Table of Contents

NAN Questions to Consider ..... Tab 1 | Pg. 1

Q&A Master Document..... Tab 2 | Pg. 3

NAN Information Package ..... Tab 3 | Pg. 77

ISC Information Package ..... Tab 4 | Pg. 115

Information Session Presentations ..... Tab 5 | Pg. 338

FNCFS Programming ..... Tab 6 | Pg. 386

Ontario Final Agreement ..... Tab 7 | Pg. 406

Agreement Respecting Funding For
First Nation Representative Services
Off-Reserve in Ontario..... Tab 8 | Pg. 588

Miscellaneous..... Tab 9

NISHNAWBE ASKI NATION
UNITY · STRENGTH · SUCCESS

Questions to Consider While Working Together

In preparation for the NAN Pre-Implementation and Engagement Conference, we invite NAN First Nations to reflect on the following questions. These are intended to spark discussion on how Communities and Agencies can collectively build on existing supports during both the pre-implementation and implementation phases of the OFA.

How can your community and your agency work together to provide the best care to families?

Which collaborative practices should be prioritized to support early intervention, family unity, and community wellness?

How can your community and agency work together to ensure funding decisions reflect community-identified needs and strengths?

What existing practices can be built upon and strengthened to support programming?

What two or three priorities should guide your agency to ensure children remain in their communities and with their families?

What planned activities or priorities would you like to see supported through baseline, emergency, and prevention funding?

What prevention-focused activities, cultural supports, or community-driven initiatives would you like prioritized? How should these be jointly planned and reviewed?

What strengths and supports can be built upon to implement your Post-Majority and Prevention programming?

How can your community and agency co-create or build upon accountability structures that promote transparency, trust, and mutual respect and reflect your community's goals, values, and decision-making process?

How can your prevention programming complement and enhance the protection work of the agency to reduce the number of children coming into care?

What types of supports are needed to uphold your First Nation Representatives, Post-Majority Support Workers, and Prevention Workers?

What additional data or reporting would strengthen shared decision-making between your First Nation and your agency? (i.e. reporting on service delivery outcomes, successes, challenges, and activities)

In what ways would you like information to be shared between your community and agency? (e.g. meetings, written reports, in-person visits, joint reviews)

What structures or supports would help sustain effective collaboration before, during, and after OFA implementation?

Ontario Final Agreement Information Sessions

MASTER QUESTIONS & ANSWERS COMPENDIUM

Contents

Planning and Reporting 2
Funding Approach - Funding (General) 19
Funding Approach - First Nations Representative Services 22
Funding Approach - Post Majority Support Services 24
Funding Approach - Prevention 27
Capital 29
Remoteness 42
Communication, Governance and Service Delivery 43
Annexes 51

Planning and Reporting

Date and Session	Question	Answer	Additional information
October 2nd 2025 NAN-ISC #2: Introduction to Planning and Reporting through the Ontario Final Agreement	Why does a First Nation need to work with an Agency during the planning process?	Accountability of FNCFS Agencies to the First Nations they serve is one of the principles of the Final Agreement. To uphold this principle, and through its funding agreements with FNCFS Agencies under the Reformed FNCFS Program, ISC will require FNCFS Agencies to co-develop a single child and community well-being plan with its affiliated First Nation(s). Co-development will ensure that First Nations' priorities, needs, and cultural considerations are respected; and that First Nations' unique circumstances are reflected into the multi-year plans. It also provides an opportunity for First Nations and FNCFS agencies to discuss roles and responsibilities and to ensure a clear understanding of the roles First Nations wish to take in the delivery of prevention-based programming. This plan will also provide for the discussion of performance indicators, that would support communities in their development of programming that address the structural drivers in their communities.	
October 2nd 2025 NAN-ISC #2: Introduction to Planning and Reporting through the Ontario Final Agreement	How much annual reporting will be required or expected from the First Nations?	For fiscal year 2025-2026, FNCFS is using the following data collection instruments (DCIs) as reporting requirements for recipients based on the recipient and according to the corresponding funding stream(s): • First Nations Child and Family Services Activity Report (DCI #1278249) • CFS Maintenance Report (DCI #455917)	For more information on reporting by specific funding element, refer to: Annex A: Data Collection Instruments by Funding Stream

Date and Session	Question	Answer	Additional information
		• Activities and Expenditures report (DCI #4548549) • Capital Project Report (DCI #460671) • FNCFS Annual Final Report (DCI #1208367) • Community Infrastructure and Housing Annual Report (DCI #41701) It is important to note that under the Ontario Final Agreement, the only major reporting change is the addition of the First Nations Child and Family Services Multi-year plan and the First Nations Child and Family Services Child and Community Wellbeing Plan. Recipients will only complete the required DCIs that align with the funding they receive.	
September 8th 2025 NAN-ISC #1: Introduction on Implementation of the Ontario Final Agreement	Are there standard indicators for all First Nations?	FNCFS Program performance indicators are outlined in Appendix 2 of the Ontario Final Agreement. Many of these indicators will be collected through reporting provided to ISC using the FNCFS activity report (DCI 1278249) introduced in 2025-26 fiscal year and available at the ISC Reporting Guide webpage . FNCFS agencies will also be required to report to the First Nations and the Data Secretariat (paragraph 115) on a series of indicators drawn from Measuring to Thrive - these are listed in paragraph 113 of the Ontario Final Agreement. The Ontario Reform Implementation Committee will further define and develop these indicators and determine the manner in which the data to measure the indicators will be captured.	ISC Reporting Guide webpage

Date and Session	Question	Answer	Additional information
September 8th 2025 NAN-ISC #1: Introduction on Implementation of the Ontario Final Agreement	Can First Nations identify the indicators that are most relevant to their community?	First Nations can work with their FNCFS agency in the development of the child and community well-being plan to identify performance indicators relevant to their community for their own use. This is outlined in paragraph 110(c) of the Ontario Final Agreement.	
October 15th 2025 NAN- FNCFS Agency- ISC meeting	How do we build a Community Well-being Plan for First Nations that serve blended populations (within one community and also for First Nations residing across provincial borders)?	The FNCFS Program funding supports services provided to Ontario First Nations family on reserve or ordinarily resident on reserve. FNCFS Agencies planning and reporting requirements to ISC therefore relate to eligible activities and beneficiaries for which it is funded for under the Reformed FNCFS Program Terms and Conditions. The Program has always included planning elements as covered in section 5.1.1 of the current FNCFS Transitional Terms and Conditions. The OFA won't require FNCFS Agencies to re-invent existing planning process, it will however require meaningful engagement with the First Nations they serve as they are accountable to them. The collaboration mechanism for building the CCWP in specific context is an important conversation for FNCFS Agencies to have with the First Nations they serve. NAN and ISC are supporting the start of that collaborative planning process by bringing everyone together mid-January in Thunder Bay. FNCFS Agencies and First Nations could then decide on how follow-up meetings and approval process will proceed.	

Date and Session	Question	Answer	Additional information
October 15th 2025 NAN- FNCFS Agency- ISC meeting	Does one Child and Community Well-being Plan get developed for all affiliated First Nations or is it one plan per First Nation with the Agency? For example Kunuwanimano serves 9 affiliated communities recognized by ISC; and also serves all Indigenous children that reside within the district geographical boundaries of the agency, that represent more than 50 First Nations. Will this Agency develop one Child and Community Wellbeing Plan in collaboration with all of the First Nations who's children and youth this Agency serves, or is it only for the affiliated First Nations?	One child and community well-being plan will be developed between the FNCFS Agency and the 9 affiliated First Nations it serves. This is outlined in paragraph 108 of the Ontario Final Agreement. The plan should also encompass the roles and responsibilities of the FNCFS Agency for the geographical area it serves.	
October 15th 2025 NAN- FNCFS Agency- ISC meeting	How will Agencies be able to meaningfully co-develop the Child and Community Wellbeing Plan with numerous affiliated First Nations with their allocation of baseline funding they receive? Developing these plans will require several encounters, with concerns about sufficient funding and sufficient time.	The FNCFS Program has always included planning elements as covered in section 5.1.1 of the current FNCFS Transitional Terms and Conditions. The OFA won't require FNCFS Agencies to re-invent their existing planning process, it will however require meaningful engagement with the First Nations they serve as they are accountable to them. FNCFS Agencies will need to find efficient ways to support this process. On the other hand, for example, the OFA funding approach won't require claims on actuals, therefore, the administrative work to submit those claims will no longer be required. FNCFS Agencies will rather invest time up front in collaboration and planning.	

Date and Session	Question	Answer	Additional information
		NAN and ISC are supporting the start of that collaborative planning process by bringing everyone together mid-January, 2026 in Thunder Bay. FNCFS Agencies and First Nations could then decide on how follow-up meetings and approval process will proceed.	
October 15th 2025 NAN- FNCFS Agency- ISC meeting	Is there a way that administrative burden can be addressed? There is significant reporting with the Ontario Ministry and new reporting under the Ontario Final Agreement.	It is recognized that the claims on actuals process is particularly burdensome. The reform of the FNCFS Program in Ontario will change the funding process and FNCFS Agencies will invest time up front in collaboration and planning with First Nations on a 3 year plan. Currently, FNCFS Agencies are required to submit DCIs for the services they are funded for under the FNCFS Program. This requirement will not change. While planning was always part of the FNCFS Program, the CCWP becomes a key element of the Reformed Program.	Annex B: FNCFS Program Information Bulletin 2025-09-E Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement First Nations Child and Family Services Program – Ontario. Dated August 13 2025. Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.
October 17th 2025	Will there be sample reporting templates to support First	Yes. All required reporting documents, and instructions on how to populate these documents,	

Date and Session	Question	Answer	Additional information
COO-ISC #1: Planning and Reporting Requirements	Nations and Agencies with the new reporting requirements under the Ontario Final Agreement? (related to Multi-Year Planning and Child and Community Wellbeing Plans)	can or will be accessible shortly through ISC's website and at upcoming information sessions specific to Planning and Reporting. These templates and their instructions have recently been further refined by ISC, COO, and NAN are currently being shared for early planning discussions. Appendix 2 of the Ontario Final Agreement provides an overview of performance measurement indicators and outcomes that ISC intends to use to measure the performance of the Reformed FNCFS Program by reviewing reporting that is received from all FNCFS Program recipients. Sample templates for First Nations planning and FNCFS Agency planning can also be found in Appendix 4 and 5 of the Ontario Final Agreement.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Will the ISC planning templates and/or reporting have space for First Nations to note that they require more funding than what is being provided?	No, the planning and reporting templates are not designed as a place to request more funds. There will be a separate process for First Nations and FNCFS service providers to request additional funding, if required, through a "service provider funding adjustment request". This process will allow a First Nation to bring a Service Provider Funding Adjustment Request if it is unable within its current funding, to provide prevention services which are adequate to respond to a prevention need created by an unforeseen event(s), beyond its reasonable control, not including reasonably foreseeable natural events or	For more information on this process, see Part XVI of the Ontario Final Agreement.

Date and Session	Question	Answer	Additional information
		circumstances covered by other government programs or policies. This process will also allow a FNCFS Service Provider to bring a Service Provider Funding Adjustment Request if it is unable within its current funding, for reasons beyond its reasonable control, to deliver services required by law or that are least disruptive measures, and eligible to be funded by the Reformed FNCFS Program. Additional information and instructions are currently being developed on the Service Funding Adjustment process.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Will reporting requirements prevent funding from being used to off-reserve members?	The FNCFS Program Terms and Conditions requires that all funding under the FNCFS Program must be used to support children and families that are ordinarily resident on reserve. In Ontario only, however, there is one exception for First Nation Representative Services. Under the *Agreement Respecting Funding for First Nation Representative Services Off-Reserve in Ontario*, signed by Canada, COO, and NAN, Canada is providing funding for First Nation Representative Services to support First Nations children and families off-reserve until March 31, 2027.	Further information on this topic can be found in: Annex D: FNCFS Program Information Bulletin 2025-005 Definition of Ordinarily Resident on Reserve Bulletin. Dated May 30, 2025; and The Agreement Respecting Funding for First Nation Representative Services Off-Reserve in Ontario

Date and Session	Question	Answer	Additional information
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	How can First Nations/FNCFS Service Providers receive support for completing multi-year plans. Will there be ramifications for delayed planning/reporting?	ISC, COO, and NAN are available to support First Nations and FNCFS Service Providers in navigating any issues throughout the transition between the current and reformed FNCFS Program. Additional tools and resources on First Nation and Agency planning and reporting are being developed and will be shared once completed.	Please refer to Annex F: "FNCFS Program Reporting and Planning Requirements under the Ontario Final Agreement Presentation at COO Virtual Information Session October 14th, 2025"
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Will ISC be providing First Nations with additional money to support the development of the Child and Community Wellbeing Plan?	The funding that the Ontario Final Agreement provides to support First Nations, for their participation in the collaborative development of the child and community wellbeing plan, will be included in the Top-Ups funding for Results and IT. Results and IT funding will support First Nations in the development of their wellbeing plans, and will be used for capturing, tracking, and reporting data related to their plan.	Please see Appendix 8: First Nations Child and Family Services Terms and Conditions, Appendix A: Reformed FNCFS Program in Ontario, Section A.2
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	What reporting will be required for First Nations not affiliated with an Agency?	Non-Agency First Nations will only be required to fill out their First Nations Multi-Year plan; and not the Child and Community Wellbeing Plan.	Please see: Appendix 4 of the Ontario Final Agreement for a sample template of the First Nations Child and Family Services Multi-Year Plan (PAW# 1296953); and Paragraphs 45 and 46 of the Ontario Final

Date and Session	Question	Answer	Additional information
			Agreement on First Nations planning.
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Are Agencies required to develop their plans with the First Nation members that are in their jurisdiction? How will agencies be held accountable to First Nation members who reside outside of their jurisdiction?	Yes, each FNCFS Agency is required to provide a single co-developed Child and Community Wellbeing Plan, with its affiliated First Nation(s). This is a requirement of the FNCFS Agency's funding agreement with ISC. The Ontario Final Agreement does not address situations where individuals members reside outside the agency's jurisdiction and are therefore served by another agency. ISC encourages First Nations and Agencies to work together as best as possible to ensure meaningful engagement which could include unique and creative ways of working together.	Please See Part XIII, "Agency Accountability To First Nations In Relation To The Reformed FNCFS Program" of the Ontario Final Agreement for more about Agency requirements.
November 27th 2025 NAN Planning preparation for Thunder Bay in-person planning workshop	In terms of the required planning, do the templates need to be followed exactly? What if First Nations and/or FNCFS Agencies already have preferred planning templates?	No, the planning templates are just examples and guidelines. If an First Nation or Agency already have formats that they use ISC is not looking to disrupt these formats. Was is important is to ensure that the information from the templates are reflected in whatever format First Nations and FNCFS agencies wish to use.	
November 27th 2025 NAN Planning preparation for Thunder Bay in-person planning workshop	What steps can communities take to prepare for implementation under the Ontario Final Agreement?	Communities can begin preparing by starting early planning discussions with service providers, talking through what information is needed, how information could be shared, and establishing collaborative processes to support a continued wrap-around of services and supports for children, youth, and their families. While FNCFS Agencies do have legal obligations to protect the privacy of children and families, First Nations and FNCFS	

Date and Session	Question	Answer	Additional information
		Agencies should ask themselves, what information can be shared and what information would be useful to share that allows the First Nation to plan for the services it wants to deliver to its community?	
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Our baseline funding will be based on claims for expenses in 2022-23 which did not include development of a detailed and complex CCWP; and many aspects of which are not included in our regular planning processes. To use baseline funding for this will take away funds from service delivery. Is additional funding available for agencies, particularly those serving large remote areas?	No, the planning and reporting CCWP tool is not designed as a place to request more funds. The FNCFS Program has always included planning elements as covered in section 5.1.1 of the current FNCFS Transitional Terms and Conditions. The Ontario Final Agreement won't require FNCFS Agencies to re-invent their existing planning process. However, it will require meaningful engagement with the First Nations they serve, because they are accountable to the Nations they serve. FNCFS Agencies will need to find efficient ways to support this process. Since the OFA funding approach won't require claims on actuals, the administrative work to submit those claims will no longer be required. FNCFS Agencies will rather invest time up front in collaboration and planning. NAN, COO and ISC have scheduled collaborative planning processes and are bringing everyone together in Thunder Bay (northern communities); and Sudbury and Toronto (for southern communities). These planning sessions will start the work of how FNCFS Agencies and First Nations can decide on	FNCFS Transitional Terms and Conditions

Date and Session	Question	Answer	Additional information
		how follow-up meetings and approval processes will proceed.	
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	We have heard from ISC that flexibility is available to agencies serving large numbers of communities to allow them to shorten the period planned for in the CCWP to a year or two instead of 5 years. Because of the complexity of completing the detailed CCWP for 29 communities is there also flexibility for agencies to use a regional approach in the plan? For example, instead of providing an environmental scan for each First Nation, establishing priorities of each First Nation, targets on data points for each First Nation etc. in the CCWP, could Tikinagan be allowed to provide a regional scan, regional priorities and regional targets. Tikinagan would attempt to engage, consult, and collaborate with all First Nations individually and in	This is an important conversation for FNCFS Agencies to have with their First Nations as they are accountable to them. ISC is open to having a conversation with Tikinagan on how to move forward in phased way that meets the requirements laid out in the OFA with the communities agreed to be served by Tikinagan.	

Date and Session	Question	Answer	Additional information
	groups, however, could the plan submitted not need to include scans, priorities, and targets specific to each First Nation.		
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Baseline is used for overall operations and service delivery, making it difficult for collaborative planning specifically on "baseline". The mandatory services we provide under provincial legislation, and the required administrative support and operational expenses of the organization, do not leave any real options for First Nations to consider to plan for use of baseline funding. The complexity of what provincial funding and what federal funding would be used for operations and service delivery also complicates discussion of baseline. Is discussion of the above with First Nations sufficient to be considered collaboration on baseline?	The use of baseline funds can be discussed collaboratively and transparently by explaining the Agency's mandatory requirements under provincial legislation; as well as how the agency operates. There are also other broader angles around that element that could be discussed such as planning for least disruptive measures or a mechanism for how the FNCFS Agency will notify a First Nation, in a manner that meets the standards set out in provincial and federal law, of a child's involvement with the FNCFS Agency. (An Act respecting First Nations, Inuit and Métis children, youth and families) As per the Ontario Final Agreement, the expectation is that FNCFS Agencies must collaborate as best as possible with each of the First Nations that they serve.	
December 8th 2025 Planning with FNCFS Agencies in NAN territory	Tikinagan provides information on services provided to each First Nation on a regular basis on all aspects of our service.	The Ontario Reform Implementation Committee is working to develop and refine the performance indicators outlined in the Ontario Final Agreement. These are mandatory reporting elements that will	

Date and Session	Question	Answer	Additional information
prior to Thunder Bay in-person planning workshop.	The Ontario Final Agreement requires Tikinagan to report to our First Nations on 22 data points for children in agency care, some of which is not included in our regular reporting. Some of the Ontario Final Agreement data points are available through automated reports, however some of the information is not available that way from our database at this time and would require looking at each file individually. Is there flexibility to exclude some of these data points until our database can be updated to allow for automated reporting? We would work with our First Nations to determine what information they would like to see and what is possible through use of our current database. This may include data points that aren't on the list in the OFA, but that we are able to easily access in our system that the First Nation wants to receive.	inform the health and wellbeing of communities, providing First Nations with information on program adjustments and services required. Reporting on the indicators will be required after the effective date; therefore assuming an April 1, 2026 effective date, and reporting on the indicators would be required for the 2026-27 fiscal year- at the end of the fiscal year. ISC strongly suggest agencies start preparing for theses reporting requires and make the necessary adjustments to gather this information starting on the effective date.	

