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**COUNCIL GOVERNANCE POLICY  
MANUAL**

**ADOPTED: In Principal April 25, 2006**

**FIRST NATION OF NACHO NYAK DUN**  
**COUNCIL GOVERNANCE POLICY MANUAL**

**INTRODUCTION**

This policy manual is adapted from the Carver Governance Model. The purpose of these policies is to assist members of the Council of the First Nation of Nacho Nyak Dun to understanding their roles, responsibilities and accountabilities as members of Council. This includes their relationship with the Citizens, Council as a body, individual members of Council, the Chief, the Operations Director and members of staff. This policy framework has four parts (with the acronym **PLOC**): Planning, Leading, Organizing and Control. These are explained below:

- **Planning**  
These policies state the Council's purpose, vision and values for the First Nation. They remain constant over the Council's term of office. Each year the Council, with the Operations Director, decides what it wants to accomplish for the year. The Council's yearly objectives focus the work of the Operations Director and staff. They hold the Director accountable for achieving results.
- **Leading**  
These policies contain the rules that the Council follows to manage Council business. They include the process of policy development, the Council's annual agenda, and reporting procedures. They contain an orientation process for new Council members.
- **Organizing**  
These policies explain how the Council interacts with the staff, and vice versa. They also contain the rules and procedures for valuating the Operations Director.
- **Controlling**  
These policies define the limits the Council places on the Operations Director's authority. The Operations Director may take any prudent and legal action that does not exceed these limits. The limitations policies are the expression of trust that the Council has in the ability of the Operations Director to manage the organization's business.

Policies like these are useful to orient new Council members. They ensure the Operations Director is effective and achieves Council's goals. They prevent the Council from becoming too involved in the day-to-day operation of the office, while making sure that Council governance is appropriate and efficient. The policies below are selected to illustrate how council governance policies work.

## **PRESUMPTIONS**

Chief and Council have been entrusted by the Citizens of the First Nation of Nacho Nyak Dun to carry out the business of the First Nation in a fair, responsible and ethical manner, and to respects the traditions and values of the First Nation.

Council shall conduct its business based on the following presumptions:

### **1. Presumption of Legislative Compliance**

All members of Council shall be presumed to be acting in compliance with First Nation of Nacho Nyak Dun legislation. This includes the Constitution. As well, all members of council shall be presumed to be acting in compliance with the Final Agreement, Self-Government Agreement, or any other agreement the First Nation of Nacho Nyak Dun may enter into.

### **2. Presumption of Good Faith**

All members of Council are presumed to be making decisions in good faith and in the best interests of all Members of the Na-Cho Nyak Dun community.

### **3. Act Collegially**

All members of Council shall act in a collegial manner with each other including using good faith efforts to resolve disputes, acting in solidarity in public and respecting Council deliberations.

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## **PART 1 PLANNING**

### ***1A. Core Purpose***

The purpose of Council is to protect the collective rights of all citizens of the First Nation of Nacho Nyak Dun, ensure the continuation of our role as custodians of the territory's lands, waters and resources, and to promote a healthy and vibrant community in which all citizens live and work in a safe and responsible manner with respect for the elders, the community, and the traditions of the First Nation.

### ***1B. Vision***

Our vision is a stable, self-sustaining community that provides choices in education, employment and economic opportunity for our citizens as well as preserves our history, traditions, values, language and the future of our citizens as a distinct people.

### ***1C. Values***

Our values require Council to:

1. Have a constant focus on the need to preserve our collective rights without compromise and use our resources in a responsible and sustainable manner.
2. Ensure that the First Nation does not abandon its role as custodian of our traditional territories.
3. Support and promote the involvement of all citizens in the government, planning and advancement of the community.
4. Respect the traditions, history and culture of the First Nation while promoting openness and tolerance towards the perspectives and beliefs of all citizens.
5. Ensure the good standing of the First Nation with our neighbors and other governments and compliance with our agreements.

## ***1D. Outcomes***

### **1. Education.**

The First Nation of Nacho Nyak Dun is committed to ensuring that its citizens receive equal access to educational opportunities and outcomes in accordance with their needs. This includes support for those at risk, the upgrading of basic skills, vocational training and formal education. As well, the First Nation of Nacho Nyak Dun is committed to promoting traditional forms of education and learning as equal alternatives to current methods.

