



# Beausoleil First Nation

Council Governance Manual

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## Introduction

This manual has been prepared to assist Beausoleil First Nation elected members of Council in carrying out their role in public office. It presents an overview of the duties and responsibilities and is intended to be used for policy reference purposes only. It is not intended to replace any Federal or Provincial legislation already in place.

## Vision Statement

The duly elected Council of the Beausoleil First Nation receives a mandate to govern the affairs of the Beausoleil First Nation for a period of four years, less a day. As the elected representatives, the Council will meet regularly:

- To make decisions to promote fairness and provide direction in accordance with the seven grandfather teachings: Wisdom, Love, Respect, Bravery, Honesty, Humility and Truth.
- To provide mediation between opposing viewpoints of parties and of the Members to create goodwill and provide solutions to problems that arise.
- To promote a healthy and thriving Community.
- To provide effective, accountable, legitimate and transparent processes where the Members can articulate their interests, exercise their rights and reconcile differences.
- To conduct business and to negotiate agreements that benefit our Membership to maximize opportunities for the best interests of the First Nation.

## Purpose

The purpose of the Beausoleil First Nation Council Governance Manual is to act as a guide for members of Council during their elected term of office. This guide includes important information that will assist members of Council to conduct efficient business on behalf of the Membership of the Beausoleil First Nation. This document will be used to assist in the transition period from term to term as well as Council Orientation. This document will be reviewed and amended regularly and as required.

As the governing body of the Beausoleil First Nation membership; there remains a fiduciary duty for Council to ensure that best practices are adhered to for the best interest of the membership of Beausoleil First Nation, with a forthright commitment to Honesty, Integrity and Respect. In this manual Council refers to both the Chief and all members of Council.

## 1.0 Definitions

Unless context otherwise specifies or requires:

**“Abstain”** means to refrain from voting, either for or against a motion

**“Conflict of interest”** a situation in which a person, such as a public official, an employee, or a professional, has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties.

**“Council”** means the elected Chief and elected Councillors for the Beausoleil First Nation.

**“First Nation Council Resolution”** the authority mechanism by which the elected representatives of a First Nation Council authorize an action.

**“Member of Council”, “Elected member of Council”, or “Councillor”** means a person selected by its membership in accordance with the Beausoleil First Nation election process for the purpose of governing.

**“Membership”** means all persons recognized by Beausoleil First Nation as being a status Indian (as defined in the Indian Act) and is included on the Beausoleil

**“Opposition”** means to oppose a decision, recommendation, or motion at a duly convened Council meeting.

**“Portfolio”** the roles and responsibilities of a Councillor within the administrative functional structure and organizational chart.

**“Quorum”** the number of members required for a group to officially conduct business and to cast binding votes. With respect to BFN business, quorum would be 6 Council members out of 10. (50% plus 1). \*Please Note\* that effective July 5, 2010 quorum will consist of 4 Council members including the Chairperson.

**“Senior Management”** means Directors and Managers of Beausoleil First Nation

## 2.0 Business of the Beausoleil First Nation

### 2.1 Execution of Documents

At any meeting of Council, any contracts and other important documents requiring signatures on behalf of the Beausoleil First Nation, may be signed by any two authorized signing officers after receiving approval by a quorum of Council at a duly convened meeting of the Council. A quorum of Council is required to sign Government Contribution Agreements, Beausoleil First Nation

Council Resolutions (FNCR) and any other important government documentation that determines funding and changes to governance.

Council signing authorities consists of the Chief and six (6) members of Council for all documents and payables.

Council has the authority to appoint other signing officer(s) of the First Nation Administration as may be required.

## 2.2 Frequency of Meetings

The present Council meets weekly on every Wednesday. Unless otherwise specified, all meetings take place at the Administration Building/Council Boardroom. Meetings are open to the public with the exception of in-camera sessions. Meetings take place from 9:00 a.m. and continue until business is complete.

## 2.3 Committees of the Council:

Beausoleil Education Advisory Committee  
Housing Committee  
Beausoleil Finance Committee  
Transportation Committee  
Health Committee  
Police Committee  
Land Code Committee  
Keepers of Our Sacred Land Committee  
Health and Safety Committee  
C.A.R.E. (Culture, Arts, Recreation, Entertainment)  
Nookmis Trust Committee (Niigaaning Trust)  
Mishomis Trust Committee (Williams Treaty Trust)  
Heritage & Culture Steering Committee

## 3.0 Amendment of Council Governance Manual and/or Order of Business

### 3.1 Amendments

The Beausoleil First Nation Council Governance Manual may be amended by a quorum of Council present at a duly convened meeting. Upon approval of amendments, copies of the amendments shall be forwarded to each member of Council.

The Beausoleil First Nation Council Governance Manual became effective at a regular meeting of Council on April, 21st, 2010 and has been amended, when necessary, upon new terms of Office of the Chief and Council.

## 4.0 Protection of Members of Council and Others

### 4.1 Limitation of Liability

Any member of Council of the Beausoleil First Nation, or any other person who has undertaken, or is about to undertake any liability on behalf of Beausoleil First Nation, or any company controlled by it and their heirs, executors and administrators, and estate and effects, shall from time to time, and at all times, be indemnified and saved harmless out of the funds of the Beausoleil First Nation, from and against:

- a. All costs, charges and expenses which such member of Council, or other person, sustains or incurs in or about any action, suit or proceedings which is brought, commenced or prosecuted against said persons, or in respect of any act, deed, matter, or thing whatsoever, made, done or permitted to be made or done by such persons, in or concerning the execution of their duties or in respect of any such liability, and
- b. All other costs, charges and expenses which are sustained or incurred in or concerning or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by the individuals own willful neglect or default.

## 5.0 Legal Environment

It is the Council's responsibility to consistently be aware of the legalities that are entwined within a governmental system. This is particularly important as the Council operates on a portfolio-based system.

The following is a list of important documents that apply to the history of government as well as the history of how we are currently governed as First Nations people. All members of Council are required to review and familiarize themselves with the documents pertaining to the list below to ensure that Council understands basic governmental jurisdiction(s) and guidelines that apply to us as First Nation people.