Date and Session	Question	Answer	Additional information
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Is the data reporting required under the Ontario Final Agreement only for children in care, who came into care while ordinarily resident on reserve and not total numbers of children in care of the agency, which includes children taken into care in urban settings?	FNCFS Agencies reporting requirements to ISC include reporting on eligible activities and program elements for which it is funded for under the FNCFS Program Terms and Conditions. This does not change under the Ontario Final Agreement. The Reformed FNCFS Program will require that all funding be used to support Ontario children and families that are ordinarily resident on reserve. Under the Ontario Final Agreement, FNCFS Agencies are required to report to First Nations and the Ontario FNCFS Data Secretariat on the indicators defined in the CCWBP. Since those are not reported to ISC, we strongly encourage FNCFS Agencies to have those conversations with their affiliated First Nation(s).	
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Can ISC walk us through how CCWP priorities will be reflected in our FNCFS allocations and any Ontario Final Agreement adjustments, including treatment of unexpended funds and carry-forwards?	Funding is outlined and allocated in line with the Ontario Final Agreement funding agreement. Multi-year planning continues to be an eligible expense through the terms and conditions and is included in operational expenses (baseline funding). Unexpended funding plans- Agencies will need to submit these with the CCWBP. Whatever is not expended, will need to be identified in the unexpended funding plan, and reviewed by ISC. The parameters on unexpended funding plans will still be in effect under the OFA.	Please see Appendix 6 of the Ontario Final Agreement: Reformed FNCFS Program Schedules for Contribution Funding Agreements

Date and Session	Question	Answer	Additional information
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	What policy tools or flexibilities can ISC offer to address unsustainable OPR (outside paid resource) per diem rates and 1:1 staffing surcharges while we build community-based alternatives in the CCWP?	Since ISC reimburses these outside paid resource costs through the 1965 Agreement in Ontario, there is little flexibility in what ISC can offer to address this area of funding. ISC's funding is a reimbursement to Ontario through the 1965 Agreement, and is an external area of conversation separate to the Ontario Final Agreement. As part of the Tribunal's order, long-term reform of the FNCFS Program in Ontario includes reform of the 1965 Agreement, where funding elements can be discussed.	Reference: Section G. Reform of the 1965 Agreement para 57 states: COO, NAN, and Canada shall continue to work together on an expedited basis to pursue reform of the 1965 Agreement in Ontario with the Government of Ontario, recognizing that any change to the 1965 Agreement requires the participation and consent of the Government of Ontario.
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Can CCWP include phased funding to transition children from distant 'outside paid resources' back to culturally safe, community-anchored placements (customary care, wraparound teams), and what evidence will ISC require?	The CCWP is a tool that outlines how service delivery will be provided; it is not, however, a vehicle for funding. Reunification of children to community is an eligible expense under the Terms and Conditions of the current FNCFS Program and this will not change under the Ontario Final Agreement.	Under the Ontario Final Agreement, please see the terms and conditions under Annex 8. Section 5.3.2 Secondary Prevention.
December 8th 2025 Planning with FNCFS Agencies	How will ISC support intergovernmental dialogue on the 1965 Agreement and	The workplan for the reform of the 1965 agreement will be developed with relevant Indigenous partners. It is not currently considered in the reform of the	

Date and Session	Question	Answer	Additional information
in NAN territory prior to Thunder Bay in-person planning workshop.	provincial participation so that CCWP strategies aren't undermined by provincial pricing and placement practices?	FNCFS Program through the Ontario Final Agreement. The 1965 agreement is an administrative agreement between ISC and Ministry of Child, Community and Social Services (MCCSS) that outlines the reimbursement of costs for multiple programs (includes First Nations Child and Family Services) and has no bearing on the strategies for child and family wellbeing through the CCWP. ISC encourages recipients to engage with the Province to ensure that their needs are understood and reflected in any agreements that impact them.	
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Where CCWP priorities intersect with provincial mandates (Ministry of Child, Community and Social Services), how will ISC coordinate to prevent duplication and funding gaps, especially for prevention and least disruptive measures?	The purpose of the CCWP is to outline this needed coordination. ISC can support the discussion with both FNCFS Agencies and First Nations on roles and responsibilities, where their prevention and protection mandates intersect. This coordination is a core element in the CCWP. (e.g., least disruptive measures) Additionally, where First Nations request their full prevention funding allocation, FNCFS Agencies will no longer provide those prevention services, so FNCFS Agencies are encouraged to work with First Nations regarding the wind down and transition of those services to ensure there are no service gaps that arise.	

Date and Session	Question	Answer	Additional information
		FNCFS Agencies will continue to be funded for their mandated obligations, including least disruptive measures.	
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	What dedicated streams can ISC commit to prevention staffing, supervision, and training embedded in CCWP—so we don't erode core services?	Agencies will need work within their allocation of baseline funding to manage their mandates and core services. If the agency is receiving prevention funding, this funding is broad and covers operational costs (staffing and overhead) and costed services and programs as it relates to their prevention programming. Eligible expenditures for operations and service delivery costs are outlined in the FNCFS Program Terms and Conditions. Where First Nations request their full prevention allocation, agencies will no longer provide those services, and agencies are encouraged to work with First Nations regarding the wind down and transition of those services to ensure no service gaps. Agencies will continue to be funded for their mandated obligations, including least disruptive measures.	Please see Appendix 8 of the Ontario Final Agreement: First Nations Child and Family Services Terms and Conditions
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Can ISC support workforce stabilization (recruitment/retention, local training pipelines) tied to CCWP and quantify allowable costs?	The FNCFS Agency's workforce (operations) is tied to the baseline funding that they will be provided.	

Date and Session	Question	Answer	Additional information
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Can ISC confirm the approval pathway and target turnaround times for CCWP-related requests (who reviews, escalation steps, decision SLAs)?	These questions are not relevant to CCW Plans. These questions are about seeking additional funding and the escalation process when requests are not supported. There will be a separate process for First Nations and FNCFS service providers to request additional funding, if required, through a "service provider funding adjustment request". Additional information and instructions are currently being developed on the Service Funding Adjustment process.	
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Who is the designated ISC decision-maker group for our CCWP, and what is the formal escalation path if decisions are delayed or disputes arise?	Regional offices and/or programs do not formally approve plans, plans are approved by the First Nation and/or authorized Service Provider. When reviewing plans, the regional office or Program is ensuring eligibility of activities, programs/services within the FNCFS Program, and ensuring alignment with the Terms and Conditions of the Program.	

Funding Approach - Funding (General)

Date and Session	Question	Answer	Additional information
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Are we able to request more funding as it relates to building our own child	Capacity Building funding is available to First Nations to support the development of child and family legislation pursuant to *An Act respecting First Nations, Inuit and Métis children, youth and families*. However, this funding is separate from the funding that will be available through the	Please see additional information on ISC's website about Capacity Building Funding.

Date and Session	Question	Answer	Additional information
	welfare legislation?	FNCFS Program as reformed in the Ontario Final Agreement.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Is annual funding guaranteed under the Ontario Final Agreement? Will funding be impacted if reporting is delayed?	The Ontario Final Agreement is in effect until 2034 and aims to provide long-term and predictable and multi-year funding. ISC can retain 20% of total funding until reports are received and approved by ISC. The Ontario Final Agreement aims to prioritize reporting, and ISC will support First Nations and Agencies with understanding reporting requirements.	
November 27th 2025 NAN Planning preparation for Thunder Bay in-person planning workshop.	How will finances be administered under the Reformed Program?	Funding will be administered through multiple mechanisms. Funding for First Nations will be entered into their funding agreements with ISC for the program components they choose to deliver (e.g., Prevention, First Nation Representative Services, and Post-Majority Support Services). Capital funding will be provided to First Nations or to FNCFS Agencies, depending on which entity is responsible for the capital project based on the Priority Ranking Framework. Funding for Protection/Baseline services will continue to flow through funding agreements between ISC and the Province of Ontario and to FNCFS Agencies.	
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person	What flexibilities exist to reprofile dollars within the agreement year when community demands change mid-year (e.g., surge in complex needs placements)?	The FNCFS Funding Mechanism will enable First Nations and FNCFS Service Providers to re-allocate funds across components of the Reformed FNCFS Program, and to carry forward unexpended funds for use in the following fiscal year, provided that that fiscal year is within the term of the First Nation's or FNCFS Service Provider's funding agreement. FNCFS Agencies shall not be permitted to re-allocate funds from prevention funding to protection, except to fund least disruptive measures.	Please see Paragraphs 50 and 51 of the Ontario Final Agreement And current guidance: Annex J: Management of unexpended First Nations Child and Family Services Program Funding (February 25, 2025)

Date and Session	Question	Answer	Additional information
planning workshop.			Annex K: Addendum to FNCFS Information Bulletin 2025-001-E Management of Unexpended Funds
September 8th 2025 NAN-ISC #1 Introduction on Implementation of the Ontario Final Agreement	Did FNCFS Agencies receive prevention and post-majority funding for the 2025-2026 fiscal year in April 2025?	In April 2025, FNCFS agencies and First Nations received prevention funding. As outlined in paragraph 54(g) of the Ontario Final Agreement, for the 2025-26 fiscal year, until the effective date of the Ontario Final Agreement, ISC will continue to reimburse First Nations and FNCFS service providers for the actual cost of post-majority support services. The deadline for the submission of all claims for reimbursement of 2025-26 post-majority support expenditures is the Effective Date. Commencing on the Effective Date, ISC shall provide funding for post-majority support services based on an allocation methodology outlined in paragraph 44(c) of the Ontario Final Agreement to First Nations or First Nations authorized service providers. ISC provided guidance in August 2025 to support First Nations and Agencies with post majority support claims in advance of a CHRT decision on the Ontario Final Agreement.	Annex B: FNCFS Program Information Bulletin 2025-09-E Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement First Nations Child and Family Services Program – Ontario. Dated August 13 2025.
October 2nd 2025 NAN-ISC #2: Introduction to Planning and Reporting	Will the funding provided to agencies for FNCFS services to a First Nation be used exclusively for	Under the Ontario Final Agreement, as a condition of the funding agreements between ISC and FNCFS Agencies, Agencies must co-develop child and community well-being plans which reflect the priorities of each community. Agencies must also report to ISC and their affiliated First Nations on the implementation of these plans on an annual basis. If a First Nation has concerns with its Agency's	

Date and Session	Question	Answer	Additional information
through the Ontario Final Agreement	member families? Is there any chance the funds will be used elsewhere in the region?	implementation and compliance to the child and community well-being plan, which could include concerns over allocation of funding, they can raise these concerns with ISC who will make the FNCFS Agency aware of the scope of the concerns and consider appropriate responses.	

Funding Approach - First Nations Representative Services

Date and Session	Question	Answer	Additional Information
October 2th 2025 NAN-ISC #2: Introduction to Planning and Reporting through the Ontario Final Agreement	What is the scope of work for First Nations Representative Services in relation to working with agencies?	First Nations Representatives are advocates for First Nations in matters relating to the delivery of services to their citizens by a child welfare agency. The roles and responsibilities of First Nation Representatives are defined by the First Nation, considering the unique needs of its citizens and the duties of such representatives as provided for in applicable provincial and federal child welfare legislation. First Nations Representatives' role is to act as the main liaison, on behalf of families or communities, between First Nations, child and family services agencies, or the Government of Ontario. They work in the child's best interest, to ensure that the rights of First Nations children and youth and the rights of First Nations are respected in the child and family services system, amongst other things identified by the First Nation itself. Further, they collaborate in service planning and delivery with other child and family service providers and agencies.	Further information on this topic can be found in Annex E: FNCFS Program Information Bulletin 2025-012-E First Nation Representative Services in Ontario Off-reserve Funding for 2025-2026. Dated September 26, 2025

Date and Session	Question	Answer	Additional Information
		First Nations Representatives also liaise and coordinate with other programs and services (i.e. prevention) to ensure First Nations children and families have access to the resources that they need. First Nation Representative Services funding provided under the FNCFS Program is intended to service First Nations on reserve or ordinarily resident on reserve. Under the Agreement Respecting Funding for First Nation Representative Services Off-Reserve in Ontario, signed by Canada, the Chiefs of Ontario (COO), and Nishnawbe Aski Nation (NAN), Canada will provide funding for First Nation Representative Services to support First Nations children and families residing off-reserve until **March 31, 2027**. This will provide time for COO and ISC to have further discussions with the province of Ontario.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Will there be flexibility from ISC on the deadline (October 31st, 2025) for submitting First Nation Representative Services off-reserve advance claims, especially given that the bulletin was released during a cultural hunting week?	Yes, ISC has provided an extension for submitting First Nation Representative Services off reserve advance claims until November 15th for the 2025/26 fiscal year. This deadline is also extended to November 15th for submitting Band Council Resolutions in relation to Prevention and post-majority support services. ISC will follow up with First Nations that had previously provided notice of intent by the November 15th deadline.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	What is the allocation for First Nation Representative Services been any reconsideration of the funding methodology given that the years used for	As per s.26 of the Ontario Final Agreement, First Nation Representative Services allocations under the Ontario Final Agreement for the first year of implementation will be equal to the highest amount of funding that a First Nation received over five fiscal years, from 2019-2020 to 2023-2024, with adjustments	

Date and Session	Question	Answer	Additional Information
	calculating the amounts were during Covid which caused less uptake/use of services?	for population and inflation. From every year forward after first year, the amount will be adjusted for population and inflation. The funding approach was revisited after the national funding agreement was developed; and was amended to include an additional fiscal year (2023/2024) within the calculation.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	First Nation Representative Services claims submitted through actuals process were approved based on prorated budgets, so funding formula is not accurate. It does not give funding for a full year of approved costs for claims submitted. Is ISC going to correct the funding amounts?	When the methodology was developed for the Ontario Final Agreement, we did not have the full costs for the 2024-25 fiscal year as the deadline to submit claims is September 30th.S.26 of the Ontario Final Agreement however provides that First Nation Representative Services allocations for the first year of implementation will be equal to the highest amount of funding that a First Nation received over five fiscal years, from 2019-2020 to 2023-2024, with adjustments for population and inflation.	

Funding Approach - Post Majority Support Services

Date and Session	Question	Answer	Additional Information
October 2nd 2025 NAN-ISC #2: Introduction to Planning and Reporting through the Ontario Final Agreement	If an agency chooses not to deliver Post-Majority Support Services, how can First Nations access this funding?	For the 2025-26 fiscal year should a First Nation wish to delivery Post-Majority Support Services, ISC will continue to reimburse First Nations for the actual costs of these services. Once the Ontario Final Agreement comes into effect, ISC will provide all post-majority support service funding directly to First Nations. First Nations can authorize an alternate service provider, including their	For more information, please refer to: Annex B: FNCFS Program Information Bulletin 2025-09-E Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement First Nations Child and

Date and Session	Question	Answer	Additional Information
		FNCFS agency to deliver post-majority support services, fully or partially, should they wish. If a First Nation would like to direct its post-majority support services funding and service provision to its affiliated Agency or another service provider, the First Nation must direct ISC to allocate some or all of its post-majority support services funding to service providers by submitting to ISC, a Band Council Resolution or other official decision document related to by September 30th of the preceding calendar year.	Family Services Program – Ontario. Dated August 13 2025. Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.
September 8th 2025 NAN-ISC #1: Introduction on Implementation of the Ontario Final Agreement	What is the difference between the Post-Majority Support Services and the Province of Ontario's Ready, Set, Go Program?	The FNCFS Program's Post-Majority Support Services and the Province of Ontario's Ready, Set, Go Program are programs with distinct eligibility criteria and funding methodologies that both aim to support the transition of youth and young adults to adulthood. Post-majority support services assist First Nations youth aging out of care and young adults formerly in care across all provinces and in the Yukon, from the age of majority up to their 26th birthday. The FNCFS Transitional Terms and Conditions include a list of eligible costs that support the delivery of post-majority support services. Under the Ontario Final Agreement, post-majority support services funding will be provided to First Nations directly to deliver these services to youth and young adults. First Nations will have the flexibility to decide who will provide services and how funding can be allocated to better serve their communities. For the 2025-26 fiscal year, First Nations should	Information on Ready, Set, Go can be found on the Ontario Ministry Webpage here: Ready, Set, Go Guide | ontario.ca and Support for youth in the child welfare system | ontario.ca. More information can be found on the Indigenous Services Canada webpage here: Post-majority support services for First Nations youth and young adults.

Date and Session	Question	Answer	Additional Information
		communicate directly with their agency to learn more about how this funding is being used.	
October 15th 2025 NAN- FNCFS Agency- ISC meeting	Is ISC sharing the new requirements for FNCFS Agencies, including requiring Band Council Resolutions for managing Post-Majority Support Services with First Nations too?	Yes, previous ISC Bulletins were shared with First Nations in Ontario related to this topic. They include: • Information Bulletin shared on August 1, 2025, regarding First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario (Annex B); • Information Bulletin shared on August 13, 2025, regarding post-majority support services (Annex A); • Addendum to the August 1, 2025 Bulletin on the authorization and direction of funds for service providers to extend deadlines to submit BCRs. Additional guidance is being developed that intends to support First Nations and Agencies navigate this transition. Materials will be shared once finalized.	Annex B: FNCFS Program Information Bulletin 2025-09-E Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement First Nations Child and Family Services Program – Ontario. Dated August 13 2025. Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.
October 15th 2025 NAN- FNCFS Agency- ISC meeting	Why are new rules for the way post-majority support services' transition under the Ontario Final Agreement applying now and retroactively into last years' work?	Under the OFA, post-majority support services funding will be provided directly to First Nations unless a First Nation advices ISC of alternate Service Providers. Originally, when the Ontario Final Agreement was signed by the Parties and submitted to the Canadian Human Rights Tribunal for approval, it was anticipated that the Ontario Final Agreement would be approved in the 2025-2026 fiscal year resulting in an	Annex B: FNCFS Program Information Bulletin 2025-09-E Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement First Nations Child and Family Services Program – Ontario. Dated August 13, 2025.

Date and Session	Question	Answer	Additional Information
		Effective Date before April 1, 2026. With this in mind, and in order to support the transition of post-majority support services delivery and the inclusion of First Nations in decision-making, BCRs authorizing funding direction would be required. If the OFA is not approved in 2025-26, ISC will continue to review.	Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.
December 8th 2025 Planning with FNCFS Agencies in NAN territory prior to Thunder Bay in-person planning workshop.	Can service provider funding adjustment requests be applied to Post-Majority support Services?	No, the service provider funding adjustment request process does not apply to Post Majority Support Services.	

Funding Approach - Prevention

Date and Session	Question	Answer	Additional Information
October 2nd 2025 NAN-ISC #2: Introduction to Planning and Reporting	Will the Agency account to the First Nation through reporting as the use(s) of	Accountability of FNCFS Agencies to the First Nations they serve is one of the principles of the Ontario Final Agreement. Through its funding agreements with FNCFS Agencies under the Reformed FNCFS Program, FNCFS Agencies will be required to co-develop a single child and community well-being plan with its affiliated First Nation(s).	