### **2. Economic opportunity.**

The First Nation of Nacho Nyak Dun is committed to providing economic opportunity for its citizens by promoting sustainable economic development within our traditional territories. This development must benefit all citizens without compromising our commitment to preserve the environment and protect the long-term health of our land.

### **3. Preservation of language, history, and culture.**

The First Nation of Nacho Nyak Dun recognizes that it is our language, history and culture which make us a distinct people. Currently, these are on the verge of being lost. The First Nation is committed to doing everything within its power to ensure these are passed on to subsequent generations in order to preserve our place as a distinct nation.

### **4. Housing and a Safe Community**

The First Nation of Nacho Nyak Dun is committed to promoting a community in which citizens live in safety with access to proper housing and adequate services. We acknowledge that it is important for our citizens to be housed in a safe and reasonable manner if we are to achieve any other goals or outcomes.

### **5. Health**

The First Nation of Na Cho Nyak Dun [ insert paragraph ]

## *1E Achieving Outcomes*

Once Council has determined what their overall outcomes will be, they will establish an official long-term plan (3 to 5 years). The plan will:

1. Identify specific priority areas within the more broadly defined outcomes on which the First Nation will focus.
2. Identify specific steps for how these priorities will be achieved. (i.e.: how will they be financed, will they require additional staff, what level of background work must be done to initiate them, are there other governments which must be involved and will this effect the time frame)
3. Where advisable, identify a specific Councilor or Councilors to oversee, guide or provide impetus to a specific project and keep Council informed of any progress, problems or other issues which may arise.
4. Include conservative estimates of the First Nation of Nacho Nyak Dun revenue and basic expenditures over the period of the plan.
5. Establish a process for review and revision by Council. Progress on the plan will be presented to the General Assembly every year, including any deviation from the plan, failure to meet the goals of the plan, and reasons why.

## **PART 2 LEADING**

### **2A *Governing Style***

The governing style of Council is to focus on leadership that will emphasize:

1. A clear separation of the roles of Council and staff. Meaning:
  - (a) Council will only direct staff as a body and through the Operations Director;
  - (b) The Deputy Chief will be the link between Council and the Operations Director and will work with the Operations Director to oversee the administration of government programs and services and the supervision and direction of staff;
  - (c) Individual members of Council will not attempt to direct the Operations Director unless specifically authorized by Council and the Deputy Chief;
  - (d) Council will not authorize an individual member to provide instructions to the Operations Director unless the Deputy Chief is unavailable.
2. Council will be proactive by providing direction which results in a government that anticipates and prevents problems and provides opportunities, rather than being reactive. This requires that all members of Council be sensitive to the issues and opportunities facing the First Nation and focusing their attention and energy on achieving long term goals.

In this spirit Council will:

1. Be accountable to the citizens to carry out its obligations established by the Constitution and defined in our Purpose (1A) and as such Council will:
  - (a) Make every effort to reach informed decisions which further the best interests of the First Nation of Nacho Nyak Dun in accordance with the purpose, values and outcomes identified by Council;
  - (b) In accordance with statute and this policy, direct, oversee and where necessary discipline the Operations Director in order to ensure the goals of the First Nation of Nacho Nyak Dun are met.
  - (c) Never allow any Councillor, committee of Council or an individual to take over Councils role, nor discourage discipline;
  - (d) Never abdicate their position of accountability for all actions of the government and its administration.



2. Act in their role as governors, providing long-term direction and guidance and maintaining a focus on the political needs of the First Nation of Nacho Nyak Dun.
3. Show leadership and inspire loyalty from staff by establishing policies based on sound research and due diligence that are intended to further the goals of the First Nation of Nacho Nyak Dun.
4. Enforce discipline on members of Council when required according to the disciplinary procedures set out in paragraph 2B, the, following shall be cause for discipline:
  - (a) Attendance at all regularly scheduled Council meetings is important; A member of Council, who misses a regularly scheduled Council meeting without a valid reason will be subject to discipline.
  - (b) Respect for the Governing Body: members of Council will treat each other with respect and dignity at all times. To maintain appropriate decorum, Council will not tolerate intoxication, rudeness, swearing or personal attacks during Council meetings. Councilors who fail to act in a respectful manner will be subject to discipline.
  - (c) Respect for the office of Governing Body: Councillors understand that they are official representatives of the First Nation of Nacho Nyak Dun and as such will undertake to represent the First Nation of Nacho Nyak Dun with respect and dignity. Councilors who act in a manner that disgraces the office of Council or brings into question the integrity of that office will be subject to discipline
  - (d) Respect for the role of Chief: the constitution has designated the Chief as the lead spokesperson and official representative of the First Nation of Nacho Nyak Dun. Council shall respect this role and avoid speaking out on behalf of the First Nation unless officially delegated by council. The Chief shall act in a manner which preserves the respect and dignity of the office and the First Nation of Nacho Nyak Dun.
    - (i) Any member of Council who speaks on behalf of the First Nation of Nacho Nyak Dun without the authorization of Council may be subject to discipline.
    - (ii) If the Chief acts in a way which brings disrespect to the First Nation or brings into question the integrity of the office of Chief he or she will be subject to discipline.