1. Royal Proclamation, 1763
2. Constitution Act, 1897
3. Constitution Act, 1982
4. Williams Treaty 1923 Settlement and Trust Agreement
5. Indian Act 1876
6. Canadian Human Rights Act
7. Canada Labor Code – Employment Standards Act
8. Canadian Charter of Rights and Freedoms
9. Criminal Code of Canada
10. Royal Commission
11. Jay Treaty
12. Privacy Act

13. 1965 Indian Welfare Agreement
14. Clean Water Drinking Act
15. Generally, all Treaties that identify the Beausoleil First Nation as a signatory
16. Springwater Park Agreement
17. Coldwater Narrows Settlement and Trust Agreement
18. Anishinabek Education System (AES)
19. First Nation Lands Management Act
20. Matrimonial Real Property Law
21. First Nation Fiscal Management Act
22. Jordan's Principle
23. OPSEU #303
24. Child Well-Being Law
25. Child Welfare Act
26. Chi Naaknegewin
27. First Nations Elections Act

## 6.0 Composition of Council

Effective July 05, 2010, Council shall be comprised of six (6) Councillors and One (1) Chief as amended by Council at a duly convened meeting held on January 12, 2010 and implemented by Ministerial Order. (See Appendices).

In accordance with Beausoleil First Nation Administration Policy and Procedures Section 1.2, elected members of Council *cannot* be employed by Beausoleil First Nation. This amendment was approved at a duly convened Council meeting held on April 20, 2010 and is effective July 5, 2010.

### 6.1 Withdrawal from Council

Any member of Council may withdraw their position as Councillor and/or Chief from the Beausoleil First Nation by delivering to the Beausoleil First Nation in writing; written notice of resignation and provide a copy of such notice to the Chief and Council. The resignation shall be reviewed at the next duly convened meeting of Council, and the resignation shall become effective upon acceptance by a quorum of Council present.

### 6.2 Term of Office

Unless otherwise determined (example: the First Nations Election Cancellation and Postponement Regulations - Prevention of Diseases (2020-2021)), a member of Council shall hold office from the date of election by the electoral members of Beausoleil First Nation for a period of four (4) years, and may be re-elected for subsequent terms through the First Nations Elections Act, approved by FNCR # 141-2022-066 Motion # 22-0810.18.



### 6.3 Vacancy or removal of Office

In the event of a vacancy, a member of Council shall be elected by the electorate of the Beausoleil First Nation at a duly called by-election as determined by the remaining members of Council. Council may choose to continue business without the need for a by-election as long as quorum is attainable.

### 6.4 Council Authority and Responsibilities

The members of Council have the authority to delegate Directors and/or Managers to administer the affairs of the Beausoleil First Nation in all respects that make or cause to be made for the Beausoleil First Nation, in its name or any kind of contract into which the Beausoleil First Nation may lawfully enter into.

- The members of Council shall have the authority to approve expenditures on behalf of the Beausoleil First Nation, in accordance with the Beausoleil First Nation Financial Policy.
- The members of Council shall have the authority to enter into a trust arrangement with a financial institution for the purpose of investing capital and creating financial arrangements in which the capital and interest may be made available for the benefit of promoting the interest and well- being of the Beausoleil First Nation in accordance with such guidelines as the members of Council may prescribe.

### 6.5 Action by Members of Council

The members of Council shall manage the business and affairs of the Beausoleil First Nation, and may exercise all such authority and do all such acts and things as may be exercised or done by the Beausoleil First Nation, and are not by by-laws, special resolution or by statute, expressly directed or required to be done in some other manner.

### 6.6 Remuneration

The members of Council shall serve without remuneration other than honoraria that has been reviewed and approved of at a duly held Council meeting. No member of Council shall directly or indirectly derive any financial profit/gain, income or gain arising from their position, or as a result of any decisions made regarding the development of any programs, services contracts and /or any form of development pursued and approved of on behalf of the Beausoleil First Nation. Members of Council may receive reimbursement for reasonable expenses incurred in the performance of their duties and their services as specified in the Beausoleil First Nation Financial Policy as approved by the members of Council.

- Effective May 31, 2023 the honoraria for each Councillor has been approved at \$2,115.40 on a bi-weekly basis.

## 6.7 Books and records

The members of Council shall ensure that all necessary books and records of the Beausoleil First Nation, as required by the Beausoleil First Nation's applicable statute, are regularly and properly kept.

## 6.8 Portfolios

A portfolio assignment discussion shall occur between all members of Council as soon as the first duly convened Council meeting. This assignment may be for the duration of the term of office, or may be amended during this period. Amendments of Council portfolio's will be discussed at a duly convened Council meeting where Council may have input regarding any new assignment.

As a Portfolio Councillor, each Council member has the following duties:

- To act as the Council liaison with the respective Director(s), Program Manager(s), Council-designated committees, membership, and outside agencies.
- To become familiar with the programs and initiatives in his/her designated portfolio area.
- To report on a regular basis to the Chief and Council on the activities and issues within his/her designated portfolio area.
- To support the portfolio area, programs and services designated in achieving success in all goals and objectives identified within the work-plans of specific director(s), manager(s) assigned under these respective portfolios.
- To work with and support director(s) and manager(s) without assuming the title, duties or roles of such employees.

## 7.0 Council Orientation

Upon election, the Council is required to collectively undergo an orientation process. Within two weeks of an election a series of transition meetings/session are required (these sessions will take place over the course of one week, a "transition week") and include:

1. Incoming/outgoing Council discussions, which will include an overview of past resolutions, motions, briefing notes and current/ongoing councillor projects;
2. Meetings with Senior Management, which will include updates on departmental work-plans;
3. A session on portfolio education and organizational structure;
4. Finance education, which will include an overview of own-source-revenue and administration budgets;
5. Education on Code of Conduct;
6. Awareness of related governance organizations (including PTOs and other partnerships), and finally;
7. Importance of language and culture to governance.

## 7.1 Orientation Roles & Responsibilities

The Executive Assistant will provide digital and/or physical copies of all policies related to governance at Beausoleil First Nation to each new Councillor within the first business day following an election.