Date and Session	Question	Answer	Additional Information
through the Ontario Final Agreement	prevention funds?	The child and community well-being plan will include planned activities and associated expenditures of the FNCFS Agency with respect to Baseline Funding, emergency funding, and prevention funding. There is also a requirement for the Agency to report to its affiliated First Nations on the implementation of the plan on an annual basis. Further, ISC's funding agreements with FNCFS Service Providers enables ISC to report to each First Nation on its affiliated FNCFS Agency's compliance with its funding agreement upon request by a First Nation.	
September 8th 2025 NAN-ISC #1: Introduction on Implementation of the Ontario Final Agreement	What steps are required if a First Nation would like to share prevention funding with its respective agency? When would the First Nation notify ISC?	If the Ontario Final Agreement is approved by the Canadian Human Rights Tribunal and takes effect by April 1, 2026, First Nations in Ontario will be able to redirect prevention services funding during fiscal year 2026-27 as outlined below: • In the FY 2025/26, First Nations in Ontario will have until November 15, 2025 to request that ISC direct any portion of the First Nation's prevention services funding for the first half of the 2026-27 fiscal year to a different service provider by submitting an official decision document, such as a Band Council Resolution (BCR). • First Nations in Ontario will then have until April 1, 2026 to submit written notice to ISC directing the allocation of prevention services funding for the second half of the 2026-27 fiscal year. If a First Nation's prevention services funding allocation decision is submitted by November 15, 2025, ISC will allocate funding according to the allocation decision in accordance with the BCR for the full 2026/2027 fiscal year and until a new BCR is received.	Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.

Capital

Date and Session	Question	Answer	Additional Information
September 8th 2025 NAN-ISC #1 Introduction on Implementation of the Ontario Final Agreement	What support is in place for housing in First Nations communities, more specifically, in relation to repatriation, customary families and clients receiving post-majority supports?	Over the past three years, further to the commitments in the Agreement-in-Principle and announced as part of Budget 2022, ISC has provided housing funding support First Nations in addressing housing issues affecting First Nations children on-reserve. Additional funding remains for fiscal years 26/27 and 27/28. This funding is not tied to the approval of the Ontario Final Agreement. The Ontario Final Agreement commits funding for on-going capital needs that support the implementation of the FNCFS Program. $455 million over the 9 years is attributable to capital infrastructure to support the implementation of the FNCFS Program. ISC, COO and NAN continue to develop a process to receive and review capital needs. Under the Ontario Final Agreement, First Nations will receive a funding allocation for post-majority support services. The FNCFS Transitional Terms and Conditions elaborate on eligible activities for Post-Majority Support Services. This funding supports youth aging out of care and young adults formerly in care as they approach the age of majority and transition into adulthood, up to their 26th birthday or to the age defined in provincial legislation, whichever is greater.	Annex H: First Nation Children's Housing Fund Bulletin for 2025-26. More information can be found on the ISC webpage here: Post-majority support services for First Nations youth and young adults. FNCFS Transitional Terms and Conditions
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Is there more information on outstanding CHRT 41 Capital requests and what implications there will be on	Yes, more information regarding CHRT 41 Capital is expected and some was already shared at the COO/NAN information session held on November 14, 2025. Please refer to Appendix 11 of the Ontario Final Agreement, and to the material and questions and answers provided in relation to that information session for more details. ISC, COO, and NAN are also working to create an Ontario Final Agreement Capital Guide to support the Capital process under the	

Date and Session	Question	Answer	Additional Information
	those requests if the Ontario Final Agreement is implemented?	Agreement and this will be available to FNCFS Agencies and First Nations.	
November 14th 2025 COO-ISC #2: Capital	Some projects under CHRT 41 have seemed to stall and there's been very limited progress. Is there a process to see where a proposal is at, and address issues so that it can proceed?	The timeline for assessing and making a decision on capital requests under CHRT 41 can be impacted by the circumstances and complexity of each project. The First Nations Child and Family Services (FNCFS) and Capital teams at Indigenous Services Canada (ISC) work with funding requestors to confirm the complexity of each project and what steps, phases and documentation are needed. The FNCFS team will send written notifications to the funding requestor as the capital funding request moves forward through the assessment process and will notify the requestor promptly in writing of any missing information or potential delays. For updates on the status of capital requests, requestors are encouraged to reach out to the Ontario regional office. The capital funding approach under the OFA will help to streamline the project approval process, as projects selected for funding will be supported for the duration of the capital project life cycle, instead of requiring approval at each stage of the capital project life cycle as is currently done under CHRT 41.	
November 14th 2025 COO-ISC #2: Capital	Given that the dollar amount for capital under the OFA was the amount Ontario would have received under the National Final Agreement) How was the $455 million for	The $455 million in capital funding allocated for Ontario is Ontario's proportional nine-year share of the Final Agreement's $2.9 billion capital envelope and was calculated based on the same formula. The costing estimates for the proposal were produced using the Colliers model costing tool, which is used by Indigenous Services Canada to determine costing based on the size and type of capital assets and includes projections for recapitalization, and operations and maintenance based on actual assets maintained by the Department. The model was modified to calculate the amount for capital based on the types of buildings and vehicles requested under 2021 CHRT 41. The capital amount calculated for each region was the total of:	

Date and Session	Question	Answer	Additional Information
	capital derived? There are more children in care and First Nations in Ontario so Ontario should see a larger amount from the original Final Agreement funding.	• The estimated amount for every FNCFS agency to build an office building; • The estimated amount for every First Nation affiliated with an FNCFS agency to build a centre for FNCFS activities; and • The estimated amount for every First Nation not affiliated with an FNCFS agency to build an office building and a centre for FNCFS activities.	
November 14th 2025 COO-ISC #2: Capital	Can ISC provide us with the number of kids in care in Ontario?	Given that ISC funds services, through the First Nations Child and Family Services Program for First Nation on reserve or ordinarily resident on reserve ISC only collect information from FNCFS Agencies and the Provincial government related to services funded for children in care on reserve. With the data that ISC holds, Ontario First Nations children in care count in FY 2022-23 for the Province of Ontario was 1,440. The (0-18) on reserve population count in Ontario, as of December 31, 2022 was 26,235. This represents 5.49% of on-reserve or ordinarily resident of reserve First Nation children 0-18 in care in Ontario.	
November 14th 2025 COO-ISC #2: Capital	What are the distance parameters – how close/far does a similar building have to be to a First Nations community for it to be deemed eligible?	The distance of a building available for service delivery does not determine eligibility in and of itself. One of the factors, amongst others, that is looked at in the OFA's Priority Ranking Framework is how close the nearest existing ISC-funded building or space is that is available to support FNCFS Program service delivery. This is aimed at determining how far the nearest suitable facility is from the community. It is assessed based on the amount of time it takes to travel to the nearest facility, for example, whether alternative options to deliver services take over one hour to reach, are within one hour to reach, or whether they are available within the community.	

Date and Session	Question	Answer	Additional Information
November 14th 2025 COO-ISC #2: Capital	Will the projects that were started under CHRT 41 be delayed until the Effective Date of the OFA, so they fall in line with the new funding and process?	ISC remains committed to providing Ontario First Nations and FNCFS agencies with timely support needed under the 2021 CHRT order 41. The assessment of and decisions on funding requests will not be delayed and will continue under the CHRT 41 process and timelines. Between January and November 2025, a total of 59 CHRT 41 capital requests from Ontario recipients have been approved. Where a capital request is submitted **before** the Effective Date of the OFA, ISC will continue to apply the 2021 Canadian Human Rights Tribunal (CHRT) 41 approval process to determine if the request is approved. The 2021 CHRT 41 approval process will apply to that request until ISC makes a final determination, even if such determination is made after the Effective Date. Where a capital request or proposal is submitted **after** the Effective Date, ISC will apply the "Priority Ranking Framework" (PRF) process that was co-developed by ISC, COO, and NAN to determine if the request or proposal is approved. An exception is that for capital projects with design funding approved under the 2021 CHRT 41 approval process, requests for construction or completion funding shall not be subject to the PRF approval process. During the transition year, as recipients are developing their First Nation Infrastructure Investment Plans and Agency Infrastructure Investment Plans, ISC can provide support in determining where specific requests may fall within the transition to the new capital approach.	
November 14th 2025 COO-ISC #2: Capital	When will this be tabled in Parliament?	The Ontario Final Agreement will not be tabled in Parliament. The Canadian Human Rights Tribunal (CHRT) has the authority to render a decision on the Ontario Final Agreement. As per Parts XXIV and XXVI of the Ontario Final Agreement, this Agreement is conditional upon these criteria being met for it to become effective: 1) its approval without conditions by the CHRT;	

Date and Session	Question	Answer	Additional Information
		2) the Tribunal ending its jurisdiction over the Complaint and all associated proceedings in Ontario save for those related to Jordan's Principle; and 3) the Tribunal ordering that the terms of the Agreement supersede and replace all orders of the Tribunal related to the discrimination found by the Tribunal concerning the FNCFS Program in Ontario and the 1965 Agreement.	
November 14th 2025 COO-ISC #2: Capital	What is included in the ranking of projects?	The OFA Priority Ranking Framework, or "PRF", is a tool co-developed by Indigenous Services Canada, Chiefs of Ontario and Nishnawbe Aski Nation to assess and rank project proposals fairly and consistently, based on standardized criteria, according to the highest needs. Projects that score higher will be considered for funding sooner, while those with lower scores may be scheduled for later years. The PRF uses a weighted scoring system to assess proposals against several standardized criteria: • **Criteria applicable to *renovations:*** ▪ the condition of the current building ▪ if the building meets safety standards and building codes • **Criteria applicable to *new builds:*** ▪ whether existing space can meet service needs ▪ how far the nearest suitable facility is from the community • **Criteria applicable to both renovation and new builds*:*** ▪ if the community has received construction funding before ▪ how many of the FNCFS Program's funding components will be delivered (for First Nations) or how many First Nations will be served (for FNCFS Agencies)	

Date and Session	Question	Answer	Additional Information
		▪ how much of the space will be dedicated to FNCFS service delivery ▪ whether essential infrastructure like water, power, and roads is in place ▪ whether the request comes from a First Nation ▪ if the request comes from an FNCFS Agency, whether a land designation is secured or in progress	
November 14th 2025 COO-ISC #2: Capital	Will First Nations receive access to their projects' scoring? What happens if a project doesn't meet the ranking? Are there any next steps to move a project up the rank? What is ORIC (Ontario Reform Implementation Committee)'s involvement in the ranking?	Following the FNCFS Capital Priority Ranking Framework (PRF) exercise, ISC will prepare an initial ranking report that identifies the projects that ranked highest through application of the PRF. An anonymized list will then be submitted to the Ontario Reform Implementation Committee (ORIC) for review. The ORIC will examine the ranked list of projects and provide feedback to ISC, including any concerns or observations regarding the prioritization of projects. The highest ranked projects will be funded as per the yearly funding allocation. Projects that are not selected for funding in a given fiscal year will remain in the First Nation Infrastructure Investment Plan or Agency Infrastructure Investment Plan and will automatically be a part of the prioritization process in subsequent years. Where a project does not rank high enough to be supported within the funding envelope for the current year, ISC will notify the requestor. The notification will include: the proposed project's ranking and a general rationale for non-selection. Requestors may submit a written request for clarification after receiving the funding decision and ISC will provide a high-level summary of how the project was assessed, i.e., the priority ranking exercise, and any relevant feedback. If a First Nation or FNCFS	

Date and Session	Question	Answer	Additional Information
		Agency disagrees with ISC's assessment, they may pursue a Claimant Dispute under the OFA's dispute resolution process.	
November 14th 2025 COO-ISC #2: Capital	Are the stages of the capital funding process time-limited? Will there be a 30-day clock for capital requests such as under the CHRT 41 process?	Under the OFA, there will be no 30 business day clock for assessment of and decisions on projects. Support for capital projects under Canadian Human Rights Tribunal order 41 follows a phased approach, with ISC approval required at each stage of the project life cycle (Pre-Capital Planning and Feasibility stage; Design; Construction; and Completion). When a project is selected for OFA capital funding, a separate funding application will not be required for each project phase. Unlike the CHRT 41 process, capital projects under the OFA will be approved for funding once, rather than by phase. Project approval occurs at the outset, and ISC will support the full life cycle from start to finish, subject to funding availability. In terms of timelines, support for capital under the OFA will follow a predictable community planning approach, with First Nations submitting First Nation Infrastructure Investment Plans and First Nation Child and Family Services agencies submitting Agency Infrastructure Investment Plans each fall to plan for the next fiscal year.	
November 14th 2025 COO-ISC #2: Capital	How are First Nations supposed to estimate how much of a project is used for Child and Family Services? E.g. what percentage of a multi-use	Similar to the way multi-use buildings are treated under CHRT 41, assets that serve multiple purposes, for example, the delivery of FNCFS funded services and activities along with unrelated activities, will be proportionally funded under the OFA. Funding decisions on such capital requests will only reflect the portion of a multi-purpose asset that is intended to support FNCFS Program funded services and activities. Multi-purpose buildings are eligible for a percentage of funding that corresponds with the amount of space (square footage) dedicated to FNCFS delivery and/or scheduled FNCFS programmatic time. ISC	

Date and Session	Question	Answer	Additional Information
	building will be used for Child and Family Services?	can support First Nations in determining the percentage of multi-purpose buildings that would be eligible for capital funding.	
November 14th 2025 COO-ISC #2: Capital	Will ISC focus on approving the most projects possible to go to design under CHRT 41 before OFA implementation?	ISC remains committed to providing Ontario First Nations and FNCFS agencies with timely support needed under the 2021 CHRT order 41. Where a capital request is submitted **before** the Effective Date of the OFA, ISC will continue to apply the 2021 CHRT 41 approval process to determine if the request is approved. The CHRT 41 approval process will apply to that request until ISC approves the request or makes a final determination, even if this determination is made after the Effective Date. Where a capital request or proposal is submitted **after** the Effective Date, ISC will apply the "Priority Ranking Framework" (PRF) process co-developed by ISC, COO, and NAN to determine if the request or proposal is approved. An exception is that for capital projects with design funding approved under the 2021 CHRT 41 approval process, requests for construction or completion funding will not be subject to the PRF approval process. The PRF will only determine in which fiscal year the funding will be allocated.	
November 14th 2025 COO-ISC #2: Capital	Will Band Council Resolutions be required for Agencies to apply for capital funding?	As outlined in the Ontario Final Agreement, FNCFS Agencies will be required to co-develop Child and Community Wellbeing Plans with their affiliated First Nation(s). This includes collaboration in the development of the Agency Infrastructure Investment Plans (AIIPs). In order to be eligible for capital funding, within the *Privacy Act* tab of the AIIP, FNCFS Agencies will need to certify that they have obtained support of the First Nation(s) served by each project and include their contact information. A Band Council Resolution will be required once a project selected for funding through the Priority Ranking Framework process advances through the project application stages. Upon completion of the feasibility stage, the applicant will be invited to submit a Project	

Date and Session	Question	Answer	Additional Information
		Approval Request (PAR). When requested to submit the PAR, recipients will be required to submit the Band Council Resolution.	
November 14th 2025 COO-ISC #2: Capital	Is there a matrix template for ranking capital projects?	When First Nation Infrastructure Investment Plans and Agency Infrastructure Investment Plans are received, ISC will assess the eligibility of the FNCFS capital project funding proposals. Once eligibility has been determined, FNCFS capital project funding proposals submitted by First Nations and FNCFS Agencies will be assessed and ranked using the FNCFS Capital Priority Ranking Framework (PRF). The FNCFS Capital PRF is a tool that helps ensure that capital funding under the OFA is directed to the highest priorities using a consistent process. It uses a weighted scoring system to assess proposals against several standardized criteria: ○ **Criteria applicable to *renovations:*** ▪ the condition of the current building ▪ if the building meets safety standards and building codes ○ **Criteria applicable to *new builds:*** ▪ whether existing space can meet service needs ▪ how far the nearest suitable facility is from the community ○ **Criteria applicable to both renovation and new builds*:*** ▪ if the community has received construction funding before ▪ how many of the FNCFS Program's funding components will be delivered (for First Nations) or how many First Nations will be served (for FNCFS Agencies) ▪ how much of the space will be dedicated to FNCFS service delivery ▪ whether essential infrastructure like water, power, and roads is in place ▪ whether the request comes from a First Nation ▪ if the request comes from an FNCFS Agency, whether a land designation is secured or in progress	

Date and Session	Question	Answer	Additional Information
November 14th 2025 COO-ISC #2: Capital	Will engineers be approving capital requests under the OFA? How will social needs be addressed within the new process? Social workers should be providing key input in programming.	Capital requests under the OFA will be assessed by multi-disciplinary teams within ISC. Eligibility will be assessed by members of the First Nations Child and Family Services Program, integrating the social needs lens, and capital specialists, such as engineers, will assist in the technical review of proposals. This will help ensure a comprehensive and balanced approach to assessing and advancing capital projects.	
November 14th 2025 COO-ISC #2: Capital	How will youth emergency and transitional placement related capital projects be prioritized? This is a crisis level issue that undermines all goals of keeping children and families close to home, community and culture.	The co-developed metrics in the OFA FNCFS Priority Ranking Framework are intended to help ensure that the highest priority needs receive funding. Criteria such as whether existing facilities are available to support service delivery are all taken into consideration in the weighing of project proposals.	
November 14th 2025 COO-ISC #2: Capital: Capital	If First Nations, that are currently not prepared to deliver their own	A First Nation can apply separately from the Agency that serves them. If a First Nation is not ready yet, it does not limit their ability to apply for capital projects later on. ISC will work with First Nations to help build their capacity.	

Date and Session	Question	Answer	Additional Information
	services, or provide support/ and have provided Band Council Resolutions and mandate to their agency for capital projects, does it limit the First Nations' ability to apply for capital projects at a later date, when they have built their capacity?		
November 14th 2025 COO-ISC #2: Capital	For clarification – Can we submit projects as one bundled package, or does each project need to be submitted individually?	The First Nations Infrastructure Investment Plans (FNIIPs) and Agency Infrastructure Investment Plans (AIIPs) include lines for each individual project. Multiple projects can be submitted in each plan and ranked separately, in order of priority, but projects for distinct assets need to be captured separately within the FNIIP or AIIP.	
November 14th 2025 COO-ISC #2: Capital	Is there funding provided for community planning under the OFA?	There is no funding provided for community planning, for Capital, under the Ontario Final Agreement. Regional offices are able to provide support; however, they are unable to provide financial support.	
November 14th 2025 COO-ISC #2: Capital	Does capital funding receive remoteness top-ups as well?	While remoteness is part of other funding streams in the OFA, capital funding does not receive remoteness top-ups.	

Date and Session	Question	Answer	Additional Information
		Factors such as remoteness are accounted for in capital project contracts, as contractors understand these conditions and build them into their cost estimates for project implementation.	
November 14th 2025 COO-ISC #2: Capital	What percentage of the capital funding will be allocated to First Nations and what percentage for Agencies?	Under the OFA, funding for First Nations and Agencies will not be based on fixed percentages. All recipients will be required to submit proposal-based applications for their capital needs through the annual infrastructure investment planning exercise. All project requests will be reviewed and ranked using the Priority Ranking Framework (PRF). The PRF will rank projects using a weighted scoring system to assess proposals against several standardized criteria. The projects that rank highest will receive funding in that given fiscal year.	
November 14th 2025 COO-ISC #2: Capital	Can off-reserve buildings be included in this funding? Will capital funding be available for off-reserve members living in urban centers?	The FNCFS Program funding supports services provided to First Nations family on reserve or ordinarily resident on reserve. The construction or purchase of off-reserve property will be eligible where there is no suitable property available on-reserve for construction, or where off reserve construction is more accessible for First Nations children, youth and families on reserve to receive services.	
November 14th 2025 COO-ISC #2: Capital	Does the building have to be built in Ontario to qualify for capital funding under the OFA? We have many people that live in Manitoba, for example.	The FNCFS Program funding supports services provided to Ontario First Nations family on reserve or ordinarily resident on reserve. In paragraph 27 of the OFA, capital funding is for First Nations and FNCFS Service Providers in Ontario, for assets that support the delivery of the Reformed FNCFS Program's funded services and activities. Although, in some specific situations, a capital asset can exist off-reserve, that asset must serve Ontario First Nations family on reserve or ordinarily resident on reserve to qualify for OFA capital funding.	