- (e) Respect for the role of the Deputy Chief: the constitution has designated the Deputy Chief as the successor to the Chief. Council shall respect this role and avoid speaking out on behalf of the First Nation unless officially delegated by Council. The Deputy Chief shall act in a manner which preserves the respect and dignity of the office and the First Nation of Nacho Nyak Dun.
- (f) Speak with one voice: Members of Council will not speak publicly regarding issues or differences debated within Council; when Council makes a decision all members of Council will support the decision outside the Council chambers regardless of how the Councillor voted in the session..
- (g) Achieving good governance: Council shall make every effort to ensure compliance with the principles of good governance. This includes reminding Councillors when they are acting contrary to these principles and enforcing agreed upon disciplinary measures when they are called for.

## **5. Information received in your role as a Council Member**

- (a) Inside Information: Councillors must never use information they received as a result of their position as a member of Council for their own personal benefit.
- (b) Confidentiality: when it is in the best interest of the First Nation of Nacho Nyak Dun to keep information confidential, no Council member, staff member or any other person present may disclose any information deemed to be confidential including the minutes, records or proceedings of any “in camera” Council or committee meeting.

## ***2B Disciplinary Procedures***

Any activity by a councilor, including the Chief and Deputy Chief, which is subject to discipline, shall be treated as follows:

### **1. First Reprimand**

Following the first offence, the Council member will receive a reprimand in the form of a motion by Council at a duly convened meeting

### **2. Second Reprimand**

Following the second offence the Council member will be suspended without pay for one week, by the decision of a quorum of Council.

### **3. Final Reprimand**

In the event of a third offense, a decision by a quorum of Council will lead to one of the following sanctions:

- (1) A recommendation that the Council member resign.
- (2) Should the Council member refuse to resign:
  - (i) A recommendation to the appropriate NND Authority that it reprimand the Council member; or
  - (ii) A recommendation to the appropriate authority that it replace the Council member.

## **2C Role of Council**

The mandate of Council is to achieve its Purpose, strive toward accomplishing its Outcomes and fulfill its Constitutional obligations in an ethical and prudent manner. Therefore the job of council is to:

1. Determine the appropriate organizational structure of the First Nation of Nacho Nyak Dun.
2. Demand performance from its employees in accordance with NND policies;
3. Determine the political path of the First Nation of Nacho Nyak Dun in relation to First Nation legislation and non-First Nation of Nacho Nyak Dun political bodies. Council will:
  - (a) Identify the opportunities available to the First Nation and determine the priorities that council will pursue.
  - (b) Ensure resources are committed to the priority areas of the First Nation of Nacho Nyak Dun;
  - (c) Strive to fulfill all of the First Nation's obligations under its Agreements;
  - (d) Actively pursue intergovernmental relations that will advance the well being of the First Nation of Nacho Nyak Dun Members.

In order to fulfill its mandate Council will:

1. Provide the link between the First Nation of Nacho Nyak Dun administration and the Citizens.
2. Produce written policies that address the various categories of organizational decision making at the broadest level in the following areas:
  - (a) **P**LANNING POLICIES
  - (b) **L**EADING POLICIES
  - (c) **O**RGANIZING POLICIES
  - (d) **C**ONTROLLING POLICIES
3. Define the limits of the Operations Director. As well, Council will establish Controlling policies which include clear statements of the limitations placed on the Operations Director authority..