The Executive Assistant and ~~out-going~~ Chief and Councillors are responsible for organizing transition meetings one month prior to an election. ~~Out-going~~ Councillors are responsible for preparing materials for transition one month prior to an election and update new members of Council accordingly.

## 7.2 Political Roles & Responsibilities

Chief and Council are elected by its members for a four-year term under the First Nation Elections Act, unless otherwise determined by special legislation. Council is always accountable to the membership it represents. The following is a list of political roles and responsibilities associated with being a member of Council:

1. Council members work to resolve issues on behalf of the Beausoleil First Nation and bring major issues forward as a whole for discussion and/or action.
2. Council members represent the views of the Beausoleil First Nation community when dealing with all external agencies.
3. Be informed of programs, services, departments work plans and budgets to ensure the successful delivery of programs/services.
4. While in office, Council will treat each other, the community, and membership according to the Seven Grandfather Teachings.
5. Council members are considered advocates on behalf of the membership, carrying issues forward, lobbying and negotiating agreements with other governments and agencies.

## 7.3 Functional Responsibilities

Council has several governance responsibilities and functions unique to their decision-making authority to provide leadership to the Beausoleil First Nation Administration:

1. Setting goals/directions for on-going development in all service areas. Review previous Council work plan and organizational structure.
2. Assist in the development and approval of policy and procedures, maintain current policies or follow up with an annual review. Ensure that policies are fair, equitable, and consistent with local by-laws, provincial/federal legislation.
3. Ensure health and safety in work and public environment.
4. Monitor all financial business of the Administration and protect community assets.
5. Facilitate meetings for decision making purposes (general band meetings, public, administrative or Council level).

6. Ensure that the membership is well informed on matters concerning or directly impacting them as prescribed by the *Community Engagement Strategy (draft)*.
7. Council will treat each other, the community and membership with respect and dignity at all times.

## 7.4 Strategic Planning

Council acknowledges the importance of strategic planning to ensure the future of the Beausoleil First Nation. In 2021, *Ge 'ni' Zhaaying: The Direction We Will Go*, the comprehensive community plan was completed, approved, and presented to the community.

This document is a living document, and should be revisited at least annually to ensure that the goals and priorities community members have put forth are realized. The Council will, upon the start and throughout their new term, perform the following:

- Become familiar with the *Ge 'ni' Zhaaying (The Direction We Will Go)* document.
- Review the *Ge 'ni' Zhaaying* comprehensive community plan regularly and ensure that the short, medium, and long-term priorities and goals within are implemented in each of the areas identified within their portfolio assignments.
- Ensure department workplans include the goals and priorities identified within *Ge 'ni' Zhaaying*.
- Ensure that *Ge 'ni' Zhaaying* is reviewed and updated annually.
- Ensure that annual reviews of all programs and services occur to ensure goals and objectives of each program/department are achieved.
- Regularly review, approve, and where necessary, revise the *Ge 'ni' Zhaaying* comprehensive community plan.
- Review and follow the guidelines within the *Communication Strategy* to keep the membership apprised of Council activities and decisions.
- Review and follow the guidelines within the *Community Engagement Strategy* to involve membership in the community planning process and decision-making process.

## 8.0 Role of the Council

### 8.1 Chief

The following provides an overview of the key areas of the roles and responsibilities of the Chief:

1. Is the official spokesperson for the Beausoleil First Nation;
2. Abides by the Code of Conduct at all times;
3. Is familiar with all Beausoleil First Nation policies and procedures, including that of the Council Governance Manual.
4. Ensures that Council operates in an effective manner that remains consistent with its own laws, policies and any other applicable laws that may impact the Beausoleil First Nation;

5. Ensuring that the needs of the membership are met to the best of their ability, and communication is maintained on all important issues and decisions;
6. Oversees the decision-making processes of Council;
7. Chairs all meetings of Council, and when necessary, cast the deciding vote where a tie becomes evident. Appoint or delegate the position of chair when unable to do so.

## 8.2 Chief Councillor

The role of Chief Councillor is determined by the highest number of votes for the position of Councillor achieved during the election process.

The Chief Councillor Roles and responsibilities are:

1. To act in the capacity of chairperson when the Chief is not present or when the Chief is declared in conflict;
2. Abide by the Code of Conduct at all times;
3. Is familiar with all Beausoleil First Nation policies and procedures, including that of the Council Governance Manual.
4. Assumes the same duties as the Chief when the Chief is attending to external affairs.
5. Where a vacancy of the Chief's position occurs, the Chief Councillor will immediately assume the role of interim Chief, taking into consideration the amount of time left within the current term.
6. Assumes the same duties as a Councillor.

## 8.3 Councillor

The following provides an overview of the key areas of the roles and responsibilities of the Councillor:

1. Abide by the Code of Conduct at all times.
2. Ensuring that duties and obligations are fulfilled within the portfolio system and structure.
3. Is familiar with all Beausoleil First Nation policies and procedures, including that of the Council Governance Manual.
4. Attend committee meetings within their portfolio area when required;
5. Knowledge of funding services and agencies that are affiliated with Beausoleil First Nation.

## 8.4 Role of the Executive Assistant

To facilitate the proper record of minutes of meetings pertaining Beausoleil First Nation administrative business, committee meetings pertaining to First Nation Council, Administrative duties: coordinate Council meetings internal/external, travel, reviews, updates, Beausoleil First Nation Council Resolutions, filing, training, directives, preparation of agenda, refer to appropriate

program, services, portfolio and administrative staff. Distribute work plans, budgets, reports and policies to Council.