Date and Session	Question	Answer	Additional Information
November 14th 2025 COO-ISC #2: Capital	How can we contact ISC with questions?	Questions on the OFA capital funding approach can be addressed to: immobilisation-edon-onfa-capital@sac-isc.gc.ca	
November 14th 2025 COO-ISC #2: Capital	What are some of the current issues holding up the current ISC CHRT 41 process? How can ISC work to alleviate these roadblocks?	During ISC's review of a capital request, if there is any missing information or documents identified ISC notifies the requestor of the missing information in writing. This can contribute to delays while ISC works with requestors to obtain the information needed to fully assess requests. In certain circumstances, additional time may be required to consider capital proposals under CHRT 41, for example, due to complexity related to the project's design or the impact of local circumstances on its delivery, or other unforeseen circumstances. Where ISC identifies that additional information is needed to support a funding decision, has assessed that it will not fund the full cost of a project or feasibility study, that a project is not ready to proceed, or that it requires more time to make a determination, ISC advises the First Nation or First Nations Child and Family Services Agency in writing, clearly outlining why the project is being delayed, deferred or is ineligible in whole or in part. In the case of incomplete project proposals, ISC provides the First Nation or Agency with a reasonable amount of time to correct any deficiency. ISC's goal is to help requestors access the capital that they need to deliver FNCFS funded activities and services. ISC will be as flexible as it can be and will exercise common-sense approaches to support requestors during the assessment process and implementation of these priority capital projects.	

Remoteness

Date and Session	Question	Answer	Additional Information
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Was the remoteness methodology also revisited to ensure equitable and fair funding. What is the definition of remoteness?	The remoteness methodology remains the same as it was defined in the National Agreement for the Long-Term Reform of the FNCFS, and is a calculation that was co-developed with NAN. As described in the Ontario Final Agreement, the "NAN-Canada Remoteness Quotient Table" will be a body jointly constituted by NAN and ISC to monitor and address remoteness issues in the long-term. The Table will establish an Ontario Remoteness Secretariat which will be a centre of expertise on the impacts of remoteness experienced by First Nations and FNCFS Agencies in Ontario.	The definition of remoteness is defined in Part III, Section (fff) of the Ontario Final Agreement and is further explained in Appendix 10. Please see a simplified breakdown of the remoteness calculation can be found in Annex G of this Q&A document.

Communication, Governance and Service Delivery

Date	Question	Answer	Additional Information
September 8th 2025 NAN-ISC #1: Introduction on Implementation of the Ontario Final Agreement	How will tribal councils be involved in supporting their communities?	Since April 1, 2022, First Nations have the flexibility to decide who will provide services and how prevention, post-majority support services and First Nation representative services funding can be reallocated to better serve their communities. In the Transitional FNCFS Program Terms and Conditions a First Nation service provider is defined as an entity authorized by the First Nation to support the implementation of the FNCFS Program, and the delivery of services, on reserve, including non-delegated service providers, not-for-profit First Nations organizations, and mandated organizations, for example, Tribal Councils or regional Indigenous organizations.	Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.
September 8th 2025 NAN-ISC #1: Introduction on Implementation of the Ontario Final Agreement	What supports are available to a First Nation that is transitioning to traditional laws? To support this transition, could a protocol agreement be put in place with First Nations?	The reformed FNCFS Program provides more flexibility to ensure that First Nations are able to deliver programs and services that meet the needs of their communities, or alternatively, are able to continue to work with their agencies to transition the program, while developing capacity in preparing to exercise jurisdiction. Funding is available through ISC to support Indigenous groups looking to exercise jurisdiction under *An Act respecting First Nations, Inuit and Métis children, youth and families.*	Please contact your regional ISC representative should you wish additional information regarding available funding.
October 2nd 2025 NAN-ISC #2: Introduction to Planning and Reporting through the	Can a First Nation change the Agency to which it is currently affiliated?	Every First Nation has the right to choose who they receive their child and family services from; this includes the right to change their existing service provider. For the delivery of legislated child and family services (protection services), this transition of service provision is subject to the delegation or authorization under the applicable child and family services legislation (whether provincial or territorial). Through	Further information on transition between service providers can be found in Annex C: FNCFS Program Information Bulletin 2025-007-E First

Date	Question	Answer	Additional Information
Ontario Final Agreement		delegation agreements, the provincial or territorial government delegates authority to service providers and/or their employees, for the full or partial delivery of legislated child and family services. In order to be funded under the FNCFS Program to deliver legislated child and family services, FNCFS Agencies must undergo the process and become delegated before assuming responsibility for the delivery of these legislated services. If a First Nation decides to change service providers, ISC will collaborate with all affected providers to develop transition plans. Planning must start before ISC can allocate funding to the new service provider, and will clarify roles and responsibilities related to services; address the handling of any unexpended (unspent) funds; and establish communication strategies to support smooth and uninterrupted service delivery.	Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.
October 2nd 2025 NAN-ISC #2: Introduction to Planning and Reporting through the Ontario Final Agreement	What is the composition of the Ontario Reform Implementation Committee?	The purpose of the Ontario Reform Implementation Committee is to oversee and monitor the implementation of the Reformed FNCFS Program in Ontario. The ORIC will consist of eight (8) members: • One appointed by NAN • One appointed by COO • One appointed by ISC • Five appointed by Ontario Chiefs in Assembly – at least one of these members will be a youth with lived experience of out-of-home-care.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	There is concern over the logistics of Agencies collaborating with all of their First Nations, especially	ISC, COO, and NAN recognize that collaboration among Agencies and First Nations may be challenging. As per the Ontario Final Agreement, the expectation is that FNCFS Agencies must collaborate as best as possible with each of the First Nations that they serve regardless of location. ISC, COO, and NAN are all available to support, in any way possible, with facilitating effective collaboration.	

Date	Question	Answer	Additional Information
	in cases where the First Nations are geographically separated and there are different First Nations processes.	Planning sessions are currently being organized by both COO and NAN where both FNCFS Agencies and First Nations will come together to develop these plans.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	How can a First Nation help members who live off reserve if a child is in the care of an mainstream agency?	Funding under the FNCFS Program is aimed at supporting members ordinarily resident on reserve with the exception of First Nation Representative Services off-reserve funding. It is recommended, in these situations, that the First Nation discuss this with their own legal counsel to discover what options are available to them.	Further information on this topic can be found in: Annex D: FNCFS Program Information Bulletin 2025-005 Definition of Ordinarily Resident on Reserve Bulletin. Dated May 30, 2025.
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Will First Nations leadership changes impact the Ontario Final Agreement?	The Ontario Final Agreement is a 9 year agreement that expires in 2034. Therefore, changes to First Nation leadership will not impact the validity or implementation of the Agreement.	
October 17th 2025 COO-ISC #1: Planning and Reporting Requirements	Are ISC FNCFS Program operations communications bulletins developed collaboratively between ISC, NAN, and COO?	While communication bulletins are ISC documents, ISC does ensure that COO and NAN will have the opportunity to review and provide feedback prior to ISC sending to recipients.	

Date	Question	Answer	Additional Information
	How is it being ensured that bulletins are reaching everyone especially in relation to releasing bulletins during times of significant cultural events?		
November 14th 2025 COO-ISC #2: Capital	When a First Nation signs a Coordination Agreement (C-92) for self-governance, and establishes its own CFS law, will the OFA apply to them?	As per Part XII of the OFA, where a First Nation in Ontario receives funding for services pursuant to a jurisdictional agreement, including a coordination agreement related to *An Act respecting First Nations, Inuit and Métis children, youth and families*, that First Nation and its affiliated FNCFS Service Providers will not receive funding under the OFA Reformed FNCFS Funding Approach for the services covered by this jurisdictional agreement. The OFA will not apply to these First Nations, except for any services for which the First Nation continues to be funded under the Reformed FNCFS Program, if any.	
November 26th 2025 Ontario Joint Gathering	Not all First Nations are served by a First Nations Child and Family Services (FNCFS) Agency. What is the obligation of mainstream agencies to work with the First Nations that they serve?	Mainstream Children's Aid Societies in Ontario are expected to support First Nations as they move into the Reformed FNCFS Program. This support can include talking together about service delivery plans, sharing information where possible, and respecting and prioritizing the First Nation's goals and vision, while still carrying out their legislated services. In addition, mainstream Children's Aid Societies in Ontario, including FNCFS Agencies, are delegated under Ontario's Child, Youth and Family Services Act, 2017 (CYFSA) and must provide services in align with this legislation including ensuring that wherever possible, they work with First Nations to care for their children in accordance with their distinct cultures, heritages and traditions. Any child and family services provided to Indigenous children must also be delivered in accordance with the national principles and minimum	

Date	Question	Answer	Additional Information
		standards set in *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act).	
November 26th 2025 Ontario Joint Gathering	How will the Data Secretariat work and what will they be doing with the data they collect?	Additional information on the Data Secretariat can be found in Part X of the OFA (paras 86 to 92)of the Ontario Final Agreement. As outlined in para 90,the Ontario FNCFS Data Secretariat will be set up as a central, independent hub responsible for collecting, managing, analyzing, and reporting data related to the reformed First Nations Child and Family Services Program (FNCFS) in Ontario. They will work with other parts of the reform structure including the Ontario Remoteness Secretariat, to support its mandate in measuring First Nations child and family well-being in a holistic way. The data that they will collect from FNCFS Agencies and ISC will be used to: • Analyze data to monitor and evaluate how well the reformed FNCFS Program is working, including outcomes, effectiveness, and any issues; • Produce reports and recommendations for the oversight body (the Ontario Reform Implementation Committee) to support decision-making and program improvements; and • Provide annual written reports to the Chiefs of Ontario and Nishnawbe Aski Nation) and participate in presentations at their assemblies when asked.	
November 27th 2025 NAN Planning preparation for Thunder Bay in-person planning workshop	Will information sharing be made more accessible to community members, particularly for those who may have limited internet access or	Yes, ensuring accessible information sharing is essential for meaningful community participation and engagement. This includes providing materials in accessible formats and clear language, and offering alternatives to online or virtual platforms when needed. Work is underway to strengthen communication processes and improve how information is shared with community members.	

Date	Question	Answer	Additional Information
	may be unfamiliar with virtual platforms? Suggestion to broadcast information session on local radio stations.		
November 27th 2025 NAN Planning preparation for Thunder Bay in-person planning workshop	Currently, there are some policies and regulations that prevent or inhibit First Nations and FNCFS Agencies from understanding roles and responsibilities or working together. How can these policies and regulations developed to support collaboration between First Nations and service providers without creating unnecessary barriers?	ISC will continue to prioritize reducing administrative burden and removing barriers to effective collaboration, ensuring that processes support, rather than hinder, joint work between First Nations and service providers while developing policy. The following factors will need to be considered as this collaborative space is developed: • FNCFS Agencies do have responsibilities, under their provincial delegation, regarding information management and ensuring protection of information for privacy and security reasons. • FNCFS Agencies must, however, also respect the requirements in *An Act respecting First Nations, Inuit and Métis children, youth and families* (The Act), including Section 12(1) regarding notice requirements. These notice obligations make certain that, before taking any significant measures in relation to the child, that the service provider deliver notice of the 'measure' to the child's parent and the care provider, as well as the Indigenous governing body (as defined by the First Nation) that acts on behalf of the Indigenous group, community or people to which the child belongs.	
November 27th 2025	What is meant by "culturally	The Ontario Final Agreement provides overarching guidance of culturally-informed programming in stating that:	

Date	Question	Answer	Additional Information
NAN Planning preparation for Thunder Bay in-person planning workshop	appropriate services" in the context of the Ontario Final Agreement?	*"holistic and culturally-informed programming, having regard for the current realities of distinct First Nations, including historical and contemporary disadvantage and contextual differences, including remoteness"* (Part II - Principles (f)). That being said, culturally appropriate services are ultimately defined by each First Nation's own vision and priorities, meaning that it is up to the First Nations to create service delivery models that reflect community-driven approaches, priorities, values, and practices.	
November 27th 2025 NAN Planning preparation for Thunder Bay in-person planning workshop	How should Agencies or communities proceed when supporting children or members who are located out of province or being served by another agency?	Agencies administer child protection services in line with the relevant provisions under Ontario's *Child, Youth and Family Services Act (CYFSA).* Agencies must also respect the requirements in *An Act respecting First Nations, Inuit and Métis children, youth and families* (The Act), including Section 12(1) regarding notice requirements. These notice obligations make certain that, before taking any significant measures in relation to the child, that the service provider deliver notice of the 'measure' to the child's parent and the care provider, as well as the Indigenous governing body (as defined by the First Nation) that acts on behalf of the Indigenous group, community or people to which the child belongs.	
November 27th 2025 NAN Planning preparation for Thunder Bay in-person planning workshop	How will funding be provided to urban agencies and for child and family services offices that are located out-of-province?	The FNCFS Program funding supports services provided to First Nations family on reserve or ordinarily resident on reserve. This does not change with the implementation of the OFA. **Ordinarily resident on reserve** refers to the residency status of an adult who resides on reserve at least 50% of the calendar year and who does not maintain a primary residence elsewhere, or: • is temporarily residing off reserve while registered either full-time or part-time in an educational	See more information through the following link: FNCFS Program transitional Terms and Conditions; Annex D – Definition of Ordinarily

Date	Question	Answer	Additional Information
		institution or a training program and who would otherwise reside on reserve; or • is temporarily residing off reserve in order to obtain health or social services for which there are no reasonably comparable services on reserve and who, but for the need to receive said services, would reside on reserve; or • is temporarily residing off reserve due to a natural disaster.	Resident on Reserve Bulletin
September 8th 2025 NAN-ISC #1 Introduction on Implementation of the Ontario Final Agreement	How will the Ontario Final Agreement affect programming for off-reserve band members?	The Ontario Final Agreement will not affect programming for off-reserve band members.	
September 8th 2025 NAN-ISC #1 Introduction on Implementation of the Ontario Final Agreement	How will the Ontario Final Agreement impact off-reserve funding, for example, in terms of a community that has not been established at this time?	As outlined in the FNCFS Program transitional Terms and Conditions, the First Nations Child and Family Services (FNCFS) Program supports the ongoing provision of culturally appropriate prevention, including early intervention, and legislated protection services to respond to children at risk of harm or maltreatment, support family preservation and well-being, including cultural and linguistic connections for First Nations children, youth and families ordinarily resident on reserve. This will also remain after the effective date of the Ontario Final Agreement. Newly established First Nations that become recognized Bands as defined in subsection 2(1) of the *Indian Act*, and that have or gain reserve lands, will become eligible under the FNCFS Program. This is cited in paragraphs 4(z) and 4(hh) of the Ontario Final Agreement.	

Annexes

Annex A: Data Collection Instruments by Funding Stream

Annex B: FNCFS Program Information Bulletin 2025-09-E Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement First Nations Child and Family Services Program – Ontario. Dated August 13, 2025.

Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.

Annex D: FNCFS Program Information Bulletin 2025-005 Definition of Ordinarily Resident on Reserve Bulletin. Dated May 30, 2025.

Annex E: FNCFS Program Information Bulletin 2025-012-E First Nation Representative Services in Ontario Off-reserve Funding for 2025-2026. Dated September 26, 2025.

Annex F: Presentation :"FNCFS Program Reporting and Planning Requirements under the Ontario Final Agreement Presentation at COO Virtual Information Session October 14th, 2025"

Annex G: Simplified breakdown of the remoteness calculation

Annex H: First Nation Children's Housing Fund Bulletin for 2025-26.

Annex J: Management of unexpended First Nations Child and Family Services Program Funding (February 25, 2025)

Annex K: Addendum to FNCFS Information Bulletin 2025-001-E Management of Unexpended Funds (April 8, 2025)

Annex A: Data Collection Instruments by Funding Stream

Data Collection Instruments by funding stream

Funding Stream	Data Collection Instruments
Maintenance / Care	CFS Maintenance Report (DCI # 455917) & First Nations Child and Family Services Activity Report (DCI #1278249)
Operations (i.e. Protection)	FNCFS Annual Final Report (DCI #1208367)
Prevention	First Nations Child and Family Services Activity Report (DCI #1278249)
Post-Majority Support Services	First Nations Child and Family Services Activity Report (DCI #1278249)
First Nations Representative Services	Activities and Expenditures report (DCI #4548549)
Capital (FNCFS & FNRS)	Capital Project Report (DCI #460671) & Activities and Expenditures report (DCI #4548549)
Others	Activities and Expenditures report (DCI #4548549)
Funding Strategies (Operations/CFS Poverty/CFS Emergency)	FNCFS Annual Final Report (DCI #1208367)
Housing	Community Infrastructure and Housing Annual Report (DCI #41701)

Annex B: FNCFS Program Information Bulletin 2025-09-E Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement First Nations Child and Family Services Program – Ontario. Dated August 13 2025.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN-2025-09-E

Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement
First Nations Child and Family Services Program – Ontario

August 13 2025

Purpose:

This bulletin provides guidance on post-majority support services funding as part of the First Nations Child and Family Services (FNCFS) Program in Ontario in advance of the implementation of the Final Agreement on Long-term Reform of the FNCFS Program in Ontario (the Ontario Final Agreement or OFA).

Post-Majority Support Services Funding:

- ISC will continue to fund the actual costs of eligible post-majority support services until the OFA comes into effect in accordance with 2022 CHRT 8 and the FNCFS Transitional Terms and Conditions: Contributions to provide children, youth, young adults, families and communities with prevention and protection services.
- The Canadian Human Rights Tribunal (CHRT) has ordered Canada to fund First Nations and authorized service providers (including FNCFS Agencies) based on the actual costs of post-majority support services to support youth in care approaching the age of majority and young adults formerly in care.
- Once the OFA comes into effect, funding for post-majority support services **will shift to an allocation-based funding model** with funding delivered directly to First Nations rather than FNCFS Agencies. As detailed below, First Nations will be able to direct ISC to provide their allocation to FNCFS Agencies.

Preparation for Implementation of the OFA:

- ISC is asking recipients to submit their anticipated costs for post-majority support services for the 2025-2026 fiscal year in a plan (submitted as an advance claim or request) rather than reimbursement, wherever possible. Recipients should minimize requests for reimbursement of costs after they are incurred. Recipients will need to note in their plan any unexpended funding from the previous fiscal years that can be applied to the plan or provide confirmation that there is no unspent FNCFS Program funding that can be applied to the plan, as outlined in the April addendum to the February 2025 Information Bulletin on the management of unexpended funds.
- **As soon as the OFA comes into effect (even if that date is within 2025–2026),** First Nations and authorized service providers (including FNCFS Agencies) will no longer have access to funding based on actual costs for post-majority support services (including direct and indirect services). The deadline for the submission of all claims for reimbursement of 2025-2026 post-majority support services expenditures will be **the date the OFA comes into effect**.
- First Nations and FNCFS Agencies are strongly encouraged to collaborate on their 2025–2026 service delivery plans in order to coordinate transition to the OFA's approach of providing post-majority support services funding exclusively to First Nations.