4. On an annual basis, shall conduct a formal evaluation of the Operations Director's performance as defined in the relevant policies and in relation to the measurable goals or outcomes established by Council.
5. Be accountable to the citizens by communicating and consulting with Community groups and individuals in order to determine how Council should define its goals and measure its achievements.
6. Define how Council will organize itself in order to get its work done including establishing policies on:
  - (a) Committee Structures
  - (b) Legislated responsibilities
  - (c) Revenue generation to ensure the financial viability of the First Nation of Nacho Nyak Dun.

## **2D    *Role of the Chief Councillor***

The role of the Chief is to assure the integrity and dignity of the Council's governance process. The Chief also represents the Council and the First Nation of Nacho Nyak Dun to outside parties. Therefore:

1. The job result of the Chief is that the Council conducts itself consistently with its own rules. Thus:
  - (a) The agenda and content of Council meetings will be only on those issues which, according to Council Policy, clearly belong to Council, not to the Operations Director.
  - (b) Council deliberation will not only be fair, open and thorough, but also timely, orderly and kept to the point.
2. The authority of the Chief involves deciding topics covered by Council policies on Council's leadership role (ex. Council governance) and on Council's relationship with the Operations Director.
3. The Council may specifically delegate portions of the Chief's authority to others.
4. The Chief will chair Council meetings with all the commonly accepted power of that position (for example, ruling, recognizing, etc.).
  - (a) The Chief has no authority to decide policies created by the Council within Planning and Controlling policy areas. Therefore, the Chief has no authority to supervise or direct the Operations Director.
  - (b) The Chief may represent the Council to outside parties in announcing Council-stated positions, decisions and interpretations within the area delegated to him or her.
  - (c) The Chief may delegate this authority, but remains accountable for its use.
5. While the Chief acts as the official representative of the First Nation and provides overall political direction, the Chief should not act without the authorization of Council and is bound by decisions of Council. When addressing the public regarding a First Nation position the Chief should avoid expressing a personal opinion or bias.

## **2E Council Orientation**

The purpose of orientation is to acquaint each Council member with the First Nation, the Council, and the job of the individual Council member. Orientation will be an ongoing process.

### **1. Orientation to the First Nation**

Orientation to the First Nation will cover the following:

- (a) The general scope of the First Nation, including Council's purpose, vision, values, history and programs and services provided by the First Nation of Nacho Nyak Dun.
- (b) The roles, responsibilities, relationships and structure of all levels of the First Nation operation.
- (c) The legislation which affects the First Nation, including its constitution, the Final Agreement, the Self-Government Agreement and any other legislation or intergovernmental agreements which apply to the First Nation of Nacho Nyak Dun.
- (d) An initial orientation with new Council members should be done before the first Council meeting. A Council member's manual will be prepared. It will contain the above information and the Operations Director will review the information in Council's Orientation Manual and information about the operation of the First Nation office with new Council members..

### **2. Orientation to the Council**

- (a) This orientation will be done before or at the first meeting of the new Council. A discussion of topic items by all Council members will help re-orient incumbent Council members and introduce new Council members to Council's Policy Manual. Supporting information will be distributed at this meeting to be inserted into the Council Policy Manual. Orientation will include the following topics:
  - (i) The role of Council members as a governing unit.
  - (ii) The importance of Council and its contribution to meeting the needs of First Nation members.
  - (iii) A review of Council's governance model, governance policies, and the basic values underlying the work of Council.
  - (iv) An introduction to Council's Annual Agenda.
  - (v) Council's relationship with other organizations, groups and government.

### **3. Orientation to the Individual Role of the Council Member**

(a) Orientation of Councillors as individual council members should include:

- (i) The specific responsibilities, expectations and benefits of the Council job.
- (ii) The level of authority and accountability of individual Council members.
- (iii) The roles of committees and the resources available to committee members.
- (iv) How reporting and communicating occurs within Council and between Council members
- (v) The performance expectations for individual Council members.

(b) This part of the orientation could be handled in a less formal way away from the Council table.

#### ***2F Council Annual Calendar***

Council shall establish an annual Calendar at the start of each fiscal year. The Calendar shall include:

1. The Legislative Agenda for the year;
2. The Budget schedule for the next fiscal year;
3. Assembly Dates;
4. Obligations of the First Nation of Nacho Nyak Dun which must be met in order to comply with the Self-Government Agreement and other intergovernmental agreements and contracts;
5. A schedule to review the compliance with the Outcome Policies and limitations policies and review and to revise the long-term plan established by Council;
6. Education or training to be undertaken by Council; and
7. Schedule of meetings with the Operations Director to review the progress of staff, the administration of government programs and services and the implementation of Council policies.
8. The annual performance evaluation of the Operations Director.