## 9.0 Code of Conduct

1. Every member of Council must be knowledgeable of and uphold, respect, and adhere to the Council Governance Manual.
2. Council members will follow the teachings of the Seven Grandfathers including Love, Honesty, Humility, Wisdom, Bravery, Truth and Respect.
3. Council members will uphold and maintain the integrity of the Office of Council without personal gain.
4. Council members may not undermine the authority of senior management or other First Nation officials, or staff.
5. Council members may not interfere with the day-to-day operations of the First Nation, unless requested by the First Nation Administrator and/or senior management.
6. Council members shall abide by the Respectful/Safe Workplace Environment policy.
7. Council members are responsible to make a reasonable effort to make themselves available to hear the opinions of our members and questions on matters that pertain to Beausoleil First Nation;
8. Chief and Council will attend all meetings, workshops, conferences, assigned to them as an official delegate of the Beausoleil First Nation. This responsibility includes the prompt submission of formal written and verbal reports to the Chief and Council at the next Council meetings following the meeting, workshop or conference. The report will provide information to the Council regarding proceedings, decisions, potential impact on Beausoleil First Nation and recommendations regarding future action on related issues.
9. Any Council member who, for any reason, is unable to attend or continue to attend, a meeting to which they are called, must notify the Executive Assistant or other identified person of their absence.
10. During meetings, members of Council will keep focused on the discussions at hand by raising relevant facts to the issue and addressing the issues presented. It is polite to turn off all mobile devices while a Council meeting is in session.
11. Each elected member must recognize and respect decisions of Council. Each absent member should be informed immediately of the decision or outcome including in-camera decisions.

## 9.1 Authority

Authority rests only within regular or special Council meetings. No individual Councillor has any authority outside of Council without the express authority of the Council. Each member shall ensure that no abuse of office or abuse of authority takes place at any time, and such abuse of office or authority shall be reported.

## 9.2 Confidentiality and Discretion

1. Council members are to render their duties in a manner that protects the personal dignity and rights of each member of Council, and the interests of Beausoleil First Nation.
2. Council members are not to divulge any information or files concerning other elected members, First Nation members or any First Nation related business as per privacy legislation (PIPEDA/PHIPA).
3. If during a meeting, there is an in-camera discussion of a matter, a Council member present at that discussion must not reveal the details of that discussion to any other person.

## 9.3 Conflicts of Interest

1. During transition week Councillors must complete and sign a Conflict-of-Interest Disclosure document (see appendix).
2. Members of Council are to declare a conflict of interest prior to any discussions regarding immediate family and business affiliations. Where there is a possibility or perception of monetary or personal gain and that elected member will be required to leave the meeting premises during the discussion, and return when discussion is complete.
3. Any member of Council may identify and require a discussion and decision on whether another elected member has a conflict of interest prior to any discussion(s) or decision(s) regarding the immediate family or business affiliations where there is a possibility or perception of monetary or personal gain.
4. If a member of Council alleges that another elected member is in a conflict, there shall be discussion of the potential conflict and a decision at the meeting on whether there is a real or perceived conflict of interest. If it is decided that there is a conflict of interest, the person in conflict must leave the premises during the discussion and decision. If it is decided that there is a no real or perceived conflict of interest, no one is required to leave the meeting premises during the discussion(s) or the decision-making process regarding

the matter. If a Council member is determined to be in a conflict but refuses to leave, the discussion shall be delayed.

5. All declarations, decisions and disclosures of conflicts of interest will be recorded and reported in the minutes of the Council meeting. The minutes will include reference to the time when the elected member disclosed conflict of interest at the meeting.

#### 9.4 Abuse of Office

1. A member of Council must not, directly or indirectly accept, demand or request from another person or another member of Council, any private monetary or personal or economic favor, advantage or benefit for themselves or other person in exchange for:
  - a. Using the elected member's position to make, participate in the making of, influence or attempt to influence a decision on a matter, or;
  - b. Causing or attempting to cause a denial, interruption or delay of any service or program provided by Beausoleil First Nation.
2. A member of Council must not directly or indirectly:
  - a. Make use of confidential information for private monetary or other personal gain or,
  - b. Reveal confidential information to any person who could make use of that information for private monetary gain.
  - c. Any member of Council must not engage in any conduct towards another or another member of Council, employee/contractor of the Beausoleil First Nation that amounts to any kind of harassment, defamation and any kind of assault on that person.

#### 9.5 Complaints

1. Any complaint or allegation against a member of Council must be submitted in writing to the Chief or First Nation Administrator.
2. Within one week after receiving a complaint, the First Nation Administrator must deliver a copy of the complaint to the Council member concerned to allow the elected member to prepare a response to the complaint.
3. Council will consider the written complaint and any response by the Council member at the next Council meeting and:
  - a. Dismiss the complaint with written documentation provided to the person who filed the complaint if Council has determined that the complaint is frivolous, clearly without merit or trivial or;



- b. If the complaint is valid Council will act upon the complaint as described in 6. And 7.
4. If the Council member admits that he/she contravened the Beausoleil First Nation Council Governance Manual, the Council will determine what action is appropriate considering the nature of the breach.
5. If the member of Council denies contravening the Beausoleil First Nation Council Governance Manual, the Council will consider the information provided and might request an investigation into the matter.
6. After Council receives and reviews all the information it determines is necessary to address the complaint, Council will determine whether the Council member concerned contravened the Beausoleil First Nation Council Governance Manual.
7. If Council determines that the Beausoleil First Nation Council Governance Manual was contravened, Council will determine what penalty is appropriate considering the nature of the breach.

#### 9.6 Community Complaints Process

1. Where a community or committee member has a complaint or grievance against an employee, they are to forward complaint or grievance in writing to department Management Staff within five (5) days of the event in question. It is the responsibility of the department Management Staff to inform community/committee members of the correct process if they receive a phone or verbal complaint.
2. The department Manager will suggest for the complainant to approach the staff member directly in an attempt to resolve the complaint and may also agree to facilitate such a meeting.
3. In the event this does not provide resolution, the department Manager will notify Human Resources within seven (7) days to establish if the complaint is a breach of Policy and Procedures on the part of the staff, and to set a mediation meeting if required.
4. If resolution is not achieved at this level, Human Resources will forward the complaint through the First Nation Administrator to make final recommendation to Chief and Council with copies to the staff member involved to be dealt with at the next closed session of Council.
5. Chief and Council will then determine if the grievance or complaint is valid and will proceed with all parties concerned. If it is proven that the staff member is in breach of the Beausoleil First Nation Policy and Procedures through the context of the complaint, disciplinary action will proceed as determined within Section 15 of the Beausoleil First

Nation Policy and Procedures with all documentation maintained in the employee's personnel file.