1

- Under the OFA, First Nations will continue to be able to designate an alternative service provider to deliver post-majority support services, fully or partially. To direct ISC to allocate some or all of its post-majority support services funding to service providers for a given fiscal year, a First Nation must submit a Band Council Resolution or other official decision document related to post-majority support services funding and service provision by September 30th of the preceding calendar year. For more information, please refer to the **Bulletin on Band Council Resolutions directing funding to an authorized service provider in Ontario (August 2025)**.
- Collaboration among multiple providers in the same area will help to prevent gaps and ensure coordinated delivery.
- ISC staff will work closely with First Nations and FNCFS Agencies to support a sustainable transition to the OFA funding model for post-majority support services funding. Provincial funding to FNCFS agencies, including funding to support youth aging out of care, will not be affected by the OFA.
- ISC will be reviewing requests for post-majority support services funding received between April 1, 2025 and the date the OFA comes into effect, with specific attention to whether the expenses claimed would be greater than the funding that would be allocated to the requester under the OFA funding model. ISC will continue to approve requests based on actual expenses and advise First Nations and FNCFS Agencies of anticipated challenges to ensure programming remains stable and to help prevent any gaps during the transition to the new funding model.
- Until the OFA comes into effect, ISC will review and approve post-majority support services requests from FNCFS Agencies as they are received. Funding approvals, however, will be limited to no more than three months of advance funding. This approach ensures that funding supports a smooth transition to the OFA once it comes into effect. For any questions or further clarification, please contact the Ontario Regional Office: creancesdeschrt-chrtclaims@sac-isc.gc.ca or the FNCFS generic inbox at Headquarters: sefpn-fncfs@sac-isc.gc.ca.

Annex C: FNCFS Program Information Bulletin 2025-007-E First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario. Dated August 1, 2025.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN 2025-007-E

First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario

August 1, 2025

This bulletin outlines how First Nations can authorize Indigenous Services Canada (ISC) to provide funding for prevention services, First Nation Representative services (FNRS), and post-majority support services to a child and family services provider.

Authorizing a service provider to directly receive funding

Under the First Nations Child and Family Services (FNCFS) Program, a First Nation can choose to directly provide prevention services, FNRS and post-majority support services, or authorize another service provider to deliver these services to their on-reserve community members on the First Nation's behalf.

- **Prevention and FNRS**: a First Nation can request that ISC direct any portion of the First Nation's funding to a different service provider by submitting an official decision document that aligns with their governance structure and customs, such as a Band Council Resolution (BCR).
- **Post-majority support services**: a First Nation can authorize another service provider to submit funding claims to serve their community members using a BCR or other official decision document. If a First Nation authorizes a post-majority support services provider to submit funding claims for their community, the First Nation must state whether they intend to deliver post-majority support services in addition to their authorized provider. If so, the First Nation's BCR or decision document must describe how they will work with their authorized service provider to ensure there is no duplication of services. If an authorized service provider and the First Nation both submit funding claims and requests for post-majority support services funding, the claims will be reviewed together to ensure the funding and service delivery coverage works in a complementary way.

Annual deadline to direct funding

BCRs or decision documents that direct funding to an authorized service provider in any given fiscal year beginning April 1st, must state who will access FNCFS funding to deliver services and be **submitted by September 30th of the preceding calendar year** (e.g. a BCR with direction for the 2026-2027 fiscal year must be submitted by September 30, 2025). This ensures timely distribution of funds at the beginning of the fiscal year.

Due to the nature of the funding distribution cycle, this direction submitted to ISC will apply for a **minimum of one full fiscal year** and will remain in effect until the First Nation provides updated instructions, again adhering to the September 30 deadline.

Transition between service providers

If a First Nation decides to change service providers, ISC will collaborate with all affected providers to develop transition plans. Planning must start before ISC can allocate funding to the new service provider, and will:

- clarify roles and responsibilities related to services;

- address the handling of any unexpended (unspent) funds; and
- establish communication strategies to support smooth and uninterrupted service delivery.

Redistribution of funding

In addition to requesting that ISC direct funding to another service provider, under the Program's terms and conditions, recipients can themselves redistribute funding they have received from ISC to another service provider. However:

- Redistribution of funding requires a written agreement between the recipient and the party to which they would be providing the funding.
- The **original funding recipient remains accountable** for how the funding is used, including unexpended funds.
- Recipients must ensure compliance with the Program's terms and conditions, including **any associated reporting**. Outstanding reporting may delay or impact future payments.

Please refer to your contribution agreement for more information and speak to an ISC regional representative for support where needed.

Ontario-specific considerations for prevention services funding

If the Final Agreement on Long-Term Reform of the FNCFS Program in Ontario (Ontario Final Agreement) is approved by the Canadian Human Rights Tribunal and takes effect by **April 1, 2026**, First Nations in Ontario will be able to redirect prevention services funding during fiscal year 2026-27 as outlined below:

- First Nations in Ontario will have until **September 30, 2025** to request that ISC direct any portion of the First Nation's prevention services funding **for the first half of the 2026-27 fiscal year** to a different service provider by submitting an official decision document, such as a BCR.
- First Nations in Ontario will then have until **April 1, 2026** to submit written notice to ISC directing the allocation of prevention services funding **for the second half of the 2026-27 fiscal year.**

If a First Nation's prevention services funding allocation decision that is submitted by **September 30, 2025** indicates that the allocation decision for the first half of the 2026-27 fiscal year is to apply to the second half of 2026-27 as well, ISC will allocate funding according to the allocation decision in the second half of the 2026-27 fiscal year, regardless of the Ontario Final Agreement taking effect.

Additional information

A BCR template is attached to support First Nations, but it is not mandatory to use it. For questions or further support regarding this process, please contact: sefpn-fncfs@sac-isc.gc.ca.

Annex D: FNCFS Program Information Bulletin 2025-005 Definition of Ordinarily Resident on Reserve Bulletin. Dated May 30, 2025.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN 2025-005

Definition of "Ordinarily Resident on Reserve"

May 30, 2025

This information bulletin provides the First Nations Child and Family Services (FNCFS) Program definition of "ordinarily resident on reserve", **effective June 1, 2025.**

This definition is intended to provide clarity and a common understanding to ensure that the FNCFS Program is delivered in compliance with the FNCFS Transitional Terms and Conditions which states the program funds services for First Nations children, youth and families **ordinarily resident on reserve or in the Yukon**. Where eligibility for the Program is based on an individual being ordinarily resident on reserve, the following definition will be used:

Ordinarily resident on reserve refers to the residency status of an adult who resides on reserve at least 50% of the calendar year and who does not maintain a primary residence elsewhere, or:

- is temporarily residing off reserve while registered either full-time or part-time in an educational institution or a training program and who would otherwise reside on reserve; or
- is temporarily residing off reserve in order to obtain health or social services for which there are no reasonably comparable services on reserve and who, but for the need to receive said services, would reside on reserve; or
- is temporarily residing off reserve due to a natural disaster.

The residency of a child is derived from the residency of the child's parent or guardian. The residency of a child who comes into the care of a mandated child welfare agency is derived from the residency of the child's parent or primary caregiver at the time the child is taken into care.

For the purpose of this definition, a **reserve** includes:

- a reserve, as defined in s. 2 (1) of the Indian Act, R.S.C., 1985, c. I-5;
- lands set aside in Yukon as per Cabinet Directive (Circular No. 27) entitled Procedure for Reserving Land in the Yukon and Northwest Territories (1955);
- lands formerly defined as a reserve or lands set aside which now form part of modern treaty settlement lands; and
- Crown land which is recognized or deemed by Canada as settlement lands of a First Nation.

If you have questions about this bulletin or its implementation, please contact your ISC regional office.

Annex E: FNCFS Program Information Bulletin 2025-012-E First Nation Representative Services in Ontario Off-reserve Funding for 2025-2026. Dated September 26, 2025.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS 2025-012-E

First Nation Representative Services in Ontario Off-reserve Funding for 2025-2026

September 26, 2025

This bulletin provides guidance on accessing funding for off-reserve First Nation Representative services (FNRS) in Ontario, including information on the funding request process, key deadlines and eligibility requirements.

Background

Under the Agreement Respecting Funding for First Nation Representative Services Off-Reserve in Ontario, signed by Canada, the Chiefs of Ontario (COO), and Nishnawbe Aski Nation (NAN), Canada will provide funding for FNRS to support First Nations children and families residing off-reserve until **March 31, 2027**.

COO, NAN, and Canada will jointly engage the Government of Ontario to explore long-term funding solutions for these services.

Advance claims process

Indigenous Services Canada (ISC) is moving to an advance claims process for FNRS in Ontario. It will accept claims for reimbursement of past expenses only if those expenses were incurred on or before **November 15, 2025**. Any expenses incurred after that date cannot be submitted for reimbursement. Instead, such expenses must be claimed in advance and pre-approved by ISC before they are incurred.

Claim deadlines

Expense Period	Claim Type	Submission Deadline
Apr. 1, 2025 – Nov.15, 2025	Reimbursement	Submit by **March 31, 2026**
Nov. 16, 2025 – Mar. 31, 2026	Advance Claim	Submit by **October 31, 2025**
Apr. 1, 2026 – Mar. 31, 2027	Advance Claim	Advance claims will be required. To avoid funding gaps, recipients are encouraged to submit their claims by December 31, 2025, prior to the April 1 start of the 2026-27 fiscal year.

Claim Process

1. Complete the **FNCFS Claim Form for FNRS Off-Reserve in Ontario** (attached), which outlines eligible activities.
2. Email your completed form to: creancesdescht-chrtclaims@sac-isc

ISC will assess fully completed claims within 21 calendar days. Incomplete forms will be returned to the recipient with instructions on what missing information is required to resubmit.

ISC may request additional documentation to support its assessment. ISC will not approve a claim in full or in part until it has received complete documentation on the claim.

If a request is denied or only partially approved, ISC will provide a rationale and instructions for appeal and/or suggest alternative funding sources.

Funding decisions will be communicated via written letter delivered through e-mail.

To request additional funding, **a recipient who has already received off-reserve FNRS funding** must:

- show that **at least 75% of previous off-reserve FNRS claims funding has been spent**, and;
- include a plan for how the **remaining 25% will be used**.

Eligibility and claims assessment

Eligible activities include, but are not limited to:

- Acting as the main liaison, on behalf of families or communities, between First Nations, child and family services agencies, or the Government of Ontario, based on the child's best interests (as defined by the First Nation). This includes interventions that reduce risks and build protective factors, as well as activities that support the child's safety, and the child's connection to community and culture, family preservation, reunification, or permanency planning.
- Supporting discussions, planning, or coordinating and advocacy when a child and family have involvement with child and family services, including Indigenous dispute resolution approaches and court proceedings.
- Ensuring that the cultural needs of a child are being addressed, which includes participating in the development of a child and family's plan of care.
- Collaborating in service planning and delivery with other child and family service providers.
- Serving as a point of contact, responding to notices and fulfilling the responsibilities of a First Nation Representative as set out under federal and provincial legislation and as laid out in *An Act respecting First Nations, Inuit and Métis children, youth and families*.

Note: Administrative fees must be detailed as expenses rather than presented as a percentage. All costs must be itemized.

Exceptional costs

Some costs that fall outside typical FNRS funding parameters may be considered on an exceptional basis if justified due to complex or unique needs. Such costs include:

- **Vehicles for First Nation Representatives off-reserve:** While transportation is an eligible cost under FNRS, vehicle purchase(s) must have ISC pre-approval and comply with ISC's policies and guidelines, including the First Nations Child and Family Services and Jordan's Principle Capital Delivery Guide and FNCFS vehicle purchase policies, available through the ISC contact e-mail listed below.
- **International travel:** International travel costs will only be considered with written pre-approval by ISC for specific travel requirements prior to costs being incurred.

Additional criteria specific to FNRS off-reserve are included in the claim form. Note that a previously approved claim does not guarantee approval for future requests.

Assessment considerations include:

- Whether the costs support the eligible activities;
- Whether the costs are **reasonable**, based on their necessity for delivering eligible services and whether the amounts are typical and justified given the service delivery context;
- Whether the request substantively duplicates existing funded services or services funded by Jordan's Principle or Choose Life.

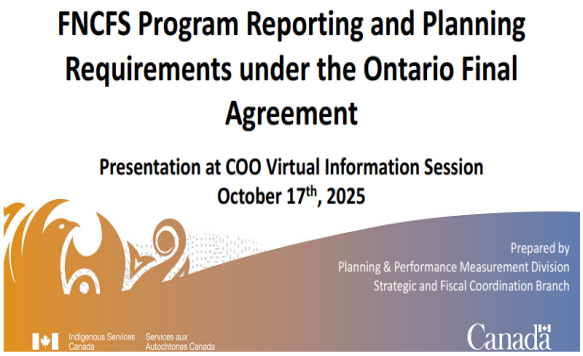
Reporting Requirements

Funding provided through contribution agreements must follow standard financial management, accountability and reporting practices outlined in the contribution agreement. Recipients must complete and submit **DCI 4548549** to report on the use of FNRS off-reserve funding. Reporting deadlines are specified in the contribution agreement. ISC may delay funding where a recipient has outstanding reports.

Contact

For any questions or further clarification, please contact your Ontario region FNCFS team at creancesdeschrt-chrtclaims@sac-isc.gc.ca.

Annex F: Presentation :“FNCFS Program Reporting and Planning Requirements under the Ontario Final Agreement Presentation at COO Virtual Information Session October 14th, 2025”



Annex G: Simplified breakdown of the remoteness calculation

What is Remoteness in the Context of the Ontario Final Agreement?

As part of the method for determining the amount of funding that recipients can receive under the Ontario Final Agreement, the reformed FNCFS Program funding approach contains a number of funding considerations, including Remoteness. This consideration is meant to provide additional funding, where necessary, to account for the increased costs of delivering child and family services in remotely located areas.

As per the Ontario Final Agreement Part III, Section (fff), "Remoteness" is defined as:

"*a variable factor measured on a continuum and describes the lived circumstances of First Nations communities for 12 whom issues of access (by road network, by ice road only, by air only, or otherwise), geography and context exacerbate challenges faced by all First Nations, including by increasing the costs associated with child and family services. Remoteness is generally associated with geographic distance from, and access to, service centres (often defined on the basis of population size and density), which affects the costs of shipping goods as well as costs related to personnel, including travel, and living costs.*"

Who will Receive Remoteness Funding?

The First Nations that qualify for remoteness funding will be identified using Statistics Canada's most recent Index of Remoteness. This index gives each community a score that measures how isolated it is based on factors such as how far and how accessible key services are from the First Nation. First Nations with an Index Remoteness Score at or above 0.40 will qualify to receive remoteness funding. In the Ontario Final Agreement, these First Nations are referred to as Remoteness-Eligible First Nations.

FNCFS Agencies that will qualify for remoteness funding will be based on whether their affiliated First Nations qualify based on the same process above.

What Components of the Reformed FNCFS Funding Approach will be Adjusted by Remoteness?

Following the effective date of the Ontario Final Agreement (anticipating it will be April 1, 2026), Remoteness will be applied

a) immediately to:
- Top Ups: Information Technology, Results, Emergency
- Household Supports
- Post-Majority Support Services

b) after the transition period, since this funding has already included remoteness adjustments prior to the Ontario Final Agreement coming into effect:
- Prevention
- First Nation Representative Services

FNCFS Agencies will receive Remoteness on

- Prevention
- Emergency
- Any remoteness applicable funding component that a First Nation has authorized them to deliver on the First Nation's behalf.

How Much Remoteness Funding will Remoteness-Eligible First Nations Receive?

Each Remoteness-Eligible First Nation and/or FNCFS Agency will receive a unique amount of additional remoteness funding that is based on a formula called the Remoteness Quotient Adjustment Factor (RQAF), developed by the Nishnawbe Aski Nation and Canada- this is included in the Ontario Final Agreement. This formula uses the Remoteness Index score of a First Nation and separate data gathered through NAN and ISC to determine the required funding adjustment for each applicable Remoteness-Eligible First Nation.

How is Remoteness Funding Calculated?

The Remoteness Quotient Adjustment Factor (RQAF) formula uses various data gathered from NAN and ISC to provide a best estimate of how much more it costs to deliver services in distinct remote First Nations communities. Using these data estimates in combination with a First Nation's unique Remoteness Index Score, a calculation is made to determine the specific remoteness amount. The two main data sources gathered from NAN and ISC include:

1. **NAN's Remoteness Quotient (RQ)*:** real cost data from child and family service agencies in northern Ontario only for NAN-member First Nations that are connected by an all-weather road to Canada's main road network. NAN's RQ amount varies slightly for NAN-member First Nations with all-weather road access and other First Nations. This approach helps make sure that funding reflects the real differences in cost between First Nations where the data is available and where it is not available.

This means that:

- For NAN-Member First Nations with all-weather road access, ISC's CAF *underestimates* remoteness costs so it needs to be multiplied by **1.089** to correct it. This number will always remain the same.

- For non-NAN member First Nations with all-weather road access, ISC's CAF *slightly overestimates* remoteness costs so it needs to be multiplied by **0.879** to correct it. This number will always remain the same.

- For any other First Nations without all-weather road access, the formula includes an additional fixed amount of **0.704** to account for this context.

2. **ISC's Cost Adjustment Factor (CAF):** general cost data from across Canada, like shipping rates from Canada Post and pay scales for remote work from the National Joint Council. ISC's Cost Adjustment Factor is currently calculated to be **0.709** for all First Nations.

Formula Scenarios:

a) NAN Member First Nations With All-Weather Road Access Formula

(0.709	x	First Nation's Remoteness Score)	x	1.098
ISC's Cost Adjustment Factor	multiplied by	Score taken from Statistic Canada	multiplied by	NAN's Remoteness Quotient

b) Any Other First Nations With All-Weather Road Access

(0.709	x	First Nation's Remoteness Score)	x	0.879
ISC's Cost Adjustment Factor	multiplied by	Score taken from Statistic Canada	multiplied by	NAN's Remoteness Quotient

c) Any Other First Nation Without All-Weather Road Connected Access

[(0.709	x	First Nation's Remoteness Score)	+	(0.704	x	1)]	x	0.879
ISC's Cost Adjustment Factor	multiplied by	Score taken from Statistic Canada	plus	Fixed rate to account for no road access	multiplied by		multiplied by	NAN's Remoteness Quotient

d) For FNCFS Agencies

For FNCFS Agencies receiving the funding on behalf of their affiliated First Nations (ie prevention) the average RQAF for all the First Nations served by the Agency will be calculated and applied to their applicable funding components.

A	x	B
verage RQAF score of all First Nations Served	Multiplied by	licable funding components (i.e. Prevention and Emergency)

More information on the Remoteness Quotient Adjustment Factor (RQAF) Methodology can be found in Appendix 10 of the Ontario Final Agreement (Page 172).

Who will be Monitoring the Remoteness Adjustment on an Ongoing Basis?

To ensure evidence-based best practices are derived to address issues of remoteness in Ontario, the "NAN-Canada Remoteness Quotient Table" is the body jointly constituted by NAN and ISC to address remoteness issues. The Table will establish an Ontario Remoteness Secretariate which will be a centre of expertise on the impacts of remoteness experienced by First Nations and FNCFS Agencies in Ontario. The Table and/or Secretariat may also work collaboratively with:

- Statistics Canada to further develop the Index of Remoteness;
- Organizations such as the First Nations Information Governance Centre that have expertise relevant to the modelling or measurement of program costs in NAN communities.
- The Ontario Reform Implementation Committee

More information on Remoteness Research can be found in Part XI of the Ontario Final Agreement.

Annex H: First Nation Children's Housing Fund Bulletin for 2025-26

First Nation Children's Housing Fund (FNCHF)

Information Bulletin (April 2025)

Issued by: Indigenous Services Canada

Background:
The Agreement-in-Principle (AIP) on Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle and Budget 2022 committed funding for the First Nation Children's Housing Fund (FNCHF). The funding is intended to support eligible First Nations to purchase, construct, and/or renovate housing units in their communities to meet the needs of children and families.

