

Ontario Joint Gathering November 15, 2023



First Nations Child and Family Services



Indigenous Services
Canada

Services aux
Autochtones Canada

Canada

OVERVIEW

This presentation will cover:

- **An Act respecting First Nations, Inuit, and Métis children, youth and families**
- **Post-Majority Support Services**
- **Capital Assets – CHRT 41**

Overview of *An Act respecting First Nations, Inuit and Métis children, youth and families*

As a quick refresher, the Act, first known as Bill C-92, came into force on January 1, 2020. It is historic legislation which:

- Establishes **national principles** for the provision of child and family services delivered anywhere in Canada.
- Affirms the **inherent right of self-government** includes jurisdiction in relation to child and family services, and includes legislative authority in respect of those services and authority to administer and enforce laws made under that legislative authority.
- Provides the legal framework by which an **Indigenous Governing Body (IGB)**, acting on behalf of an Indigenous group, community or people with s.35 rights, **can exercise jurisdiction** over child and family services by enacting legislation that will have the force of federal law.

NATIONAL LANDSCAPE

As of September 2023:

- Nationally, a total of 69 Indigenous governing bodies representing more than 90 communities have provided either a [notice of intent to exercise their legislative authority over child and family services or have made a request to enter into a coordination agreement](#) pursuant to section 20 of the Act.
- Seven coordination agreements have been successfully reached: in Saskatchewan, BC, Alberta, Manitoba, and in Ontario – with KI First Nation and Wabaseemoong Independent Nations.
- Seventeen coordination agreement discussions are under way across Canada, including one in Ontario.

ONTARIO

- In Ontario, 16 Indigenous governing bodies have provided formal notices of intent to exercise jurisdiction or requests to enter into coordination agreement discussions with Canada and the Province of Ontario pursuant to section 20 of the federal Act.
- ISC provides proposal-based capacity-building funding to First Nations and groups to explore readiness to exercise jurisdiction, and to develop Indigenous child and family services laws and service models. Over half of Ontario's First Nations have accessed capacity-building funding for this purpose.
- Other jurisdictional initiative:
 - Anishinabek Nation is negotiating a sectoral self-government agreement on child and family services with CIRNA and the Province of Ontario. Negotiations are at the Final Agreement stage.

LINKS

HELPFUL LINKS:

[An Act respecting First Nations, Inuit and Métis children, youth and families](#)

[Key Highlights of The Act](#)

[Federal Implementation Approach](#)

[Call for Proposals for Capacity-Building Funding](#)

[Notices and Requests Related to the Act](#)

Chiefs of Ontario's Child and Family Well-Being Law-Making Resource Bundle:
chiefs-of-ontario.org/wp-content/uploads/2023/03/02-22-2023-Child-and-Family-Well-Being-Law-Making-Bundle-FINAL-002HL_999.pdf

DEPARTMENTAL EMAIL CONTACTS:

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POST-MAJORITY SUPPORT SERVICES

Post-majority support services are intended to provide wrap-around support that meets the distinct needs of First Nations youth and young adults and promotes and supports holistic positive outcomes for thriving First Nations youth and young adults.

PRINCIPLES

Supports service delivery to ensure that First Nations youth and young adults have access to culturally appropriate services and supports that meet their needs and are substantively equal, promote safety, security, and stability to develop necessary life skills.

Supports First Nations youth and young adults to thrive, including their physical, emotional, cultural, relational, and psychological safety, security, and well-being.

Gives service providers the ability to develop and deliver post-majority support programming and offer necessary and relevant services to assist First Nations youth and young adults determine their own needs and self-identified goals as they transition into adulthood.

Who can access Post-Majority Support Services?

Care funded by the FNCFS Program:

- Youth who are in FNCFS care **approaching the age of majority**;
- Youth who were in FNCFS care and who **exercised a voluntary care provision to leave care prior to the age of majority**;
- Individuals who have **reached the age of majority**, who are under the age of 26 or the age specified in the applicable provincial or Yukon legislation (whichever age is greater), and **who were in FNCFS care on the day they reached the age of majority**;

Care funded by the Provincial/ Yukon Government:

- Youth who are in care funded by the province or Yukon, are ordinarily resident on reserve, or residing in the Yukon, and are **approaching the age of majority**;
- Youth who were in care funded by the province or Yukon, who **exercised a voluntary care provision to leave care prior to the age of majority** and who are ordinarily resident on reserve, or residing in the Yukon; and
- Individuals who have **reached the age of majority**, who are under the age of 26 or the eligibility age for post-majority services specified in the applicable provincial or Yukon legislation (whichever age is greater), **who were in care funded by the province or Yukon on the day they reached the age of majority and who are ordinarily resident on reserve or residing in the Yukon.**

Eligibility

The **definition of care** includes when a child or youth, ordinarily resident on reserve, on Crown land or in the Yukon, and has been placed to live outside of the family/home of origin. For example, care status includes extended society care, guardianship, custody, alternate care, and kinship care.

Eligibility is confirmed by the First Nation or service provider who is requesting PMSS funding.

- **There is a section in the request form for the requestor to attest to the eligibility of the young person.**
- The Post-Majority Support Services funding request form can be found in the Toolkit: Annex A, [online on the ISC website](#), or by requesting a copy from your ISC regional office.

Who can request funding for Post-majority support services?

- A delegated or partially delegated FNCFS Agency;
- Provincial/Yukon service provider;
- A First Nation; and,
- A First Nation authorized service provider.

CAPITAL ASSETS – CHRT ORDER 41

Funding to buy or build capital assets which support the delivery of First Nations Child and Family Services (FNCFS).

Principles:

- Capital assets support the delivery of FNCFS on reserve;
- Capital assets support substantive equality and culturally appropriate services;
- The asset(s) fits within long-term FNCFS-related plans and objectives;
- The costs are necessary to purchase, construct or renovate the asset;
- The documentation demonstrates value for money;
- Generally accepted accounting principles, applicable tendering policies, & applicable federal, provincial and local laws & regulations are followed

CAPITAL ASSETS

Eligible Activities:

- FNCFS – Prevention
- FNCFS – Protection (Services delivered by provincially delegated FNCFS Agencies)
- FNCFS – First Nation/Band Representative Services
- FNCFS – Post-Majority Support Services

Capital Project Life Cycles:

- Pre-Capital Stage
 - Capital Needs Assessment (FNCFS Program Operational Plan)
 - Technical Feasibility Study
- Detailed Design Stage
- Construction Stage

LINKS

Helpful Links:

[Capital Delivery Guide: Funding for capital assets: Jordan's Principle and First Nations child and family services \(sac-isc.gc.ca\)](#)

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