

**DRAFT Accountability Framework**  
**Appendix to First Nations Leadership Council Terms of Reference**

1. General

The Accountability Framework promotes unity and formalizes the responsibility of the First Nations Leadership Council and Nation councils, working groups, committees and partner organizations in BC to Nations in BC. The Accountability framework is rooted in the First Nations Leadership Council Terms of Reference (FNLC TOR). The Accountability Framework defines “accountability” as responsibility for working to improve the lives of Nations in BC across multiple sectors while adhering to the objectives defined in the FNLC TOR.

The Accountability Framework sets out scope and applicability, principles, and tools and procedures, for the First Nations Leadership Council and Nation councils, working groups, committees and partner organizations, as well as guidelines for conflict of interest, dispute resolution, and recall.

2. Scope and Applicability

2.1. Sections 4 to 4.5 of the FNLC TOR provide the general policy framework for the First Nations Leadership Council (FNLC) relationship with the councils, working groups, committees and partner organizations.

2.2. Section 4.1 of the FNLC TOR sets out the history of the relationship between the FNLC and the councils, working groups, committees and partner organizations, as well as the relationship between the councils, working groups, committees and partner organizations to Nations in BC.

2.3. Section 4.3 of the FNLC TOR requires the FNLC to ask the Board of Directors or governance structure for each council, working group, committee or partner organization to:

- Adopt the Terms of Reference which includes this Accountability Framework appendix;
- Enter into memoranda of understanding or protocols with the FNLC that set out the respective roles and responsibilities of each party in addressing sectoral issues and priorities identified by Nations.

2.4. In the spirit of unity and working together, the Accountability Framework is applicable to the FNLC and all councils, committees, working groups, partner organizations or others who represent Nations’ interests in B.C. who choose to endorse it, in addition to any internal accountability framework or processes that the FNLC and each council, working group, committee or partner organization upholds. A signatory must uphold the Accountability Framework until it seeks in writing to have its name removed from this document.

3. Principles

The FNLC and all Chiefs, leaders, and representatives on councils, working groups, committees and partner organizations that choose to endorse this Accountability Framework agree to uphold the following principles:

3.1. Promote and strive toward unity among the FNLC and councils, working groups, committees and partner organizations in order to best meet the needs of Nations in a coordinated and positive way, to be maintained by open and respectful communication and information sharing.

3.2. Respect and recognition of unique mandates, histories, governance structures, and funding obligations of the FNLC and each council, working group, committee and partner organization.

- 3.3. FNLC and all council, working group, committee and partner organization operations are community-driven, Nation-based (rooted in Nations as opposed to being imposed by the FNLC or any councils, working groups, committees, or partner organizations), and transparent.
- 3.4. Culture and traditions underpin work of the FNLC and the councils, working groups, committees and partner organizations. Respect for the cultural diversity among Nations in BC.
- 3.5. Regular, clear, and honest communication to Nations as well as other councils, working groups, committees and partner organizations and the FNLC, including inclusiveness and respectful listening.
- 3.6. Ensure that the work of the FNLC and the councils, working groups, committees and partner organizations is financially sustainable and maximizes the amount of financial capacity resources that go directly into the community; i.e. ensure that the FNLC and councils, working groups, committees and partner organizations are not utilizing “community-level funding” (funding that is available at the Band level).
- 3.7. Conflict provides an opportunity for growth and will be dealt with in an open and transparent manner according to outlined procedures below, remaining focused on working together for the benefit of all Nations.

#### 4. Tools and Procedures

##### 4.1. Seeking Community Direction

- In accordance with Section 6 of the FNLC TOR, and the Process Document for All-Chiefs’ Assemblies, the FNLC (BCAFN, FNS, UBCIC) will host one All-Chiefs’ Assembly per year where Nations can set priorities and provide high-level direction to the FNLC and the councils, working groups, committees and partner organizations that collectively represent Nations in BC on a provincial level.
- The FNLC and all councils, working groups, committees and partner organizations that collectively represent Nations in BC will participate in the All-Chiefs’ Assemblies and uphold the Process Document for the All-Chiefs’ Assemblies.

##### 4.2. External Reporting and Communication

- In accordance with Section 6 of the FNLC TOR, and the Process Document for the All-Chiefs’ Assemblies, the FNLC will host one All-Chiefs’ Assembly per year when the FNLC will provide high-level progress reports to Nations. The All-Chiefs’ Assemblies will provide the necessary time to fully discuss and debate any of the issues being reported.
- The FNLC and councils, working groups, committees and partner organizations will make respective documents available to Nations for review as per request and in accordance with any internal policy, bylaws or process, including fiscal reports, bylaws, Terms of Reference and any other structure documents, in a timely manner.
- The FNLC and councils, working groups, committees and partner organizations will provide verbal and written progress reports to Nations as per request in a timely manner and to the best of their abilities, and commit to delivering messages they hear from Nations to the FNLC and All-Chiefs’ Assembly.

- The FNLC and councils, working groups, committees and partner organizations will make available verbal and written explanations of their respective member appointment processes to Nations as per request.
- The FNLC and councils, working groups, committees and partner organizations will provide written updates in the FNLC information bulletin for distribution to all Nations in BC.