Indigenous Services Canada (ISC) has made available to First Nations $209.4 million in fiscal year 2023-2024 and $413.1 million in fiscal year 2024-2025 using current processes available under the Capital Facilities and Maintenance Program (CFMP).

In fiscal year 2025-2026, ISC has allocated $438.1 million of the FNCHF for First Nations. Funds will be delivered through the CFMP existing terms and conditions and balanced with respect to the paramount choice of rights-holders. First Nations will be able to carry forward unspent amounts from 2023-2024, 2024-2025, and/or 2025-2026 into 2026-2027.

Administration:
The FNCHF is a special purpose allotment and is outside of core CFMP funding. The funding, however, will be delivered through the CFMP's existing terms and conditions and balanced with respect to the paramount choice of rights-holders.

Modern Treaty and Self-Governing First Nations are eligible for FNCHF funding and will receive their allocations through their existing funding agreements with ISC.

Eligible Recipients:
The FNCHF aims to support the safety and well-being of First Nation children, youth and families on-reserve and in Yukon in a manner that is culturally appropriate, in their best interest, and provided on the basis of substantive equality. The funding will support all First Nations, including Self-Governing and Modern Treaty First Nations who are currently receiving FNCFS Program funding. First Nations exercising their jurisdiction in relation to child and family services through *An Act respecting First Nations, Inuit and Métis children, youth and families* are eligible for this housing funding.

Eligible Expenditures:
Expenditures related to the following activities are eligible expenditures of FNCHF funding:

- purchase;
- construction;
- renovation;
- major/minor repairs;
- lot servicing; and/or,
- sub-division development.

First Nations will be encouraged to dedicate funding to meet the needs of children and families. However, should First Nations choose, they can use these funds to address other housing needs that are eligible as per the CFMP.

Reporting:
Funding will be reported under the CFMP special purpose code (332-B581E), which will be included in funding agreements.

Currently First Nations report on housing within the existing Community Infrastructure and Housing Report, (Data Collection Instrument (DCI) #41701) or, for recipients of the New Fiscal Relationship (NFR) Grant, the NFR Grant Results Report (DCI #33315098), as part of annual reporting requirements. This report remains active and has been updated to include a new data field that asks for the number of housing units with youth or children that received funding for repairs, renovations, replacement or new builds. This report is not tied to reporting requirements related to FNCHF but is utilized to identify housing needs. First Nations will continue to be required to submit the Community Infrastructure and Housing Report annually.

For the 2025-2026 FNCHF allocation, First Nations are required to complete and submit the FNCHF Spending Plan to their regional office by June 30, 2026.

Annually, an updated FNCHF Spending Plan—reflecting the status of all projects—must be submitted by June 30th. This annual reporting will continue until all projects are completed and all allocated funding has been fully expended.

Funding Allocations:
Eligible First Nations will be advised of their FNCHF funding allocations for 2025-2026 by letter from their ISC regional office.

For fiscal year 2025-2026, 100% of a First Nation's funding allocation will be released when the First Nation returns a signed funding arrangement to their ISC regional office.

First Nations will be permitted to carry forward unspent amounts into 2026-2027.

Regional offices will work collaboratively with First Nations, and where appropriate, share information related to ineligible on-reserve housing requests under Jordan's Principle or the FNCFS Program that a First Nation could consider for its FNCHF allocations.

Should you have any questions concerning the FNCHF funding or would like support in completing the FNCHF Spending Plan, please contact the ISC regional representative responsible for capital investments.

Annex J: Management of unexpended First Nations Child and Family Services Program Funding (February 25, 2025)

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM INFORMATION BULLETIN
FNCFS/SEFPN-2025-001-E

Management of unexpended First Nations Child and Family Services Program funding

All regions received the bulletin

February 25, 2025

This information sheet provides First Nations Child and Family Services (FNCFS) Program recipients with guidance on managing unexpended (unspent) FNCFS Program funding from current or previous fiscal years. It includes information on:

- Flexibility in funding agreements for reallocation of unexpended funding, based on the FNCFS Program's Terms and Conditions and Canadian Human Rights Tribunal (CHRT) order considerations.
- Prioritizing unexpended funds ahead of advance claims for reimbursement based on actual costs (under 2018 CHRT 4 and 2022 CHRT 8), for more efficient cashflow.
- Unexpended funding plans and cash management principles to avoid the accumulation of unexpended funds.
- Specific provisions for unexpended funds related to 2021 CHRT 12 and the Community Well-Being Jurisdiction Initiative (CWJI).

This information sheet aligns with the Deputy Ministers' message to funding agreement recipients shared on October 29, 2024, announcing the reinstatement of pre-pandemic reporting requirements, timelines and procedures, and with Indigenous Services Canada's (ISC) ongoing financial obligations outlined in all funding agreements, in accordance with Canada's Policy and Directive on Transfer Payments and other applicable federal laws. To support financial accountability, transparency and alignment with the objectives of the FNCFS Program as well as compliance to CHRT orders, the use of unexpended funds follows specific guidelines.

Significant changes to the FNCFS Program have occurred since previous guidance was issued in the "National Recipient Guide for Reimbursement of 2018-2019 Prevention and Operations First Nations Child and Family Services Actual Costs Resulting from the Canadian Human Rights Tribunal Orders Dated January 26, 2016, April 26, 2016, September 14, 2016 and February 1, 2018". This bulletin provides updated procedures on the in-year reallocation or use of unspent funds among the FNCFS funding elements and replaces any previous guidance.

In-year reallocation and use of unexpended funds

Cash management

Effective cash management involves a set of principles and practices aimed at efficiently transferring funds while managing Program cash flows for operating and financing activities. These practices promote accurate budgeting and forecasting, strengthen financial monitoring and ensure payments flow without unnecessary delays or interruptions.

FNCFS funding recipients have the flexibility to reallocate and carry forward unexpended funding from one fiscal year to the next, as outlined in Appendix K of the Directive on Transfer Payments and the terms and conditions of each funding agreement (detailed in Schedule 2 and the Schedule on Delivery Requirements and Funding Adjustment Factors). Under the terms of the funding agreement, reallocation refers to the ability to transfer funding from one Program service area to another in order to cover planned operational costs or service delivery activities.

1

In-year reallocation

It is possible for recipients to reallocate FNCFS funds between Program service areas within a fiscal year, although certain restrictions apply under the programs terms and conditions and in order to ensure Canada continues to meet its obligations under Canadian Human Rights Tribunal Orders (see Table 1). Reallocation can be an effective proactive measure to ensure funds contribute to program objectives and avoid unexpended funds. Recipients are encouraged to consult with their regional program officer on these reallocations

Use of unexpended funds

According to the terms and conditions of ISC's funding agreements, specific provisions are set for unexpended funding. In line with the terms and conditions of funding arrangements, recipients must complete an unexpended funds plan if they have a balance of unspent funds from their funding arrangements. As per the Deputy Minister's letter to recipients, these plans must reflect how the funds not spent by March 31, 2024 will be used by up to and including March 31, 2026 (for the 2025-26 fiscal year), for activities that align with the purposes for which the funds were granted. Recipients with an unexpended funding plan will also be required to update that plan for any unexpended funds remaining on March 31, 2025.

Beginning April 1, 2025 the FNCFS Program Delivery Requirements outlined in all funding agreements will require that recipients always submit unexpended funding plans regardless of the funding model or whether the funding will be spent within the same service delivery area and associated activities. Under the FNCFS Program, recipients can reallocate their funding to different eligible Program activities and expenses to respond to changing needs in line with Table 2 below and to ensure effective financial management and service delivery. As per the terms of all funding agreements, once the plans have been transmitted, ISC must confirm receipt and review and accept the unexpended funding plans as long as the plan aligns with the terms and conditions of the Program and this communication. ISC regional offices are responsible for reviewing the plans and requesting clarification if needed.

Table 1 provides information on FNCFS Program funding that can be reallocated between funding service areas, with attention to Canadian Human Rights Tribunal orders and time-limited funding. Reallocation is further defined in the terms and conditions (Schedule 2 and the Schedule on Delivery Requirements and Funding Adjustment Factors) of recipient's funding agreements. Table 1 also includes related funding that has been provided to some recipients under other program terms and conditions such as Housing funding and the Community Well-Being Jurisdictional Initiative.

Restrictions on in-year reallocation and use of unexpended funds

There are four main funding areas where reallocation is not permitted. These restrictions are in place to ensure that Canada continues to provide funding to cover the actual costs of certain activities in compliance with CHRT orders:

1. **Prevention funding:** Reallocation of prevention funding to protection is not permitted, except to fund least disruptive measures aligned with provincial/territorial legislation.

2. **Protection funding:** Reallocation of protection funding is not permitted as it is specifically designated to support mandated legislative services which include operations, maintenance, and least disruptive measures.

3. **Capital projects:** Reallocation of capital project CHRT 41 funding is not permitted. Funding is provided on actuals for its intended purpose. Any unexpended funding must be allocated to the to the next phase of the capital project. If the project is complete, the funds should be directed toward operations and maintenance of the capital asset.

4. **Housing:** As a Special Purpose Allotment, use of these funds is restricted to their intended use and cannot be reallocated towards other FNCFS Program funding areas. The intent of the funding is to address housing as a structural driver contributing to the overrepresentation of First Nation children and youth in child and family services. This includes the purchase, construction, or renovation of housing assets on reserves or in the Yukon. All activities must comply with the terms and conditions of the Capital Facilities and Maintenance Program.

Table 1: FNCFS Program and related funding – Reallocation and restrictions

Funding service area	Eligible funding recipient	Reallocation and restrictions	
Protection, Operations, Maintenance and care (including least disruptive measures)	Provincial/Yukon delegated service providers	Protection, operations, maintenance and care, including least disruptive measures, cannot be reallocated to other Program funding areas as these are legislated services. When carried forward, any unexpended funds must be applied to current-year costs before submitting any claims.	
First Nation representative services in Ontario	First Nations and First Nation authorized service providers	First Nation representative services funding in Ontario is based on actual eligible costs. Any carried forward unexpended funding must be applied to current-year costs before any claims are submitted.	
First Nation representative services (National)	First Nations and First Nation authorized service providers	First Nation representative services can be reallocated to: • Prevention • Post-majority support services	
Capital	First Nations and First Nation authorized services providers	Capital funding to support FNCFS activities provided under CHRT Order 41 cannot be reallocated to other FNCFS Program funding areas, nor can any unspent funds from any FNCFS Program area be reallocated towards capital (except for the CWJI funding).	
Prevention	First Nations and First Nation authorized services providers	Prevention can be reallocated to: • Least disruptive measure activities that would otherwise be funded under protection, in accordance with provincial and territorial legislation • First Nation representative services • Post-majority support services	
Post-majority support services	First Nations and First Nation authorized services providers	Post-majority support services funding is based on actual eligible costs. Any carried forward unexpended funding must be applied to current-year costs before any claims are submitted.	
Housing	First Nations and First Nation authorized services providers	Unspent housing funds cannot be reallocated to other FNCFS Program funding areas. Housing funds must be used in accordance with the terms and conditions of the Capital Facilities and Maintenance Program.	
Top ups	First Nations and First Nation authorized services providers	Each top up serves a specific purpose and exists as a result of Institute of Fiscal Studies and Democracy research.	
		1. Information technology 2. Results 3. Remoteness 4. Household supports (previously Poverty funding)	Although reallocation is possible based on the flexibilities of the funding agreements, recipients are encouraged to use each top up for their specific purpose only.
		5. Emergency	Funding should only be used to support unanticipated circumstances affecting or related to child and family service delivery. Reallocation is not permitted in-year, however after two years from the date that funding was provided recipients can reallocate funds according to an approved spending plan.

Table 1: FNCFS Program and related funding – Reallocation and restrictions		
Funding service area	**Eligible funding recipient**	**Reallocation and restrictions**
Community Well-Being Jurisdictional Initiative	First Nations and First Nation authorized services providers	These funds are specifically related to 2021 CHRT 12 and the Community Well-Being Jurisdiction Initiative (CWJI). CWJI unexpended funds can be carried forward up to 5 years from the date that the CWJI funding was provided up to March 31, 2027 as long as an unexpended funding plan is submitted and approved by ISC. Funds can be reallocated to prevention-based activities, including least disruptive measures in accordance with CWJI or FNCFS terms and conditions. Reallocation towards capital expenditures is only permitted in accordance with the CWJI terms and conditions and in line with the capital CHRT 41 process.

Reimbursement claims based on actuals in the context of unexpended funds

In compliance with the Canadian Human Rights Tribunal (CHRT) Orders, ISC funds FNCFS recipients through reimbursements based the actual costs incurred for eligible expenses related to:

- Care and maintenance, intake and investigation, legal fees, building repairs and child service purchase amounts;
- Small agency expenses;
- First Nations representative services in Ontario;
- Post-majority support services; and
- Capital needs to support FNCFS delivery.

For reimbursement of claims, recipients must submit documentation in support of the incurred cost. When a recipient has unexpended FNCFS funds, ISC may require recipients apply unexpended funding from prior fiscal years to eligible expenses before accessing additional funds.

When a recipient has insufficient cash flow to operate, an advance claim may be submitted. Recipients are required to provide a projection of anticipated financial needs, which may include estimates based on previous years' expenditures to establish a baseline for the requested advance. These advance claim projected costs may range from three (3) to twelve (12) months. In accordance with the Directive on Transfer Payments,and the Guideline on the Directive on Transfer Payments advance payments must align with the recipient's cash flow requirements. The guideline specifies that:

- Advance payments are used for authorized purposes; and
- Advance payments are not made to a recipient while the recipient has an unexpended balance in hand.

To ensure compliance with the Policy on Transfer Payments, recipients are encouraged to collaborate with regional staff in preparing advance claims. Regional staff can both confirm claim eligibility and clarify whether use of unexpended funds is expected. Table 2, below, sets out how unexpended funds from a given service area can be reallocated to other areas for claims. Furthermore, recipients are asked to demonstrate that they have expended more than 75% of their current allocation before requesting additional advances.

Table 2 : FNCFS Program claims and priority use of unexpended funds		
Claim service area	**Eligible funding recipient**	**Possible sources of unexpended funds**
Protection, Operations, Maintenance and care (including least disruptive measures)	Provincial/Yukon delegated service providers	Unspent funds to support protection, operations, maintenance and care, and least disruptive measures can be reallocated from: • Prevention: unspent funds can only be used for service delivery activities related to least disruptive measures • First Nation representative services • Post-majority support services
First Nation representative services in Ontario	First Nations and First Nation authorized service providers	Access to claims on actuals for First Nation representative services (FNRS) is only available in Ontario and where 75% of the allocation has been expended and the remaining amount is insufficient to deliver the appropriate services. Unspent funds from previous fiscal years should be used before submitting a FNRS claim. Unspent funds can also be reallocated from: • Prevention • Post-majority support services
First Nation representative services (National)	First Nations and First Nation authorized service providers	Unspent funds to support First Nation representative services can be reallocated from: • Prevention • Post-majority support services
Capital	First Nations and First Nation authorized services providers	Unspent funds from any other FNCFS funding area cannot be reallocated to capital under 2021 CHRT Order 41, with the exception unexpended funds related to 2021 CHRT 12 Community Well-being Jurisdiction Initiative (CWJI). CWJI unspent funds must be spent in accordance with CWJI and FNCFS terms and conditions and can be reallocated towards capital. Requirements for the use of CWJI funds towards capital are included with more information below.
Prevention	First Nations and First Nation authorized services providers	Unspent funds should be used before submitting a 2022 CHRT 8 claim on actuals for post-majority support services, or unspent funds can be reallocated from: • First Nation representative services • Post-majority support services Prevention surplus should also be used prior to claiming any additional funds under 2018 CHRT 4 for FNRS in Ontario.
Post-majority support services	First Nations and First Nation authorized services providers	Unspent funds should be used before submitting a 2022 CHRT 8 claim on actuals for post-majority support, or unspent funds can be reallocated from: • First Nation representative services • Prevention

Community Well-Being Jurisdiction Initiative unexpended funds

ISC has granted an exception to the general carry-forward timelines for unspent funds specifically for the Community Well-Being Jurisdiction Initiative (CWJI). Both fixed and flexible CWJI funding may be carried forward up to March 31, 2027 as long as an annual unexpended funding plan is submitted and approved by ISC. Like all unexpended funds, these must be used in compliance with the terms and conditions under which they were granted—either CWJI terms and conditions or as prevention funding under the FNCFS Program terms and conditions (sections 5.3, 6.4).

CWJI terms and conditions: capital

Under the Contributions to support Community Well-Being and Jurisdiction Initiatives for children and families, CWJI unexpended funds may be invested in capital projects that directly support FNCFS Program service delivery activities.

When using CWJI funds for capital projects:

- Projects must follow the process and reporting requirements outlined in 2021 CHRT 41 to ensure tracking and compliance with operations and maintenance standards.
- Projects must adhere to Capital Facilities Management Program (CFMP) authorities and related Capital infrastructure processes.

Core infrastructure projects as outlined in the Capital Assets Guide are not eligible as these fall under CFMP program authorities. This includes expansion of core community infrastructure (main distribution systems) such as roads, electrical distribution, water and wastewater mains/systems.

Submitting capital requests

If a CWJI unexpended funding plan includes capital investments to support FNCFS Program implementation, recipients must:

1. Complete the capital request forms.
2. Follow the capital CHRT 41 process.
3. Attach the unexpended funding plan to the capital request form.
4. Inform the Capital Intake Desk that unexpended funds will be used to support the request. They can be contacted at: chrt41-tcdp41@sac-isc.gc.ca.

Contact information

If you have questions about this bulletin or its implementation, please contact your ISC regional office.

Annex K: Addendum to FNCFS Information Bulletin 2025-001-E Management of Unexpended Funds

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM

ADDENDUM to FNCFS Information Bulletin 2025-001-E Management of Unexpended Funds

All regions received the bulletin

April 8, 2025

This is an update to the February 25, 2025 Information Bulletin to First Nations Child and Family Services (FNCFS) recipients on managing unexpended FNCFS Program funding from current or previous fiscal years (Bulletin 2025-001-E).

Additional Details

Vehicles

Vehicle purchases remain eligible under CHRT 41. FNCFS agencies and First Nations can access funding for vehicle purchases as part of 2021 CHRT 41 to support FNCFS activities. Vehicle purchases are intended to enable recipients to carry out their daily operations and service delivery of the FNCFS Program. Vehicle purchases need to demonstrate a direct link to service delivery.

Unexpended funds can be used for vehicle purchases as part of an unexpended funding plan. Reallocation of unexpended funds to vehicle purchase or replacement are subject to the same restrictions outlined in Bulletin 2025-001-E. The purchase must be outlined within recipients' unexpended funding plan and submitted to the department. For example, in instances where a First Nation or FNCFS agency has unexpended prevention funding, the funds can be applied to a necessary vehicle purchase or replacement as part of an unexpended funding plan. ISC Regional offices are responsible for reviewing and approving these plans and requesting clarification if needed.

As part of the regional review of the funding requests, officers must check if the recipient has unexpended funds that could be applied to the expense. If this is the case, regional officials will evaluate the request and work with the recipient to fund the purchase as part of a revised unexpended funds plan where appropriate.