## **2G**    *Committees*

Council may from time to time establish committees.

1. All Council committees shall have a clear purpose and terms of reference.
2. The purpose of committees is to advise and assist Council to do its job. At no time should a committee be allowed to dictate Council policy or the political direction of the First Nation of Nacho Nyak Dun.
3. Committees should not be allowed to speak on behalf of Council unless this authority has been delegated, and only for a specific time and purpose.
4. Council Committees have no authority over staff and may not direct individual members of staff, directors or the Operations Director on any matter.
5. Committees should only be formed when absolutely necessary and for a specific purpose. The committee should be disbanded upon completion of the task for which it is formed.
6. Every Council committee whether officially designated as a committee or not, shall be subject to any and all rules or policies governing Council committees.
7. In the event that if a member of staff serves on a Council committee, that staff shall act in an advisory role only. Staff are not eligible to vote on committee decisions and should only be included on the committee for their technical expertise.
8. The above policies on Council committees apply to any group formed by council action, whether or not it is called a Council committee, and despite whether the group includes Council members. It does not apply to staff committees created under the Operations Director's authority.

## **2F Council Code of Conduct**

Members of the Council of the First Nation of Nacho Nyak Dun recognize that the citizens have delegated to them the unique responsibility to govern the affairs of the First Nation of Nacho Nyak Dun, to protect its land, its language, its traditions, and its elders and the environment of its traditional territories.

Members of the Council of the First Nation of Nacho Nyak Dun are fully aware of the responsibility placed upon them by the citizens and acknowledge their responsibility to carry out their duties with integrity, honesty, and respect for human rights and dignity, under the laws of the First Nation of Nacho Nyak Dun, Yukon and Canada, taking into account the best interests of all citizens of the First Nation of Nacho Nyak Dun.

### **1. Loyalty**

All Councilors, including the Chief, must be loyal to the interests of all First Nation of Nacho Nyak Dun citizens. As such, when acting in an official capacity as NND Chief or as a Council member, this loyalty supersedes:

- (a) any special interest group and membership on other boards or staffs;
- (b) the personal interest of any Council member acting as an individual user of a First Nation of Nacho Nyak Dun program or service;
- (c) the individual Councilor's family or clan.

### **2. Conflict of Interest**

- (a) Every Council member who, in any way, directly or indirectly, has an interest that conflicts or might reasonably be expected to conflict with the interests of the First Nation of Nacho Nyak Dun, or which may call into question the integrity of a decision of the Council shall disclose the nature and extent of their interest to the Council at the earliest opportunity.
- (b) Where a Council member or their immediate family has an interest in a corporation, partnership, sole proprietorship or is a director of a non-profit society or organization that may benefit from any contract, loan, grant, financial guarantee or other similar financial relationship entered into by the First Nation of Nacho Nyak Dun, the Council member shall be deemed to be in a conflict of interest for the purposes of awarding the contract, loan, grant, financial guarantee or other similar financial relationship.

- (c) Where a member of Council is in a conflict of interest and a decision must be made, the member in conflict shall excuse him or herself from the Council meeting while the matter is under discussion and being put to a vote.
- (d) A member of Council who excuses him or herself from a meeting due to a conflict of interest shall be counted as present and form part of the quorum, and the councillor's absence must be recorded in the minutes.

### **3. Extra Benefit**

- (a) A member of Council must not accept any personal benefit including any gift or fee either directly or indirectly except authorized compensation that is connected to their position as a member of Council.
- (b) Subsection (a) does not apply to a gift or other personal benefit that is received through protocol or social obligation normally accompanying the performance of the duties of a member of Council.

### **4. Employment**

- (a) No Council member may be hired as a member of staff of the First Nation of Nacho Nyak Dun, except:
- (b) If a Council member is hired as an employee by the First Nation he or she must resign his or her seat immediately.
- (c) No member of staff may serve as a member of Council. If a staff member is elected to Council, he or she must either resign his or her position or take a leave of absence during his or her term of office.

### **5. Authority**

Council members may not exercise individual authority over the organization except in accordance with Council policies. As such:

- (a) Individual Council members must recognize that they have no authority over the Operations Director or any member of staff.
  - a. Individual Councilors have no authority to interact with the public, the media or other entities on behalf of Council unless the authority has been specifically delegated by Council.
  - b. Individual Council members have no authority to assess the performance of the Operations Director during the Operations Director's regular performance review, except where specifically authorized by Council.

