordinate contracting services in housing and engineering.*

Economic Development: provide advice on the preparation of Band business proposals, identification of sources of aboriginal funding and how to access funds; needs to be able to determine the viability of development proposals and able to network with DIAND and other government departments; requires knowledge of local resources; sometimes if Bands natural resources are not abundant the focus is on business development; *to assist in capital plan development; to write community and individual business proposals; to analyze feasibility for business ventures; to undertake local and regional economic development planning; to assist in the organization of project funding; to provide training in business proposal writing and business plan development.*

These definitions were not always easily given. Band Government and Community Planning were those that the interviewees had the hardest time to define. Tribal Councils indicate that they have a better perception of the services now than when they were initially transferred. It becomes possible for them to get away from traditional practice and innovate in the delivery of services.

In fear of dictating to the Tribal Councils the way in which Advisory Services would be delivered, the Department has always refused to officially specify their content beyond the broadest definitions. The impact of this was negative. Many Indian organizations did not really understand what was expected from them. Some regional offices reacted in providing examples of job descriptions⁷ that served to guide the Tribal Councils in their initial establishment of the services. In providing a model that the Tribal Councils were free to accept or to reject, the regions have facilitated the taking over of the services by the Tribal Councils.

Most of the services are provided on a needs basis. The planning of the delivery is difficult and therefore limited. In the cases of Economic Development and Technical Services, part of the activities are planned for a longer term. Some Tribal Councils have indicated their intention of using a more formal planning process for the identification of the need for the Advisory Services, and for their provision.

⁷ To our knowledge, at least four regional versions were circulated.

3) Human Resources

We found many of the Tribal Councils struggling with a difficult human resources problem.

The delivery of specialized services requires a considerable amount of expertise. This expertise is not considered frequent among non-Indians, even less so in the Indian community. The Tribal Councils have three choices: train their own workforce, hire someone who already has all qualifications, or buy the expertise when needed, on a ad-hoc basis. This last option is not often used. It appears that in the great majority of cases, with the exception of Technical Services, the services are provided by the Tribal Councils through their employees.

All Tribal Councils interviewed have an Indian hiring policy. Such a policy makes the Tribal Council become a developmental and promotional tool for Indian human resources. Some Tribal Councils use a double standard for recruitment of their resources. The box below shows the difference between "desired" and "preferred" levels of qualifications for their Advisory personnel. This practice gives complete flexibility to the Tribal Council in a choice between a "buy" or "make" strategy, depending on the applicants or the special circumstances of the job. Both strategies have a cost in terms of the Advisory Services provided. The "make" strategy involves a lower level of service during the learning process, while the "buy" strategy conflicts with the Indian hiring policy, which appears to be the preferred route in almost all cases. This has quite an impact on the morale of many non-Indian advisors.

Band Financial Advisor

Minimum: Presently enroled in the fourth year of a course leading to membership in a recognized professional association of accountants or two years of experience in accounting field.

Preferred: Membership in a professional association with a minimum of three years experience in the public accounting sector. Experience or training directly related to native management systems desirable.

For the same Council, an Economic Development Officer must meet the following qualifications:

Minimum: High school graduation with a minimum of three years college level training in Business Administration/Commerce or equivalent work experience in business planning, analysis, financing and management.

Preferred: College or university degree in Business Administration or Commerce or related filled with a minimum of three years experience. Experience or training in native business or Indian management is desirable.

In conclusion, Tribal Councils are struggling with mandate, structure and personnel problems. Those problems are characteristic of young organizations.

7. CONCLUSIONS AND RECOMMENDATIONS

Because of the way things were done, making the difference between the Devolution initiative and the Downsizing initiative has proved to be very difficult. However, the evidence uncovered in the course of this evaluation demonstrates that *the Devolution Initiative is a significant step in the promotion of Indian Self-reliance*, which is the first objective of the Devolution initiative. It allows Indians to acquire expertise and self-confidence, while enabling them to adapt the services to their own needs. It was found that, generally, the provision of Advisory Services by Indian Organizations provides all parties involved with a greater sense of responsibility and achievement.

First Issue

The first issue of this evaluation study is " **the extent to which the anticipated results of the devolved advisory services have been achieved**". This, according to the views of the evaluation Advisory Committee, was measured through the satisfaction of the client Bands towards the services provided by the Tribal Councils.

We have found that *the Bands are generally satisfied with the advisory services provided by the Tribal Councils*. Even when major improvements are needed as in some cases, member Bands judge that having those services delivered by an Indian organization is the way to go. They generally find the services better adapted to their needs than before they were devolved.