Building Repair and Maintenance

FNCFS agencies that have planned building renovations or repair projects that ensure FNCFS facilities comply with applicable fire, safety, and building codes and regulations can access 2018 CHRT 4 to cover eligible costs. The guidelines for in-year reallocation of funding and use of unexpended funding plans outlined in Bulletin 2025-001-E apply. When assessing claims for building repairs and maintenance, regional officers are required to review eligible claims alongside unexpended funding plans and to direct Agencies to use any unexpended operational funds before requesting additional operations funding.

If you have questions about this bulletin or its implementation, please contact your ISC regional office.

The Ontario Final Agreement for the Long-Term Reform of the First Nations Child and Family Services Program

Historical Timeline and Implementation Milestones

OFA Timeline

2016 - NOW

- **January 2016**, the Canadian Human Rights Tribunal (CHRT) found that Canada was discriminating against First Nations children, youth, and families through its provision of the First Nations Child and Family Services (FNCFS) Program and application of Jordan's Principle.
- **May 2016**, NAN granted intervener status in the CHRT proceeding to ensure that remedies address the discrimination based on remoteness identified by the CHRT.
- **December 2021**, NAN signed the Agreement-in-Principle on Long-Term Reform
- **January 2022**, NAN was negotiating an Final Settlement Agreement (FSA) with the other parties to the CHRT proceeding (Caring Society, Chiefs of Ontario, Assembly of First Nations, and Canada)
- **July 2024**, NAN, COO, AFN, and Canada concluded their negotiations and endorsed a draft agreement committing $47.8 billion to the reform of the FNCFS program.
- **October 2024**, Both the NAN Chiefs in Assembly and Ontario Chiefs in Assembly voted to ratify the National FSA.
- **October 2024**, First Nations in Assembly at AFN voted to reject the National FSA.
- **November 2024**, Ontario Chiefs in Assembly directed that a regional agreement in Ontario be pursued.
- **December 2024**, Canada communicated to NAN and COO that they had received a mandate to negotiate an Ontario-specific agreement.
- **January 2025**, Canada communicated to AFN and Caring Society they would not be re-negotiating an agreement on a national level. NAN, COO, and Canada engaged in productive negotiations to complete a draft Ontario Final Agreement (OFA).
- **February 2025**, Both NAN Chiefs in Assembly and Ontario Chiefs in Assembly voted to ratify the Ontario Final Agreement (OFA).
- **April 2025**, All parties seeking intervener status for the OFA approval submitted letters and affidavits to the Tribunal seeking active engagement in the OFA process. Chippewas of Georgina Islands and Taykwa Tagamou Nation were allowed intervener status.
- **August 2025**, The CHRT ordered Canada to resume negotiations for First Nations Child Welfare reform on a national level.
- **September 2025**, the proposed OFA continues to be under review by the CHRT, with special consideration being granted from the approved interveners.

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

With the signing of the Ontario Final Agreement by the Tribunal, communities will move into the implementation stage. In the six months following the signing, Communities and Agencies must prepare and submit specific templates and documents, due in the early part of the 2026/2027 fiscal year. These steps are essential for laying the foundation of community led First Nations Child and Family Services programs and ensuring that the commitments of the OFA become real, concrete supports for children and families.

☐ First Nations Child and Family Services Multi-Year Plan (PAW #1296953)	The FNCFS Multi-Year Plan is a strategic planning tool that allows First Nations communities to outline their goals, priorities, and funding needs for Prevention, First Nation Representative Services, and Post-Majority Support Services. Through this plan, communities can coordinate funding streams, promote stability, and ensure services are responsive to the evolving needs of children and families.
☐ First Nations Child and Family Services Child and Community Well-Being Plan (PAW #1296545)	The First Nations Child and Family Services Child and Community Well-Being Plan in the OFA outlines how Agencies intend to support children, youth, and families by collaborating with First Nations. More than a planning and reporting obligation, it's a strategic opportunity for Agencies to demonstrate how collaboration with First Nations, First Nation guided environmental scans, and strategic planning strengthen family and community resilience.
☐ FNCFS Activity Report (DCI #1278249)	Required for recipients who received Prevention, First Nation Representative Services, Child Protection Services, or Post-Majority Support Services funding in the 2025/2026 fiscal year. This report is not only a compliance requirement, it's also an opportunity for communities to set out their vision for these programs and show how different streams of funding can connect to strengthen support for children and families.
☐ Regular reporting from FNCFS Agencies to their affiliated communities	Prior to the Ontario Final Agreement, FNCFS Agencies reported annually (sometimes semi-annually) to their affiliated First Nations, covering finances, services, outcomes, and challenges. While this was meant to ensure accountability, reporting practices varied widely. With the OFA's implementation, agencies will need to be more consistent and community-focused in their reporting.
☐ Yearly community wellness reporting by Agencies.	Report to ISC and its affiliated FN on its annual Child and Family well-being plans; this is identified on page 46, paragraph 111(b) in the OFA.
☐ An annual audited financial statement, that is conducted each year and available for reporting purposes	*As the OFA and required plans and reporting are implemented, NAN will continue to share updates with First Nations to ensure communities have the latest information as it becomes available.

Ontario Final Agreement: Understanding Roles and Responsibilities in Implementation

Within the Ontario Final Settlement Agreement ("OFA"), reform of the FNCFS Program is intended to be achieved through thoughtful collaboration between First Nations, Agencies, and Indigenous Services Canada ("ISC"). To achieve this, accountability structures are built into the reformed FNCFS Program that are intended to ensure all parties foster positive relationships and lasting reform. This document will help you understand the roles and responsibilities of First Nations, Agencies, and Indigenous Services Canada as laid out in the OFA .

Agencies

- **Receive block funding:** Under the reformed funding approach, agencies receive funding directly to deliver services. They must work with First Nations to co-develop Child and Community Well-being Plans.
- **Accountability to First Nations:** Agencies are required to collect and report data to their affiliated First Nations, aligning with community priorities and ensuring transparency.
- **Help manage agency transitions:** When a First Nation chooses to shift jurisdiction or move its protection services to a new or existing FNCFS Agency, ISC funds the transition, including reasonable start-up costs, and transfers ongoing funding from the former agency (Part V(J), paras.63–65). The affected agency must be given notice, and ISC works with both the First Nation and the agency to ensure continuity of services, with broader recognition of inherent jurisdiction under Part XII.
- **Co-develop Child and Community Well-being Plans** with First Nations and report on data to affiliated Nations.
- **Accountability and Reporting:** Agencies must collect data and report against standard indicators (requiring structured formats or reporting templates), which are implicitly supported by OFA structures and ISC-funded secretariats.
- **Build capacity** to support data collection, plan development, and reporting. Agency funding agreements under the Final Agreement explicitly include support for building capacity in data collection, plan development, and reporting, with dedicated "results funding" equal to 5% of baseline funding (Part V(A), para.20; Appendix 6). These agreements also tie agencies' accountability and planning obligations to their funded allocations, ensuring they have resources to meet reporting and co-development requirements.
- **Fund the co-development** of its child and community well-being plans, including providing opportunities for the meaningful participation of its affiliated First Nation(s) in the co-development process. The costs of this co-development, including ensuring meaningful First Nation participation, are funded through agency allocations under the Reformed FNCFS Funding Approach (Part V(C), paras.108–110; Appendix 6). This ensures that planning is collaborative, culturally grounded, and financially supported within agency funding agreements.
- **Report** to ISC and its affiliated First Nation(s) on the implementation of its child and community well-being plan(s) on an annual basis

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Ontario Final Agreement: Understanding Roles and Responsibilities in Implementation

Within the Ontario Final Settlement Agreement ("OFA"), reform of the FNCFS Program is intended to be achieved through thoughtful collaboration between First Nations, Agencies, and Indigenous Services Canada ("ISC"). To achieve this, accountability structures are built into the reformed FNCFS Program that are intended to ensure all parties foster positive relationships and lasting reform. This document will help you understand the roles and responsibilities of First Nations, Agencies, and Indigenous Services Canada as laid out in the OFA .

Communities

- **Make program decisions:** Two-thirds of FNCFS funding flows directly to First Nations, empowering them to determine and implement programs that best serve their children and families.
- **Work with agencies:** First Nations co-develop well-being plans with FNCFS agencies and help shape service delivery in alignment with cultural and local needs.
- **Exercise jurisdiction:** First Nations can transition into exercising full jurisdiction over child and family services through agreements (e.g. Bill C 92 arrangements) and are to receive equitable funding even if opting out of provincial/FNCFS provider structures. Any agreements made under Bill C-92 will provide communities with no less than the amount they would be receiving under the OFA.
- **Access dispute mechanisms:** First Nations or FNCFS agencies can raise disputes through the culturally appropriate Dispute Resolution under the agreement.
- **Decision-making and co-creation:** First Nations are to receive the majority of the funding directly, and are key partners in designing well-being plans with agencies that would require the necessary capacity to engage in template-based planning and data-informed decision-making.
- **Inform of concerns:** Inform ISC of any concerns it has with its FNCFS Agency's compliance with the child and community well-being plan. ISC shall make the FNCFS Agency aware of the scope of the concerns and consider appropriate responses, which may include individual FNCFS Agency audits.
- **Optionally** provide additional data collection.
- **Continuous implementation of programs:** The OFA is a living reform effort that continues indefinitely. Programs are intended to be continually implemented, changed, and developed to reflect the current needs of each community.



Ontario Final Agreement: Understanding Roles and Responsibilities in Implementation

Within the Ontario Final Settlement Agreement ("OFA"), reform of the FNCFS Program is intended to be achieved through thoughtful collaboration between First Nations, Agencies, and Indigenous Services Canada ("ISC"). To achieve this, accountability structures are built into the reformed FNCFS Program that are intended to ensure all parties foster positive relationships and lasting reform. This document will help you understand the roles and responsibilities of First Nations, Agencies, and Indigenous Services Canada as laid out in the OFA .

Indigenous Services Canada (ISC)

- **Provide funding:** ISC commits approximately $8.5 billion over nine (9) fiscal years for the reformed FNCFS Program in Ontario, including prevention, post-majority supports, Representative services, capital, and housing supports.
- **Provide top-up funding** where applicable.
- **Develop and deliver the Reformed FNCFS Funding Approach** that provides stable, flexible, and predictable funding, considering population, inflation, and remoteness.
- **Support First Nation jurisdiction:** ISC ensures that First Nations exercising jurisdiction—through self-government, treaty, or coordination agreements—receive at minimum equivalent funding under the reformed model.
- **Enable agency transitions:** ISC funds and facilitates transitions when a First Nation shifts child protection services between agencies (provincial or FNCFS), including start-up costs for new agencies.
- **Establish and support governance committees:** ISC is responsible for setting up the Reform Implementation Committee, plus Technical Advisory, Systemic Review, Cultural officer, Ontario secretariats, in partnership with First Nations and others, to oversee implementation and governance of reforms.
- **Design and fund dispute resolution mechanisms:** ISC will support Dispute Resolution, which is a culturally appropriate First Nations-led body to resolve implementation disagreements.
- **Monitor and report outcomes:** ISC will collect standardized data aligned with "Measuring to Thrive" indicators, report to Parliament (via departmental results reports), and support regional secretariats.
- **Reform internal departmental culture:** ISC sustains the Expert Advisory Committee to recommend changes to internal policies, training (including mandatory cultural competency), and practices to prevent past discriminatory practices from recurring.
- **Establishing Governance Structure:** ISC is charged with funding and supporting the Reform Implementation Committee, Expert Advisory Committee, and regional secretariats to provide oversight and guidance during implementation and reform. These structures may include providing orientation or training internally for these bodies.
- **Supporting Internal Reform:** Through the Expert Advisory Committee, ISC commits to reform internal departmental policies, procedures, and training (e.g., cultural competency) to eliminate systemic discrimination.
- **Providing information:** it is the responsibility of ISC to provide information regarding implementation requirements, any changes to funding agreements, and any new or revised external guidelines.

Key Points of the Final Agreement on Long-Term Reform of the FNCFS Program in Ontario

The Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario ("OFA") stems from years of advocacy and legal rulings, including the landmark Canadian Human Rights Tribunal ("CHRT") decision that found Canada's funding of First Nations Child welfare discriminatory. The OFA is part of the long-term reform and compensation process to address those harms. This document will serve as a practical guide to help First Nations, and participants understand and apply the Final Agreement on the Long-Term Reform of the First Nations Child and Family Services Agencies (FNCFS) Program in Ontario.

With this alone, you should be able to go back to the Agreement and know:

- Understand your responsibilities under the OFA
- Identify what plans and reporting must be submitted
- Navigate available funding and how it can be used
- Locate key information in the Final Agreement



Understanding Key Responsibilities under the OFA

Develop Required Plans

The OFA recognizes First Nations' inherent jurisdiction to design, deliver, and oversee services that reflect their laws, cultures, and community needs. The OFA outlines several planning tools designed to help First Nations and Agencies structure, document, and report their work under the new federal funding model.

a. First Nation Planning Template

- Submit a multi-year plan within 6 months of the effective date (Appendix 4, p.101).
- Submit annual updates thereafter (Part V(C), para.45-46).

b. Agency Accountability Co-Development Planning Template

- Developed jointly by agencies and First Nations (Appendix 5, p.106).
- Describes the shared accountability under the new funding model.

c. Child and Community Well-Being Plans

- Agencies must prepare these plans in collaboration with First Nations Served (Part V(C) and para.108-110).
- Focus is on enhancing community-based, culturally relevant services.

d. Follow Reporting and Accountability Requirements

- Reporting obligations are outlined in Part XIII (p.45)
- Required performance indicators are outlined in Appendix 2

e. Understanding the Dispute Resolution Process

- The OFA establishes a clear dispute resolution process, including binding arbitration if necessary (Part XIX, p.66).

Note: Additional technical support and guidance may be available through Nishnawbe Aski Nation ("NAN"), Chiefs of Ontario ("COO"), and Indigenous Services Canada ("ISC").
For support, contact ofainfo@nan.ca.



Funding Allocations – What You Can Access and Use

The OFA includes a total of $8.5 billion in funding over 9 fiscal years. The following funding commitments are available.

Funding Type	Purpose	Reference
Baseline Funding	Core operations of FNCFS agencies	Part V(A), para.18
Prevention Funding	Flexible support to keep children safely at home. Based on population with minimums	Part V(A), para.23-24
First Nation Representative Services	Advocacy and support for families	Part V(A), para.25-26
Post Majority Support Services	Support for youth aging out of care, up to the age of 26	Part V(A), para.28-32
Household Supports	To meet basic family and household needs and prevent children from entering care	Part V(A), para.22
Capital Funding	Up to $264.1 M for facilities, renovations, and feasibility studies	Part V(A), para.27; Appendix 11
Top-Up Funding	Supplementary funding for information technology, results, and emergency based on percentages of the baseline	Part V(A), para.19-21
Remoteness Adjustment	Additional funding for remote communities	Part V(A), para.33; Appendix 10

Rules and Flexibilities About Funding to Note:

- You may reallocate funds between components, but Agencies may not reallocate prevention to protection (except to fund least-disruptive measures) (para.51).
- Unspent funds can be carried forward (para.50).
- Funding is adjusted annually for inflation (para.35) and population (para.36-39).

Program Assessments

Program Assessments are designed to evaluate the effectiveness and equity of the reformed FNCFS Program to ensure the reform is working sufficiently and is non-discriminatory.

- Program Assessments are not evaluations of individual First Nations' plans.
- Initial Program Assessment – to be completed by 2028 (Part XV, p.54).
- Second Program Assessment – to be completed by 2033 (Part XV).

Dispute Resolution

Dispute Resolution is governed by binding arbitration under Part XIX (p.66) of the Agreement.

Two types of Disputes:

- Parties' Disputes- between Canada, COO, and NAN.
- Claimant Disputes- brought by a First Nation or Agency about funding levels or how programs are being delivered.

Key Steps in the Process:

- Notice to Arbitrate
- Response
- Tribunal Decision (Binding)

Note: Canada covers the arbitration process costs (para. 205-206).



Where to Look in the Agreement

What You Need	Where to Look
Funding Amounts and Allocation Chart	Appendix 1
Performance measurement indicators	Appendix 2
First Nations Planning Template	Appendix 4
Agency Planning Template	Appendix 5
Funding Agreement Schedule	Appendix 6
Remoteness Methodology	Appendix 10
Capital Funding Rules	Appendix 11
Dispute Resolution Process	Appendix XIX

Action Checklist

	Task	Action Item	Comments
	Confirm your funding	Review your allocations (Appendix 1)	
	Plan at the community level	Complete the First Nations Planning Template (Appendix 4)	
	Plan at the agency level	Agencies complete the Accountability Plan (Appendix 5)	
	Develop services roadmap	Prepare a Child & Community Well-Being Plan (Part V(C))	
	Know how to resolve disputes	Learn the Dispute Resolution process (Part XIX)	
	Track and report results	Use Performance Indicators (Appendix 2)	
	Plan for infrastructure	Submit Capital proposals (Appendix 11)	
	Check for special adjustments	Apply Remoteness Adjustments if eligible (Appendix 10)	

Weaving Wellness

A Guide to Strengthening Families and Nations through Child and Community Well-being Plan Co-Creation

Weaving Wellness

A Guide to Strengthening Families and Nations through Child and Community Well-being Plan Co-Creation

This step-by-step guide provides Nishnawbe Aski Nation ("NAN") First Nations and partner First Nations Child and Family Service ("FNCFS") Agencies with an example of how they can co-create practical Community Well-being Plans ("CCWP") as required in the Ontario Final Agreement on Long-Term Reform. The process is created to ensure there is collaboration: both parties review the plan template, share short program summaries, collaboratively map responsibilities, and produce a first draft of the CCWP. The result is a clear plan that outlines responsibilities, timelines, and monitoring, so Communities and Agencies can work together effectively to ensure the well-being of children and families.

The process outlined below is intended to be a practical tool to build trusted relationships between communities and agencies. The goal is to create a clear plan that states who will deliver what service, when, and how progress will be monitored. You can start small and create a workable draft to build from. This could include a meeting, a short program summary, and a mapping exercise.

The Process for developing the CCWP may differ for those who have attended the NAN OFA Pre-Implementation and Engagement Conference, where Communities and Agencies are encouraged to begin speaking, planning, and identifying needs in the CCWP. When you meet with the Agency after the Gathering, your first meeting may start from a later step.





How to Begin: A Simple Step-by-Step Guide to Co-Creating Your Community Well-being Plan

Purpose: This step-by-step guide is designed to assist an FNCFS agency and a First Nation to get from “where do we start?” to a co-created Child and Community Well-being Plan. It focuses on small, practical actions, a single shared meeting rhythm, and clear, defined roles.



Step 0: Prepare (before you meet)

1. Determine relevant stakeholders who will be involved in creating the CCWP.
   The list below is not exhaustive
   - → **From the First Nation** - Chief/Deputy Chief or delegated lead, Health or Social Services lead, Youth/community representative, Cultural/Knowledge Keeper, and those running programs in the community who work directly with children, youth, and families.
   - → **From the Agency** - Program Manager or Director responsible for long-term reform implementation, Case Management lead, Prevention Services lead, and an admin/ planner to record actions.
   - → **Optional** - NAN support staff, technical advisor, and/or Tribal Council Representatives/ Technicians (if available).
2. Identify relevant FNCFS Agency staff and First Nation stakeholders who would be involved in creating the CCWP
   - → Community: Chief and Council, Social Directors, First Nation Representatives, etc.
3. Read the template -Both parties review the CCWP template[NK1.1][AW1.2], so everyone understands each section and what the document looks like.
   - → Deliverable: A short note from each party listing areas of the template they would like clarified.
4. Gather program information - Each party compiles a one-page summary of services relevant to the CCWP requirements:
   - → First Nation: Existing First Nations Representative services (“Band Rep”), Prevention Programs, Post-Majority Support Services, and any community cultural or land-based programming.
   - → Agency: Programs they are responsible for under the Long-Term Reform and how they currently deliver them to First Nations.
   - → Deliverable: Two one-page summaries (one from the First Nation, and one from the agency).
5. Share documents - Send the template, the two program summaries, and any other relevant documents to the meeting participants with enough time to review in advance of the initial meeting.