6. If a complaint against a member of staff is forwarded directly to Chief and Council or the First Nation Administrator as a First Nation member request, then it will be redirected through the above steps outlined in this policy.

### 9.7 Penalties

1. If any member of Council is found to be in breach of their responsibility or any section of the Beausoleil First Nation Governance Manual, the member of Council shall face such penalties as determined by Chief and Council.
2. Penalties may include a formal reprimand, the requirement for restitution, an apology, withholding of honoraria, withdrawal of portfolio(s) or committee appointments, or removal from elected office. The penalty imposed shall match the nature and severity of the breach of responsibility or contravening the Beausoleil First Nation Governance Manual.

## 10.0 Meetings of Council

1. The first Council meeting will be held within one week of the beginning of the term of office. Each Councillor must be provided notice which will include the day, hour and location of meeting.
2. Each member of the out-going Council will ensure that they attend and participate in a transition meeting within one week of the election with the newly elected Council.
3. Within one month of the election of Council, the newly elected Chief and Council will attend an orientation session that will define the roles and responsibilities of Council and review all relevant policy and procedures.
4. No member of Council may be absent from meetings of the Council for three consecutive meetings without being authorized by the Chief, without the consent of the majority of the Councillors. Virtual attendance is excepted under special circumstances, such as inclement weather, ferry shutdown, or emergency situations (i.e., pandemic).
5. If any Councillor fails to attend three Council meetings, the Chief will meet with that Councillor to discuss his or her commitment to being an active part of Council.
6. Any Councillor may request a leave of absence from office in writing to Council setting out the reasons for the leave of absence. Approval will require quorum of Council.
7. The Chief cannot request to take a leave of absence, unless there is a medical or compassionate reason to do so.
8. Any request for a leave of absence must be made two weeks in advance of the start of the leave, except in emergency circumstances. In an emergency, a request for leave can be made at any time before or at the start of the leave of absence, with quorum being a consideration.

9. A member of Council is not permitted to move minutes from a meeting that they were not present at.
10. Council will commit to meet weekly or as determined by the newly elected Council at their first meeting as members of Council.
11. The Chief at any time may call other Council meetings as required to address First Nation business. Meetings scheduled outside of the regular scheduled Council meetings will be considered, "Special Council Meetings."

## 9.1 Orders and Proceedings

1. Effective July 05, 2010, a quorum of Council is four (4) including the Chairperson.
2. If no quorum is present after twenty (20) minutes from the scheduled start time, the names of the Councillors in attendance shall be recorded and the meeting shall be adjourned.
3. Upon quorum being present at a Council meeting, the Chief or appointed Chairperson shall call the meeting to order and proceed to address the agenda for the meeting.
4. The Chief shall be the Chairperson at each Council meeting. If the Chief is going to be absent from a Council meeting, he or she shall first appoint the Chief Councillor as Chairperson. If the Chief Councillor is not available, the Chief may appoint another member of Council to Chair the meeting.
5. The Chairperson shall maintain order and decide all questions of procedure at the Council meeting. (Appoint chair, stay on topic and set time frames/limits).
6. The order of business at each regular meeting shall be as follows:
  - a. reading, editing and adoption of the minutes from the previous meeting;
  - b. unfinished business;
  - c. presentation and reading of correspondence and petitions;
  - d. presentation and consideration of reports of committees;
  - e. new business;
  - f. closing
7. All decisions of Council will be recorded by First Nation Council Resolution or by Motion (must be moved by two members of Council). Discussion on agenda issues will occur before a resolution or motion is tabled for a vote.
8. After a resolution or motion has been placed before the meeting by the Chairperson, it shall be deemed to be in the possession of the Council. However, it may be withdrawn or rescinded by consent of the majority of the Council members present.

9. When a Council member wants to be addressed, common practice is to raise your hand as not to verbally interrupt the meeting in progress, but to notify them that you want to speak on the subject that is being discussed.
10. Any member of Council may appeal the Chairperson's decision to the Council and all appeals shall be decided by a majority vote and without debate.
11. Every Councillor present when a question is put to vote, shall vote on the question unless the Councillor excuses himself/herself or the Councillor is in a conflict of interest, in which case he/she shall not be required to vote.
12. A Councillor in attendance must vote and their decision will be recorded as an abstention, opposition, or in favor vote. If a Councillor votes in opposition or abstains from the vote, they will be asked if they can request to have their vote recorded.
13. Voting will be done by a show of hands and the results of the show of hands will be recorded in the minutes, unless the Chairperson decides that votes will be made by secret ballot. Based upon the vote the decision will be deemed carried or defeated.
14. Council may have 'in camera' sessions during regular Council meetings to deal with private or confidential matters. Chief and Council may invite staff, Members or advisors to give presentations or provide information in the "in camera" sessions, but these individuals must leave the meeting during the discussion and decision making.
15. A decision of Council comes into effect once it has been approved at Council. Any action or position taken may be acted upon after the decision is voted on and a motion is carried by Council.
16. Any person may request that an item be added to the Council agenda. This request must be submitted to the Executive Assistant at least one week before the upcoming Council meeting. The request must include sufficient information to let the Council know what the issue is.
17. All Council meetings will be open to members of the Beausoleil First Nation, and no member will be excluded from a Council meeting, except for improper conduct and for any in-camera sessions.
18. Council may make other rules of procedure that are not consistent with these procedural rules with respect to matters not specifically provided for in these procedural rules as an amendment(s).

## 10.2 Committees

1. All new committees shall be approved by Council before conducting business.
2. Council may appoint standing committees, ad hoc or special committees on any matters as the interests of the First Nation may require.
3. A majority of the members of the committee shall be a quorum.
4. Other members of Council may attend committee meetings and may, with the consent of the committee, take part in the discussion but is not allowed to vote.
5. The general duties of standing and ad hoc or special committees is to:
  - a. Report to Council from time to time as required by Council on all matters connected to the duties imposed on them by Council and to make recommendations to Council that they deem necessary and expedient; and
  - b. To consider and report on all matters referred to them by the Council or by the Chief.