Tribal Councils have been chosen as the preferred vector for the delivery of Advisory Services and, according to most stakeholders, *this choice is logical*. However, if a Band decides, as a last resort, to withdraw its mandate from a Tribal Council, few alternatives exist for the Band to obtain the Advisory Services it might need. Also, it appears that some Bands will never join a Tribal Council.

It is therefore recommended that the Department ensures that resources are available to account for the provision of advisory services in those cases.

Tribal Councils are still young organizations. Advisory Services delivery is, for most of them, not yet an easy thing to perform. Training and support is needed now and will be needed on an on-going basis because of staff turnover. This could be achieved through the provision of training and/or the creation and maintenance of an interface between Tribal Councils. It was found that communication on the delivery of services usually does not exist between Indian organizations involved in the provision of Advisory Services. They currently do not benefit from one another's experience.

The Department should undertake to facilitate the creation of a forum or medium where Advisory Services experience could be shared.

Accountability of Tribal Councils towards member Bands

Under the current circumstance, the funding for the delivery of Advisory Services flows directly from the Department to the Tribal Councils. On the other hand, Tribal Councils are said to be accountable to their member Bands. This apparent paradox can be solved through the insurance of sufficient information available to the member Bands on the Tribal Council management, and through the "portability" of the mandate.

Mandate portability

The funding of Tribal Councils is ruled by the Tribal Council Policy. It was found that when member Bands are unsatisfied with the services provided by their Tribal Council, the current policy allows for enough leverage so the Bands can correct the situation. The funding mechanism, through the issuing of a "mandate" from the Band to the Tribal Council, has been found to be appropriate. In order for the Band to keep its leverage, it is however important that, in last resort, the possibility of withdrawing its mandate exists. That means that alternatives need to still be available for the Band to obtain Advisory Services even if it is not affiliated with a Tribal Council anymore.

Evaluative Information

Awareness on the part of the Bands of what is to be expected and of the actual results achieved is fundamental if Advisory Services are to be delivered effectively and efficiently. There is a need for "evaluative" information about the Tribal Council to be made available to the member Bands. A periodic report presenting such information would help member Bands to understand the nature and extent of the activities of the Tribal Councils as well as to judge their performance. Such a report would provide the Bands with necessary indications on the achievements of the Tribal Council versus the money spent. It would help the Bands in the formulation of their expectations and in the evaluation of the performance of the Tribal Council. At the same time, it would provide to the Department the assurance that Bands have in hand the tools they need to make the best informed decisions. Currently, very little or no monitoring is made of the delivery of the services; therefore, it is not possible to ensure efficient delivery of the services. The introduction of such a mechanism would address this concern. One important feature of this approach is that the Department does not need to be involved beyond the assurance that a report is being issued periodically to the member Bands.

The Department should add to all Tribal Councils funding agreements a clause requiring them to provide an "evaluative" report to their member Bands. Examples and appropriate material could be developed by the Evaluation Directorate in conjunction with the stakeholders.

An example outline of an evaluative report is presented below. Other models can be designed that would serve the same functions.

Outline of a Tribal Council Activity Report to Member Bands

Description of the organization

- mandate of the Tribal Council
- objectives of the organization
- structure

Resources

- Financial: source and allocation
- Human: numbers and allocation

Outputs in each sector for the period (number of visits, phone calls, systems installed, agreements negotiated, etc.)

Results achieved: in each sector, changes between the initial situation and the current situation that can reasonably be attributed to the organization or in which it has taken an active part. This has to be tied to the above objectives.

Estimation of future needs

a) Short term needs

- Outlook for the next period
- Proposed priorities
- Proposed budget for coming period

b) Projected long term needs

Appendix, audited financial statement

"Sector" refers to each different department or service delivery unit.

Second Issue

The second issue of this evaluation study is **"the extent to which the devolution policy and process have been effective and how they could be improved"**.