## **PART 3      ORGANIZING**

### ***3A      Delegation to the Operations Director***

The Council will instruct the Operations Director through written policies that describe the goals to be achieved (i.e. Council's Plans & priorities) and the situations and actions to be avoided (i.e. Council's Controls policies). The Deputy Chief shall work closely with Operations Director and will serve as the link between the Operations Director and Council. Council policy shall be broad enough to allow the Operations Director the room to exercise discretion in accordance with generally accepted management principles. This allows the Operations Director to use any prudent, ethical, reasonable interpretation of these policies. Therefore,

1. The Operations Director will report to the whole Council not less than once monthly regarding the status of the First Nation of Nacho Nyak Dun, including its financial position and any significant achievements, issues or problems identified or encountered by Program Directors.
2. In doing so the Operations Director will act in accordance with generally accepted management and accounting principles.
3. Council will respect the Operation Director's choices and decisions if a policy is absent. By adding to its policies, Council may rescind areas of the Operation Director's authority.
4. When the Operations Director violates any Council policy the Operations Director will:
  - (a) report the violation to the Deputy Chief in writing, as soon as possible after becoming aware of the violation;
  - (b) report to Council at the first regularly scheduled meeting of Council;
5. Following a violation of a Council policy, Council may make judgments regarding the actions of the Operations Director and take the appropriate steps to remedy the situation or discipline the Operation Director.

### **3B Council as a Body**

1. Only decisions made by Council as a body are binding on the Operations Director. Individual members of Council or Council committees, will not attempt to direct, instruct or otherwise interfere with the Operations Director.
2. If Council members or committees request information or assistance without Council authorization, the Operations Director can refuse those requests that require (in the opinion of the Operations Director) a material degree of staff time or funds, or are disruptive.
3. The Operations Director has full authority and accountability for all staff. As such:
  - (a) Council will never give instructions to any staff or other persons who report to the Operations Director;
  - (b) Council will not evaluate staff, other than the Operations Director, formally or informally.
  - (c) The performance of the Operations Director is the performance of the First Nation of Nacho Nyak Dun government administration. The Operations Director's performance will be evaluated accordingly, taking into consideration Council's stated goals, purpose, and the observation and implementation of Council policies.

## **PART 4      CONTROLLING**

### **4A      *Operational Practices***

The Operations Director will not cause or allow any decision or activity which is unlawful, imprudent, unethical or violates commonly accepted business and professional ethics of the First Nation of Na Cho Nyak Dun.

### **4B      *Administration***

Council has the final responsibility for the performance of the First Nation of Nacho Nyak Dun. However, in order to fulfill their duties as members of Council, they support the delegation of day-to-day operational authority to the Operations Director.

Council authorizes the Operations Director to develop staff policy. The Operations Director may not operate without:

1. Policies to ensure operational and administrative smoothness and consistency;
2. Publishing the procedures to be followed by all members of staff, and making these procedures available to all staff;
3. A procedure that limits *conflict of interest* to ensure openness, competitive opportunity and equal access to otherwise “inside” information.

### **4C      *Staff Treatment***

1. The Operations Director will not cause or allow working conditions which are unfair or undignified. The Operations Director will follow the First Nation of Nacho Nyak Dun Personnel Policy and any applicable legislation.
2. The Operations Director may develop and recommend to the Deputy Chief any changes or additions to the Personnel Policy he or she believe are necessary. Council will review the recommended policies to ensure they do not violate the principles and practices of the First Nation of Nacho Nyak Dun.
3. The Operations Director must never discourage, prevent or attempt to prevent members of staff from filing grievances regarding work issues, so long as such grievances are filed in accordance with staff policy.
4. The Operations Director must ensure that all members of staff are aware of their rights under the existing personnel policies.

#### ***4D Fiscal Planning and Accountability***

With respect to planning financial matters, the Operations Director will not depart from Council's stated strategic goals, or jeopardize the fiscal standard of First Nation Council. Thus, the Operations Director cannot:

1. Allow operational planning, budgeting and financial practices which violate generally accepted accounting principles (GAAP).
2. Plan the expenditures in any fiscal year of more operating funds than are conservatively projected to be received in that period.
3. Produce a budget which contains too little information to allow:
  - a. A reasonably accurate projection of revenues and expenses
  - b. A reliable cash flow projection
  - c. Subsequent audit trails
  - d. Planning assumptions
4. Reduce current liquid assets to below a level to meet the First Nation's current liabilities.