## 10.3 Council Directives

Supporting the organizational structure of BFN, clear lines of communication are required to implement Council directives, ensure accountability and distribute responsibility for implementation across the organization.

1. A part of Council's role is to issue directives to the First Nation Administrator. Directives must provide clear direction (including, but not limited to, timelines, rationale, and expectations) and consider the advice of senior operations staff before issuing the directive. Council also has the responsibility of follow-up on directives and report on activities to the Community.
2. The First Nation Administrator's role on Council Directives has five dimensions: 1) Provide feedback to Council on directives; 2) Assign tasks to operations staff to implement directives, 3) Monitor directive-implementation in co-operation with Directors, 4) Follow-up with staff, including, if necessary, disciplinary measures for non-compliance, 5) Report to Council on implementation.

## 10.4 Working Relationships with Staff

It is understood that all members of Council are the political representatives of the Beausoleil First Nation. These representatives are required to conduct the business on behalf of the membership for which they were elected, regardless of any one individual opinion. The Council

has an obligation to uphold, support and strengthen the best interests of all members of the Beausoleil First Nation.

Councillors act as representatives from Council within their given portfolio areas and oversee the progress of the program within the portfolio.

Directors are the senior managers of the First Nation administration and support the Council directives by implementing the decisions/plans outlined by the Council.

Managers are the senior program supervisors providing the expertise and knowledge for their individual programs for Directors and Portfolio Councillors and Council as a whole as requested. Supervisors, Coordinators and support staff implement the directives as identified by their individual Program Managers.

Human Resources issues regarding all staff are managed by the Director(s) and or Managers where available, to ensure that best practices and fair decisions are made regarding all matters, as they pertain to the Canada Labour Code and the Ontario Employment Standards Act. Human Resources shall ensure that the Beausoleil First Nation Policy and Procedures are adhered to in all decisions.

## 10.5 Community Meetings

The meetings of the Beausoleil First Nation membership shall be held at a time and place as selected by the members of Council, no less than once per fiscal year. Members should be provided with sufficient information pertaining to the meeting prior to the date of the meeting.

At every general community meeting, in addition to any other business that may be transacted, a report of the Beausoleil First Nation departmental staff, the members of Council, the financial statements and audit shall be presented to the members of the Beausoleil First Nation.

## 11.0 Social Media Policy

This policy provides guidance for members of Chief and Council on the use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, email, Instant Messaging applications, SMS and mobile device communication on Beausoleil First Nation owned devices, and other sites and services that permit users to share information with others in a contemporaneous manner.

### 11.1 Procedures

The following principles apply to professional use of social media on behalf of the Beausoleil First Nation as well as personal use of social media whenever referencing Beausoleil First Nation.

1. Members of Chief and Council need to acknowledge and adhere to the Beausoleil First Nation's Council Governance Manual, Oath of Confidentiality, Conflict of Interest policies, and Internet, Email and Computer Use policies and all other applicable policies when using social media in reference to Beausoleil First Nation.
2. Members of Chief and Council should be aware of the effect their actions may have on their image as it relates to, and reflects on the image of the Beausoleil First Nation. The information that members of Chief and Council post or publish will be public information, and will be held to a higher standard as elected officials.
3. Members of Chief and Council should be aware that members of Beausoleil First Nation, employees, and the general public may observe content and information made available by members of Chief and Council through social media. Members of Chief and Council should use their best judgment in posting material that is neither inappropriate nor harmful to Beausoleil First Nation, its employees, Chief and Council, membership, customers, vendors or clients.
4. Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, gossip, pornographic, proprietary, harassing, libelous, discriminatory or that can create a hostile/poisonous work environment.
5. Members of Chief and Council are not to publish, post or release any information that is considered confidential, or in conflict of interest. If there are questions about what is considered confidential or in conflict, members of Council should check with the Human Resources Department or the First Nation Administrator.
6. Social media networks, blogs and other types of online content sometimes generate press and media attention or legal scrutiny and questions. Members of Council should immediately refer these inquiries to authorized BFN spokespersons.
7. If members of Chief and Council encounter a situation while using social media that escalates to become antagonistic, they should disengage from the dialogue in a polite manner.
8. Members of Chief and Council should get direct written permission before they refer to, or post images of current or former employees, member's vendors or suppliers. Additionally, members of Chief and Council should get direct written permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
9. Social media use should not interfere with members of Chief and Council's responsibilities to the membership.
10. Subject to applicable law, online activity that violates any of BFN policies that relate to social media use may be subject to disciplinary action and may be subject to penalties as outlined in the Council Governance Manual.
11. If members of Chief and Council publish content that involves work or subjects associated with BFN, a disclaimer should be used such as *"The postings on this site are my own and do not represent BFN positions, strategies or opinions"*
12. It is mandatory that members of Chief and Council keep BFN related social media accounts separate from personal accounts.

# Statement of Understanding

I, \_\_\_\_\_ (Print name) as an elected member of Council have read this Council Governance Manual in its entirety. I understand that as an exemplary Citizen of my Community, that these guidelines are important to the Citizenship of Beausoleil First Nation and that I will do my best to adhere to these guidelines as set forth while I maintain my position as a member of Council.

\_\_\_\_\_  
Member of Council signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date



Appendices

Appendix A – Oath of Office

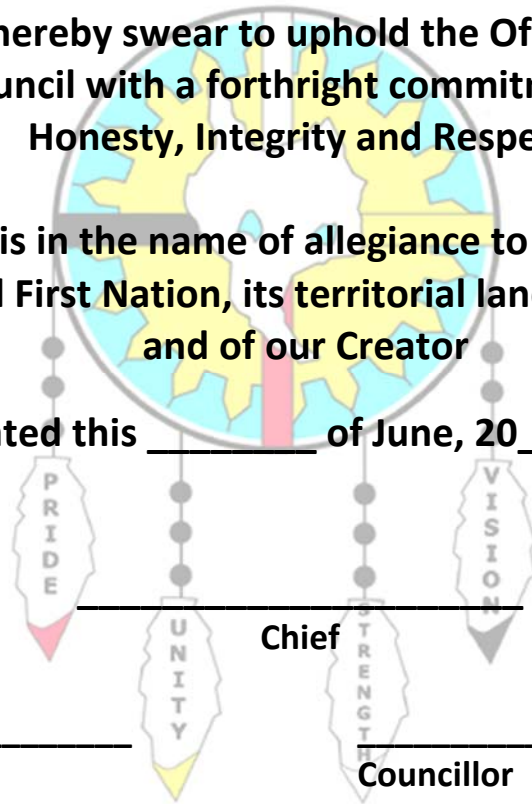
**BEAUSOLEIL FIRST NATION  
CHIEF & COUNCIL  
(INSERT TERM)**

**OATH OF OFFICE**

**We, the duly elected members of the Beausoleil First Nation Council do hereby swear to uphold the Office of Chief and Council with a forthright commitment to Honesty, Integrity and Respect.**