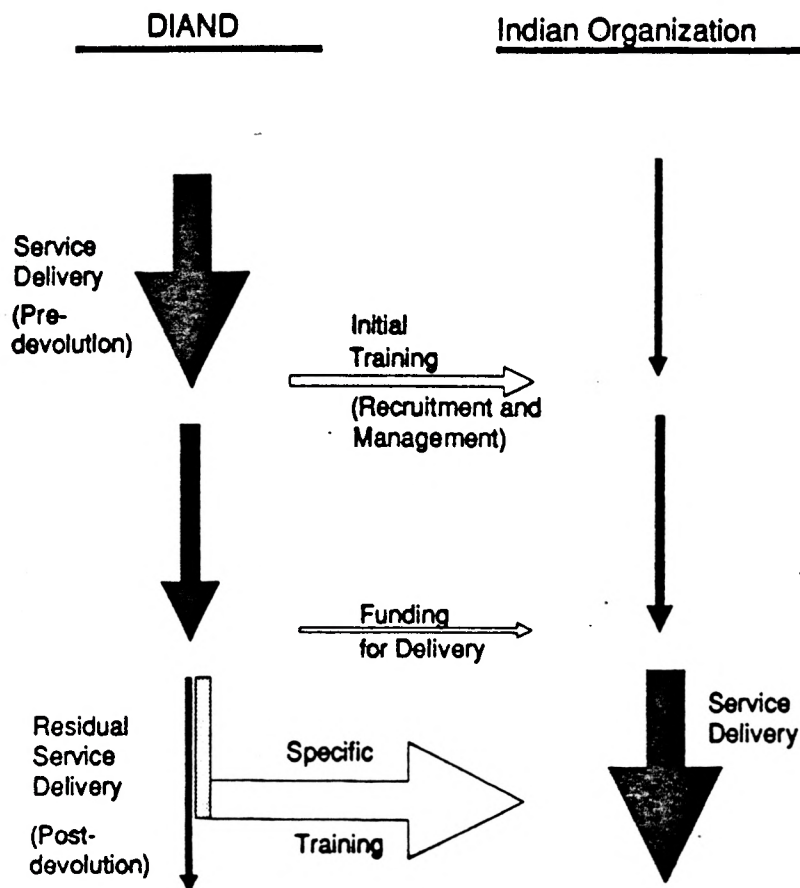
Among the persons interviewed, the Devolution of Advisory Services, and the taking over of a maximum of services by Indian organizations is perceived as a very good thing.

Great efforts were made to articulate the Devolution and Downsizing initiatives and to minimize their impact. However, the first one followed a political agenda, while the second was following an administrative agenda. They soon went out of sync, forcing regions to accelerate the devolution process. Downsizing became the driving force. This affected negatively many Indian organizations who felt rushed and then let down. Training was provided to Tribal Councils, but it mainly covered administrative matters and personnel recruitment. Very little was provided on the actual delivery of the services. In many cases, when Tribal Councils started looking for help in the actual delivery of services, downsizing had done away with it. One exception was encountered. Saskatchewan slowed the pace of downsizing for the first three years of the five-year plan, thus allowing a greater share of its expertise to be transferred to Indian delivery organizations.

Depending on the context, future Devolution initiatives should follow the sequence described below.

Figure 9

Devolution and Downsizing: a Revised Sequence



The important elements are:

- *Training should be divided in two phases. The first one could concentrate on hiring practices and related matters, while the second one should be specifically oriented towards service delivery. It would take place after the services have been transferred so that delivery organizations could make the best of it immediately. This training could take any form. A recourse or a way to obtain assistance when needed might suffice.*
- *Downsizing should be linked to the attainment of milestones in the transfer process, as opposed to following a distinct agenda.*

Third Issue

The third issue of this evaluation study covers "**the impacts and effects of the Devolution policy and process on the Department, the Tribal Councils, and the Bands**".

DIAND

Through downsizing, the impact has been a reduction of staff and a considerable loss of expertise. It appears that morale was very much affected, although downsizing cannot be described as a novelty for the Department.

Tribal Councils

The major impacts on Tribal Councils were increases in staff, workload and responsibility. Many Tribal Councils had difficulties adapting to the new role and to the new rapport with their member Bands defined by the Tribal Council policy (D2). The Policy allows for the provision of funding to Tribal Councils that are considered an extension of Bands councils. It appears that this was not the way some Tribal Councils perceived themselves originally. This seems to have generated some tensions.

In order to allow for the maximum possible flexibility in the delivery of the Advisory Services, and by fear of seeming to dictate the content of the services, the definitions of the Advisory Services to be delivered were kept intentionally vague. This caused problems to Indian organizations struggling to learn what exactly was expected from them. Some regional offices released job descriptions or "grids" that were adopted and/or adapted by the Tribal Councils. It appears that this was the proper way to go. Tribal Councils are now adapting even more the services to the distinctive need of their member Bands, but the more accurate descriptions provided by the regions have at least helped them to start operating.

A too strict adherence to a non-intervention rule has likely caused delays in the efficient delivery of the services by Indian organizations.

Bands

Globally, the effect appears to have been positive. Among the noted effects:

- Greater independence of the Bands from the Department;
- A better balance in the delivery of services between Bands regardless of location, i.e.: close to or further from DIAND's offices;
- A developmental opportunity for Indian workforce; and
- Advisory services better adapted to the Bands' needs.

MANDAT DE L'ÉVALUATION

TRANSFERT DES SERVICES CONSULTATIFS

Besoin:

Le financement alloué à l'initiative de transfert pour la période de 1986-87 à 1990-91 expire en 1990-91. La haute direction du Ministère a demandé qu'une évaluation de certains aspects du processus de dévolution soit entreprise préalablement à une demande de prolongement du financement du Conseil du Trésor.