#### 4.3. Coordinated Strategy

- The FNLC and councils, working groups, committees and partner organizations will identify as necessary, regional, provincial, and national matters that impact Aboriginal Title and Rights and Treaty Rights and jurisdiction in BC, in order to highlight issues that need to be addressed with political advocacy by the FNLC.
- The FNLC, councils, working groups, committees and partner organizations will jointly determine how to structure regular quarterly roundtable/discussion forums of (1) natural resources and (2) social issues, which will be attended by the FNLC and relevant councils, working groups, committees and partner organizations. These parties will provide verbal and written updates including input provided directly to each entity by Nations in accordance with their respective processes, and coordinate strategy to best meet the needs of Nations in BC.
- Undertake a common strategic approach in securing resources and budget to ensure that the FNLC and councils, working groups and committees are not competing for funding against each other or Nations.

#### 4.4. Reciprocal Accountability

- Resolutions from each of the BCAFN, FNS, and UBCIC, as well as resolutions passed by councils, working groups, committees and partner organizations will be available to Nations upon request for review so that leadership may be held accountable for decisions made by resolutions, according to their respective bylaws and internal processes, and Section 5.6 of this document.

### 5. Conflict of Interest

- 5.1. In exercising their respective mandates, the FNLC and councils, working groups, committees and partner organizations will act honestly, in good faith and in the best interest of Nations in BC.
- 5.2. Consistent with the principles set out in this Accountability Framework, representatives on the FNLC and on councils, working groups, committees and partner organizations will conduct themselves with integrity and in an ethical manner.
- 5.3. Representatives on the FNLC and councils, working groups, committees and partner organizations will avoid any real or perceived conflicts of interest.
- 5.4. Representatives on the FNLC and on councils, working groups, committees and partner organizations will establish and maintain good working relations with the Nations they represent and each other. Representatives will be elected according to the respective bylaws and/or internal processes of each respective entity, with commitment to avoid nepotism and seek diversity.
- 5.5. The FNLC and any signatory council, working group, committee or partner organization will present any matter for which they have reasonable grounds to believe they have a conflict of interest or perceived conflict of interest, at an All-Chiefs Assembly or other meeting pertaining to their duties or mandate. The respective chief, leader or representative will fully disclose the nature of the

conflict of interest and the Chiefs-in-Assembly or the leaders at the respective meeting will discuss if the individual(s) must remove themselves from the meeting.

#### 5.6. Potential Breach of Accountability Framework:

- A “potential breach of the Accountability Framework” may be defined as any action that may be in violation of the provisions set out in this Accountability Framework.
- A representative from the FNLC or a signatory council, working group, committee or partner organization that has endorsed this Accountability Framework may bring forward to the entire FNLC a complaint alleging another signatory is in potential breach of the Accountability Framework.
- Following acknowledgement of the complaint by the FNLC, the complaint will be made known at the next All-Chiefs’ Assembly and the Chiefs-in-Assembly will strike a Review/Process Committee to consider the complaint, investigate the complaint, make findings of fact and provide reasonable recourse options. In the event that the individual(s) bringing forward the complaint requires immediate attention, the entire FNLC will work with the individual(s) to see if the issue can be resolved prior to the next All-Chiefs’ Assembly.
- The Review/Process Committee will be made up of three representatives from separate councils, working groups, committees or partner organizations that have endorsed this Accountability Framework, and who are members of three separate Nations, and may not include the person against whom the complaint was brought or those who brought the complaint forward.
- Repercussions will depend on the outcome of the Review/Process Committee’s investigation. Appeals may be made at an All-Chiefs’ Assembly, and must be submitted in writing prior to the All-Chiefs’ Assembly, as well as presented orally.

#### 6. Dispute Resolution

- 6.1. The FNLC and councils, working groups, committees and partner organizations that have endorsed the Accountability Framework recognize that working together leads to greater strength, unity and trust. Those that have endorsed the Accountability Framework also recognize and anticipate that disagreements may arise from time to time.
- 6.2. As per section 4.4 of the FNLC TOR, the FNLC and councils, working groups, committees and partner organizations will identify any potential disagreement or conflict and address the dispute immediately.
- 6.3. Where a disagreement arises between two or more signatories to the Accountability Framework, the dispute will be addressed immediately through open, honest and respectful dialogue.
- 6.4. Signatories to the Accountability Framework who believe another signatory is not upholding the Accountability Framework, or believe there has been unfair or improper conduct are encouraged to bring forward the dispute as per Section 5.6.
- 6.5. If a dispute cannot be resolved between the parties involved or if one of the parties prefers to have the situation handled by a neutral third party, a Review/Process Committee will be struck as per section 5.6 of this Framework.

#### 7. Recall

7.1. Representatives on the FNLC or councils, working groups, committees and partner organizations that have endorsed the Accountability Framework can be replaced or recalled in accordance with their respective internal structures, bylaws, and/or Terms of Reference. These documents are accessible to Nations as per section 4.2.

Endorsements