**We do this in the name of allegiance to the people of Beausoleil First Nation, its territorial lands and waters, and of our Creator**

**Dated this \_\_\_\_\_ of June, 20\_\_\_\_\_**



\_\_\_\_\_  
**Chief Councillor**

\_\_\_\_\_  
**Councillor**

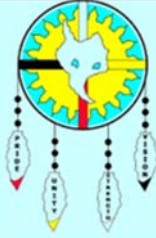
\_\_\_\_\_  
**Councillor**

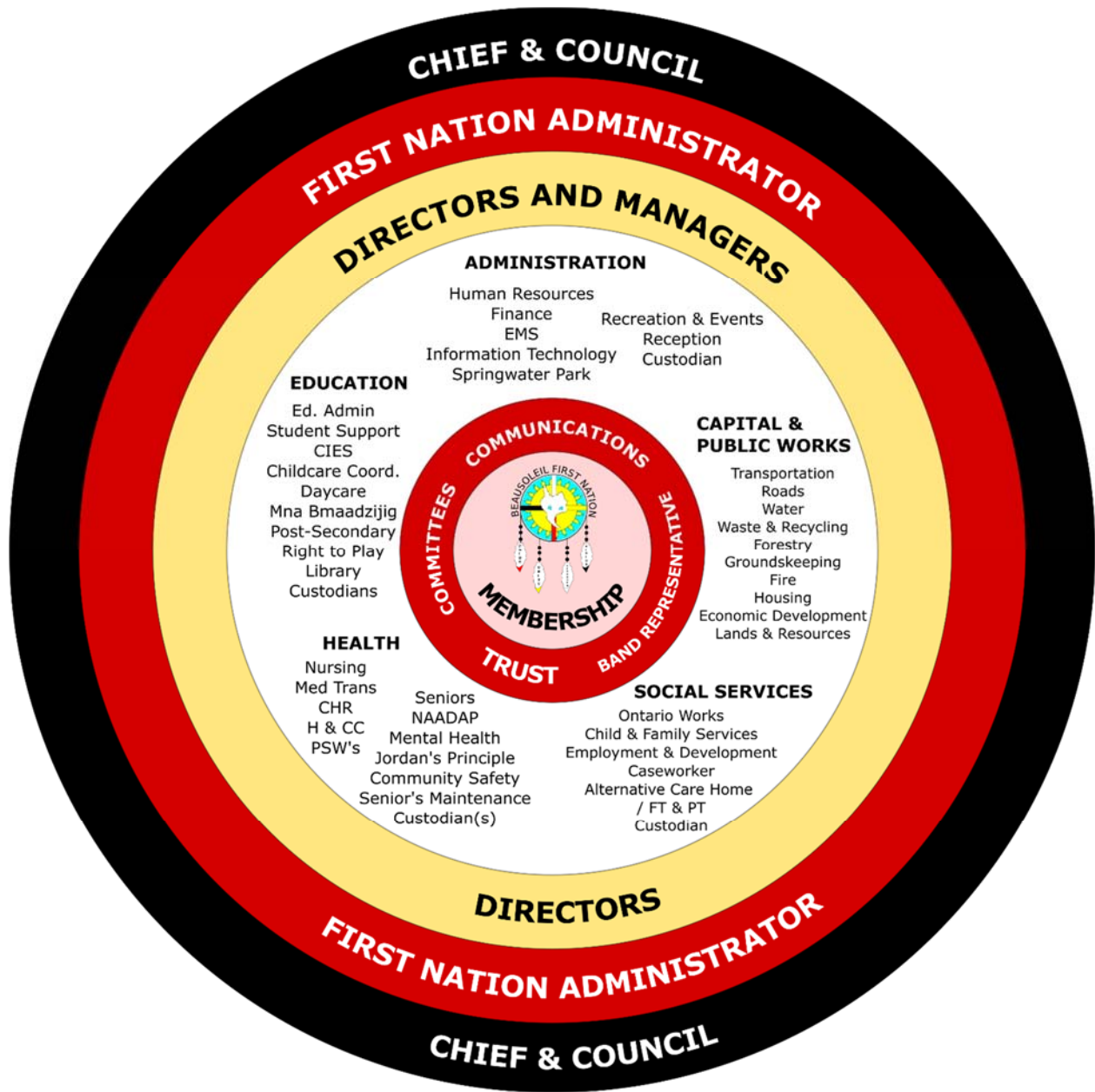
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**Councillor**

\_\_\_\_\_  
**Councillor**

\_\_\_\_\_  
**Councillor**

Appendix B – Sample First Nation Council Resolution

		<b>Beausoleil First Nation Council</b> <b>Resolution 20</b> Eleven O-Gemaa Miikan Christian Island, ON L9M 0A9 705-247-2051 Fax: 705-247-2041	
Date of Duty Convened Meeting:		B.F.N.-Chronological No. 141-	
Beausoleil First Nation Council Quorum: FOUR		ISC – Reference No.	
Indigenous Services Canada			
<b>WE, THE COUNCIL OF BEAUSOLEIL FIRST NATION, DO HEREBY RESOLVE:</b>			
Chief		<del>Chief</del> Councillor	
Councillor		<del>Councillor</del> <del>Councillor</del>	
Councillor			
For Departmental Use: Recommending Officer: _____ Date: _____ Revenue: (    ) Approving Officer: _____ Date: _____ Capital: (    )			



## OATH OF CONFIDENTIALITY

I, \_\_\_\_\_, do solemnly swear that I will faithfully, truly and to the best of my judgement, skill, and ability, execute and perform the duties required of me as an elected member of the Office of Chief and Council of the Beausoleil First Nation.