Historique:

Le Ministère des Affaires indiennes et du Nord Canada a reçu l'approbation du Conseil du Trésor en novembre 1986 de mettre en oeuvre son plan de transfert des services consultatifs à la gestion indienne durant la période de 1986-87 à 1990-91. Ce plan de transfert s'appliquait seulement aux programmes des Affaires indiennes et inuit et non au programme du Nord.

Étendue:

Sous réserve de la disponibilité d'information, l'évaluation examinera la dévolution des services consultatifs depuis l'approbation du plan de transfert le 27 novembre 1986.

Dimensions principales de l'évaluation:

L'évaluation examinera les questions suivantes:

- la mesure dans laquelle les résultats anticipés du transfert des services consultatifs ont été réalisés.
- la mesure dans laquelle la politique et le processus de transfert ont été efficaces et de quelle façon ils pourraient être améliorés.
- les effets et répercussions de la politique et du processus de transfert sur le Ministère, les conseils tribaux, et les bandes.

TERMS OF REFERENCE

DEVOLUTION OF ADVISORY SERVICES

Need:

Funding for the 1986-87 to 1990-91 devolution initiative expires in 1990-91. Senior departmental management has requested that an evaluation be undertaken of certain aspects of the devolution process prior to seeking an expansion of funding from Treasury Board.

Background:

The Department of Indian Affairs and Northern Development received Treasury Board's approval in November 1986 to implement its plan for the transfer of advisory services to Indian administration during the period 1986-87 to 1990-91. The devolution plan applied only to the Indian and Inuit Affairs Program and not to the Northern Program.

Scope:

Subject to the availability of information, the evaluation will look at the devolution of Advisory services since the presentation of the Devolution Plan on November 27, 1986.

Issues:

The evaluation will address the following issues:

- The extent to which the anticipated results of the devolved Advisory Services have been achieved.
- The extent to which the devolution policy and process have been effective and how they could be improved.
- The impacts and effects of the devolution policy and process on the Department, the Tribal Councils, and the Bands.

Approche:

L'évaluation sera menée par un agent principal d'évaluation du MAINC avec l'aide d'experts-conseils.

Un examen des dossiers sera mené à l'administration centrale ainsi que dans les régions. Un certain nombre d'entrevues par téléphone et en personne seront menées avec les conseils tribaux et les bandes à travers le pays. Des entrevues seront également menées avec le personnel du MAINC à l'administration centrale ainsi que dans les régions. Des études de cas seront entreprises avec les organismes indiens et avec les bandes concernées. Ces études comprendront des examens de dossiers et des entrevues à l'administration centrale, dans les régions touchées, et avec des conseils tribaux et des bandes impliqués.

La méthodologie détaillée sera élaborée durant la phase de planification de l'étude d'évaluation en consultation avec la Direction générale du soutien des bandes et de la gestion des immobilisations. Un comité consultatif, présidé par la Direction de l'évaluation, sera constitué de représentants de la Direction générale du soutien des bandes et de la gestion des immobilisations, et de trois bureaux régionaux.

Calendrier:

La planification détaillée de l'évaluation débutera en janvier 1990, et le travail sur le terrain débutera en avril 1990. Le rapport final sera présenté en décembre 1990.

Coût:

L'évaluation exigera environ 150 journées-personnes de la Direction de l'évaluation, 25 000 \$ pour fins d'entrevues téléphoniques, d'entrevues en personnes et d'examen de dossiers, et 10 000 \$ pour chaque étude de cas.

Approach:

The evaluation will be conducted by a Senior Evaluation Officer at DIAND with the help of consultants.

A file review will be done at Headquarters and in the regions. Extensive telephone and in-person interviews will be conducted with Tribal Councils and Bands across Canada. Interviews will also be conducted with DIAND staff both at Headquarters and in the regions. Case studies will be undertaken with Indian organizations and affected Bands. These studies will include file reviews and interviews at Headquarters, in the relevant regions, and with the participant Tribal Councils and Bands.

The detailed methodology will be developed in the planning phase of this evaluation in close consultation with the Band Support and Capital Management Branch. An advisory committee, chaired by the Evaluation Directorate, will be struck with representatives from Band Support and Capital Management, and three Regional offices.

Schedule:

The detailed planning of the evaluation will start in January 1990 with the field work to start in April 1990. The final report will be presented in December 1990.

Cost:

The evaluation will require approximately 150 person-days of evaluation staff time, \$25,000 for telephone interviews, in-person interviews and file reviews, and \$10,000 per case study.