#### ***4E Financial Condition and Activities***

The Operations Director will oversee the First Nation's finances in a sound and prudent way. Therefore, the Operations Director will not allow financial risk to develop, nor jeopardize his or her ability to allocate funds with integrity. Thus, the Operations Director will not:

1. Expend more funds than have been received in the fiscal year to date, unless Council's debt guidelines have been met.
2. Indebt the First Nation for more than can be repaid by certain, otherwise uncommitted revenues within sixty days.
3. Use any long term reserves.
4. Conduct inter-fund transfers to a greater amount than can be restored by uncommitted revenues within thirty days.
5. Fail to settle payrolls and debts quickly.
6. Allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.
7. Make a single purchase or financial commitment of greater than \$ 10,000.00.
8. Acquire, encumber or dispose of real property.

9. Fail to aggressively pursue receivables after a reasonable grace period.

#### **4F    *Asset Protection Policy***

The First Nation's assets must be properly cared for, including property, equipment, membership lists, and computerized data. The Operations Director will not allow First Nation assets to be unprotected, inadequately maintained, or unnecessarily risked. Thus, the Operations Director will not:

1. Fail to insure against theft and casualty losses to at least 80% of replacement value.
2. Fail to insure against liability losses to Council members, staff, and the First Nation itself in no greater amount than the average for comparable operations.
3. Allow non bonded personnel access to material amounts of funds.
4. Subject buildings and equipment to inadequate maintenance and improper wear and tear.
5. Unnecessarily expose the First Nation, its Council, or staff to claims of liability.
6. Make any purchase:
  - a. Where normally prudent protection has not been given against conflict of interest
  - b. Of more than \$10,000.00 without a strict method of ensuring a balance between cost and long term quality
7. Fail to protect cultural and intellectual property, information and files from loss or significant damage
8. Receive, process or spend funds under controls that are insufficient to meet Council's appointed auditor's standards.
9. Invest or hold operating capital in insecure instruments, including:
  - a. Uninsured checking accounts and bonds of less than AA rating
  - b. Non-interest bearing accounts
10. Endanger the First Nation's public image or credibility, particularly in ways that would hinder its accomplishment of strategic goals



All fiscal planning shall be in accordance with the First Nation of Nacho Nyak Dun Government Administration and Finance Act and Council's strategic goals. As such the Operations Director shall:

1. Oversee the production of the budget to be submitted to Council for approval;
2. Ensure that the departments or any individual with the authority to spend First Nation of Nacho Nyak Dun funds, does so in accordance with the budget;
3. Ensure that no department spends funds in excess of the budgeted amount during any portion of the fiscal year, that will jeopardize that department's ability to carry on their operations for the full fiscal year;
4. Report to Council any financial irregularities as soon as they become apparent;
5. Suggest any financial changes or adjustments needed to ensure the best possible operation of the First Nation of Nacho Nyak Dun administration throughout the fiscal year.
6. Assist Council in long-term financial planning, including reasonably accurate and prudent estimates of revenues and expenses.

#### **4G Backup**

With respect to protecting the First Nation of Na Cho Nyak Dun from the sudden or temporary loss of the Operations Director, the Operations Director in consultation with Council, shall ensure there is sufficient executive backup for the Operations Director position.

#### **4H Communication with Citizens**

The Operations Director shall make every effort to:

1. Respond to the concerns and needs of the citizens regarding any program or service provided by the First Nation of Nacho Nyak Dun:
2. Communicate to the citizens any significant changes in the operation of any program or service provided.

#### ***4I Communication with Council***

When providing advice to Council, the Operations Director shall ensure that Council is not misinformed or uninformed. Therefore the Operations Director shall not:

1. Fail to advise Council of:
  - (a) Relevant socio-economic trends;
  - (b) Significant changes to intergovernmental relationships;
  - (c) Significant changes to assumptions upon which Council policy was established and the implication these changes have for the First Nation of Nacho Nyak Dun.
2. Fail to submit the required monitoring reports in a timely, accurate and understandable way.
3. Fail to periodically gather points of view, issues and opinions from internal and external sources needed to fully