Except in the course of judicial proceedings, I will not disclose, communicate or convey or allow to be disclosed, communicated, or conveyed directly or indirectly to any person, any private or confidential information whatsoever obtained by me or in or about the performance of my duties or by virtue of my position on the Beausoleil First Nation Council; and I further promise and swear that I will not allow any person or persons to inspect or have access to any written statement, departmental record, roll, return, correspondence, plan, photograph or any other paper or over which I have any control and I will conscientiously endeavor to prevent any person from inspecting or having access to any such information as aforesaid.

Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duties.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
WITNESS (PRINT NAME)

\_\_\_\_\_  
WITNESS SIGNATURE



**Beausoleil First Nation**

10-Gema Street  
Christian Island, ON  
L0K 1C0  
705-247-2051 Fax: 705-247-2239

**BFN COUNCIL CONFLICT OF INTEREST DISCLOSURE STATEMENT**

The information collected on this form is being requested by the Beausoleil First Nation in order to mitigate potential conflicts of interests in the course of your duties as a council person and representative of Beausoleil First Nation. All information will remain confidential except in cases where there has been a violation of the conflict of interest policy.

**NAME OF COUNCIL MEMBER:** \_\_\_\_\_

**CONFLICT OF INTEREST**

A conflict of interest arises where you have a personal interest which conflicts, might conflict or may be perceived to conflict with the interests of Beausoleil First Nation. A conflict of interest could arise in relation to personal matters including:

- Employment
- Financial Interests
- Family Relationships

Every Council person must disclose any obligation, commitment, relationship or interest that could conflict or may be perceived to conflict with his or her duties to or interests of the First Nation.

A) All employment currently held:

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B) Company/organizations with a financial interest:

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C) Immediate family:

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**Signed:**

**Date:**

## **RESPECTFUL/SAFE WORK ENVIRONMENT**

In the context of Customary and Traditional knowledge regarding the respectful treatment of others, Beausoleil First Nation is committed to providing a workplace environment in which all individuals are ***free from all forms of abuse, assault, exploitation, harassment, violence, threat, discrimination and intimidation.***

All staff have the right to work in a respectful/safe environment. Any act of abuse, assault, exploitation, harassment, violence, threat, discrimination or intimidation directed to or against BFN staff will not be tolerated. This includes malicious gossip and ***verbal or physical threats*** such as swearing, shouting or degrading behavior.

***Conduct of this nature will result in the offending party being refused services and the behavior reported to the A.P.S***

***And Chief and Council***

## Amendments Record

The following are the amendments to the 2010 approved Council Governance Manual. To reference the page numbers below, please see that version of the manual.

Page	Change(s) to April 2010 Governance Manual	Date Approved
5	Inserted to new "Supplemental Document"	July 28, 2021
6	Inserted to new "Supplemental Document"	July 28, 2021
7	Inserted to new "Supplemental Document"	July 28, 2021
8	Merged "Amendment", "Copies of Amendments" & "Effective Date" (page 9)	July 28, 2021
10	Inserted to new "Supplemental Document"	July 28, 2021
11	Inserted to new "Supplemental Document"	July 28, 2021
12	Removed narrative after list under "Legal Environment"	July 28, 2021
13-14	Inserted to new "Supplemental Document"	July 28, 2021
15	Moved to Appendices	July 28, 2021
16	Added "First Nation Elections Cancellation & Postponement" under "Term of Office"	July 28, 2021
	New "Community Complaints Process" as prescribed in BFN P&P Sec. 19.4	July 28, 2021
19	Inserted to new "Supplemental Document"	July 28, 2021
21	Removed # 3,4,5,6. Added "Seven Grandfather Teachings"	July 28, 2021
22	Added #6 - "Ensure members are well informed on matters... Community Engagement Strategy"	July 28, 2021
22/New	Added section on Strategic Planning within Functional Responsibilities heading	July 28, 2021
22	Added #2 "Abides by code of conduct" Removed #4, 7	July 28, 2021
23	Added #4: "Where a vacancy of the Chief's position occurs, the Chief Councillor will immediately assume the role of interim Chief, taking into consideration the amount of time left within the current term"	July 28, 2021
23	Removed #1, replaced Executive Director with Executive Assistant	July 28, 2021
24	Removed #3, 4, 5, 7, 8	July 28, 2021
24	Added #4: "Council members <b>may</b> not undermine the authority of senior management or other First Nation officials, or staff."	July 28, 2021
24	Added #5: "Council members <b>may</b> not interfere with the day-to-day operations of the First Nation, unless requested by the First Nation Administrator and/or senior management."	July 28, 2021
24	Added #6: "Council members <b>shall</b> abide by the Respectful/Safe Workplace Environment policy."	July 28, 2021
25	Removed "Speaking in Public" section	July 28, 2021
26	Renumbered and removed #27, 28, 29, 31	July 28, 2021
29	Renumbered section and removed # 20, 22, 23, 24, 25, 26, 27, 30, 32, moved 34-39 to new heading/section under "Committees" removed 40, 43, 44, 46, 47	July 28, 2021
33	Renamed "Meetings of the Citizenship" to "Community Meetings" and moved to section after "Working Relationships with Staff"	July 28, 2021
36	Definition list shortened. Clarification on the definition of "Opposition"	July 28, 2021
APPX.	Replaced FNCR, approved (circular) Org Chart, Added Oath of Confidentiality, Respectful/Safe Work Environment	July 28, 2021
APPX.	Replaced "Child Home" with "Alternative Care Home"	July 28, 2021
21/NEW	Addition of Social Media Policy	October 5, 2021
4	Inserted Definitions as a Section Heading	June 5, 2023
7	Inserted First Nations Elections Act under Term of Office Section	June 5, 2023