Step 1: Book an Initial meeting

- Set an initial meeting (60–90 min) to start.
  - → This can be done virtually through Zoom or Teams
- **Commitment** - Both parties confirm they will bring the right people to the meeting (i.e., decision-makers, those who can source decisions quickly, those close to the work).

Step 2: Opening Meeting: Build Relationships & Set an Approach (60–90 minutes)

Create an Agenda, below is an example of what to include (starter):

Welcome and acknowledgment of the collective team undertaking this work	**5 Min**
Introductions — Names, roles, and one short sentence on what each person wants to see from the plan	**10 Min**
Purpose & Commitments — Clarify shared goal: co-create a practical, local wellness plan	**5 Min**
Review the template together — Identify any areas to discuss further/clarify	**15-20 Min**
Share high-level program summaries (First Nation & Agency) *This should also be a time to tailor the Community's unique needs (e.g., adding or removing to the CCWP based on the priorities of the community (i.e., do they need to add or remove sections).*	**10-30 Min each (20-60 min)**
Next steps, timeline, and who will lead each follow-up task	**10-15 Min**
Close and confirm next meeting or check-in	**5 Min**

Sample outcomes to confirm at the end of the meeting:

- ☑ **Identify who the plan lead is on each side (name & contact information)**
- ☑ **Tasks assigned (who will fill which section or pull which data)**
- ☑ **A short timeline (e.g., Draft Version One, can be shortened to V1, due in 3 weeks; Review in 1 week after; Finalize in 2 weeks after this date)**
- ☑ **Date/time for the follow-up meeting**

Step 3: Map Responsibilities

Use a single page outlining who will hold responsibility regarding documentation for each program area.

Columns:

Program owner(s) – is the agency or the community delivering services	Program area – identify the program being reported on	Outline what the community and what the agency will contribute to the plan	Include a deadline for each party to provide contributions	Ending with any further notes or comments.
Example row:				
"Prevention — Parenting Supports"	First Nation lead (name) Agency Prevention lead (name)	First Nation: community cultural content; Agency: funding and case management flow	Draft content due in 2 weeks	Further Action Items: Ensure cultural review

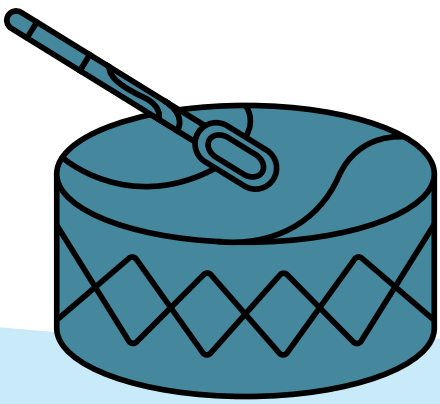
This can be turned into a simple **RACI** if helpful.

R **Responsible**

A **Accountable**

C **Consulted**

I **Informed**



Step 4: Drafting: Build by Section, Share Quickly

Break the template into small sections. Assign each section to the party with the most knowledge.

Sections:

- → Reporting Period: planning period and fiscal year update

- → Organization Information: The contact information of the person in the FNCFS agency who can be contacted for further information about this Child and Community Wellbeing plan.

- → Recipient Information: The contact information of the recipient who can be contacted for further information about this Child and Community Wellbeing plan.

- → First Nations Served: list each community serviced by this FNCFS Agency

---

- → Environmental Scan of Communities Serviced:
    - circumstances affecting the well-being of children, youth, young adults and families, as well as the delivery of services;
    - key child and family well-being priorities;
    - and child and family service priorities.

- → Collaboration with First Nations: this plan must be done in collaboration and meet the needs of each community serviced

---

- → Agency Plan Summary: summary of the specific activities and plans the agency will implement





- → Activity Plan:
    - detailed breakdown of the activities to be implemented
    - including description, budget, desired outcome, and indicators

---

- → Community Wellness Reporting:
    - Ontario Specific
    - Information to be shared with First Nations and the Data Secretariat

---

- → Financial Forecast:
    - Funding components including baseline funding, Post-Majority Support Services funding – if funds are provided from First Nations to the FNCFS Agency, and the Prevention funding – if the funds are provided from First Nations to FNCFS Agency.

- → Unexpended Funding Plan: required on a yearly basis, if applicable

---

- → Supporting Documents: include any supplementary documentation

---

- → Declaration: from both the FNCFS agency and First Nation

- Use short, plain language. One paragraph per section is fine for the first draft (V1).
- Share Draft V1 with the other party for quick review (track changes or comments). Aim to keep versions short; 1–2 rounds.
- Multiple Drafts may be developed and shared during the 6 months after the effective date.



Step 5: Review, Refine, and Embed Shared Commitments

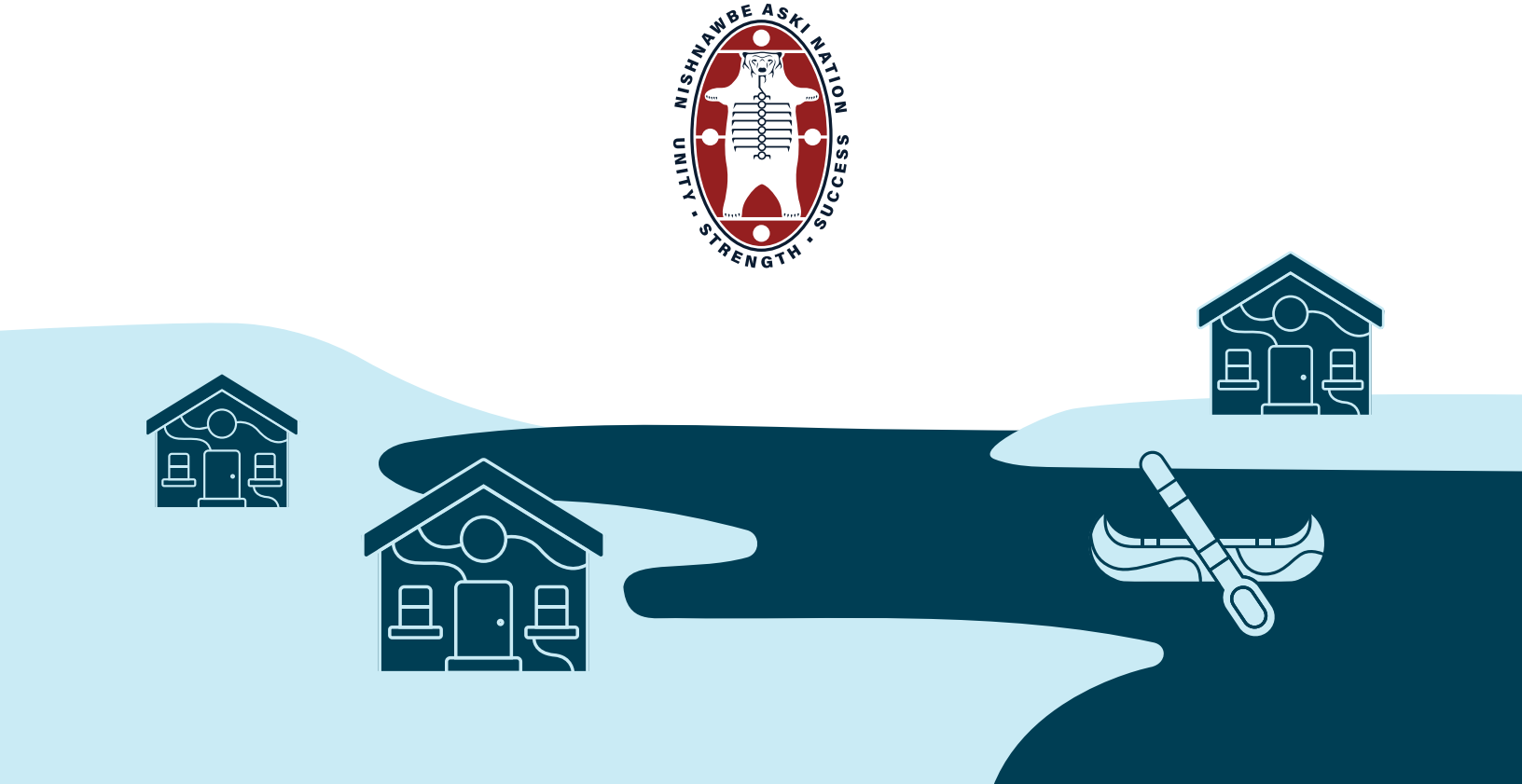
- Meet briefly (30–45 min) after Draft V1 review to resolve any outstanding items.
- Make sure the plan explicitly states who will do what, with dates or review points (e.g., annual review).
- Attach any supporting materials such as program summaries, budgets, and community input notes.

Step 6: Finalize and Agree on Shared Implementation & Monitoring

- Confirm signatories or endorsement process (Chief & Agency Director or assigned delegates).
- Submit the final agreement to Indigenous Services Canada
- Agree on a simple monitoring rhythm: quarterly check-ins (30–60 min) and an annual review.
- Decide where the plan will "live" (shared drive, NAN repository, or agency system, etc).

Step 7: Keep it Alive

- Turn actions into a living tracker: owner, activity, target date, status.
- Schedule the first monitoring check-in before final sign-off so everyone knows the follow-up rhythm.



Ontario Final Settlement Agreement
Funding and Allocation Information

DRAFT OFA Funding and Allocation Information

Pending the approval of the Ontario Final Settlement ("OFA") by the Canadian Human Rights Tribunal ("Tribunal"), Canada shall provide funding in the total amount of $8.5 billion for the reformed First Nation Child and Family Services ("FNCFS") Program in Ontario for a period of nine (9) fiscal years if signed within the 2025-2026 fiscal year. A total amount reflecting $3.9 billion shall support the implementation of the reformed FNCFS Programs and the housing commitments in Ontario. Once the OFA is approved by the Tribunal and comes into effect, funding at actuals for First Nation Communities and Agencies will stop. The intended purpose of the OFA is to eliminate the discrimination in Ontario identified by the Tribunal in First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada), 2016 CHRT 2. As such, Indigenous Services Canada ("ISC") shall allocate funding under the Reformed FNCFS Funding Approach between First Nations and FNCFS Agencies in a manner that respects First Nations' inherent and constitutional Rights regarding child and family Services.

Community Funding

First Nations and FNCFS agencies will use FNCFS Program funding to deliver child and family services to First Nations children, youth, young adults and families on-reserve. The reformed Program is designed to support First Nations in addressing the best interest of First Nations children, youth, young adults and families. The reforms will also respect the right to self-determination of Indigenous peoples, which is a right recognized and affirmed in the United Nations Declaration on the Rights of Indigenous Peoples.

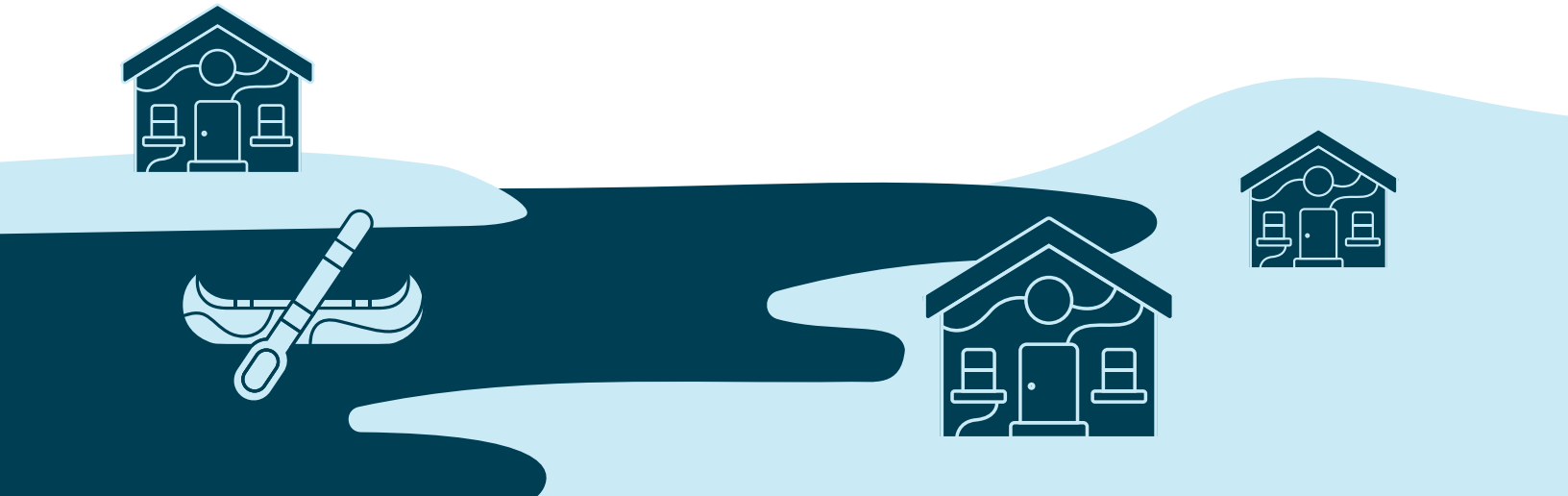
The initial Funding Period from April 1, 2025, to March 31, 2029, shall consist of:

- Baseline funding provided to FNCFS Agencies based on their operations and maintenance expenditures from 2022-2023.
- Top-up funding, including:
  - Information Technology
  - Results
  - Emergency
- Household Supports Funding
- Prevention Funding
- First Nation Representative Services Funding
- FNCFS Capital Funding
- Post-majority Support Services Funding
- Remoteness Adjustment Funding

Each First Nation in Ontario was previously provided with its community profile outlining how much funding it would receive for each of these initiatives.

Other eligible expenses that would be accounted and see funding for include:

- Insurance premiums for First Nations and FNCFS Service Providers
- Adjustments for Inflation
- Adjustments for Population



Agency Funding

Who Is Your Agency?

Tikinagan
Phone: 807-737-3466
Toll-Free: 1-800-465-3624

P.O. Box 627
65 King Street
Sioux Lookout, ON
P8T 1B1

tikinagan.org/contact-us

Kunuwanimano
Phone: 705-268-9033
Toll Free 1-800-461-1293

401 Cedar St S.
Timmins, ON
P4N 2H7

kunuwanimano.com/contact-us

Payukotayno
Phone: 705-336-2229
Toll-Free: 1-888-298-2916

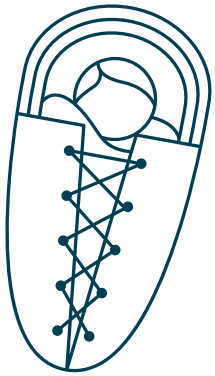
50 Bay Road, P.O. Box 189
Moosonee, ON
P0L 1Y0

payukotayno.ca/contact

Dilico
Phone: (807) 623-8511
Toll-Free: 1-855-623-8511

200 Anemki Place
Fort William FN, ON
P7J 1L6

dilico.com/contact



The OFA does not change how the provincial government funds FNCFS Agencies in Ontario for on-and-off reserve protection, maintenance, and operations. The Ontario Final Agreement only speaks to ISC's funding to the FNCFS Agencies. The amounts that FNCFS Agencies would receive from ISC under the OFA are in addition to the amounts from Ontario.

Agencies are required to fund the co-development of their Child and Community Well-Being Plans, including providing opportunities for the meaningful participation of their affiliated First Nation(s) in the co-development process.

Agencies shall receive 50% of the Emergency Funding. Emergency Funding is a new type of funding under the OFA.

If an Agency receives part of or all of First Nations' Prevention funding, it shall not be permitted to transfer those funds to protection measures except to fund the least disruptive measures.

Agencies shall continue to have access to actuals for intake and investigations, legal fees, and building repairs for fiscal year 2025-2026.

The deadline for their claim submission is **September 20th, 2026**. Upon April 1st, 2026, an Agency's ability to request reimbursement of their actual costs for intake and investigations, legal fees, and building repairs shall move to a baseline funding approach.

If a service provider cannot deliver services required by law or least disruptive measures, a service provider may be eligible to be funded by the Reformed FNCFS and request a Funding Adjustment.

Nishnawbe Aski Nation and Chiefs Of Ontario Funding

NAN and COO are being funded as part of the OFA in the total amount of $17.58 million, with COO receiving up to $11.02 million (2025-2034) and NAN receiving up to $6.56 million (2025-2034). This funding is in addition to the funding communities will receive and was negotiated in addition to the OFA. Funding for NAN and COO is intended to support the implementation of work assigned to and required of them under the OFA.

This includes:

- Staff positions created specifically to further work necessary to the implementation of the Final Agreement;
- Implementation-related research;
- First Nation engagements;
- Legal fees; and
- With respect to funding for COO, project management and contract administration costs related to the two (2) Program Assessments: the Ontario FNCFS Data Secretariat, and the initiative to support eligible First Nations youth and young adults in accessing information on post-majority support services.

Additionally, ISC shall provide $13.5 million over the term of this agreement to support the NAN-Canada Remoteness Quotient Table and the Ontario Remoteness Secretariat.

Contact Information:

Nishnawbe Aski Nation
ofainfo@nan.ca

Chiefs of Ontario
Finn Simard
finn.simard@coo.org

Ifsia Zaman
Ifsia.zaman@coo.org



Top-up Funding Information Technology, Results, and Emergency

Per the OFA, specific portions of annual baseline funding are allocated to support key areas of the reformed FNCFS Program as follows:

Six percent (6%) of the yearly baseline funding is designated for **information technology** needs to support implementing the reformed program. These three categories receive specific percentages of the total annual funding, and all can be increased if services are being delivered in remote communities.

Five percent (5%) of the annual baseline funding is allocated to support results (performance measurement), including developing and implementing a framework to capture and report data related to First Nations well-being. This supports the program's commitment to evidence-based outcomes and accountability.

An additional two percent (2%) of the annual baseline funding is reserved for **emergency** funding. This is intended to provide support in response to unexpected or unplanned circumstances that affect the program's delivery.

Additional funding adjustments for all three funding categories—information technology, results, and emergency response—are available for remote communities, recognizing the increased costs associated with delivering services in those regions. These adjustments are outlined in paragraph 33 and Appendix 10 of the Agreement.

Information Technology Funding

Amount:
6% of the annual baseline funding.
Extra funding may be added for services in remote communities.

Purpose:
To support the technology and IT (e.g., computers, software, systems) needed to run and manage programming under the reformed OFA. The purpose is to support program delivery and not the programs themselves.

Allocation:
100% allocated entirely to First Nations

Results Funding

Amount:
5% of the annual baseline funding.
Extra funding may be added for services in remote communities.

Purpose:
To support tracking and reporting program performance and outcomes, including data collection on First Nations' well-being. This is tied to the performance measurement framework detailed in the agreement.

Allocation:
100% allocated entirely to First Nations

Emergency Funding

Amount:
2% of the annual baseline funding.
Extra funding may be added for services in remote communities.

Purpose:
to cover unexpected events or emergencies that impact the delivery of the reformed FNCFS program.

Allocation:
50% to First Nations and 50% to Agencies

Household Supports Funding

In the 2025–2026 fiscal year, $5.3 million in funding is allocated to support household needs within First Nations communities, with the same amount continuing in future years and being adjusted annually for inflation. This funding is specifically intended to help families meet essential needs such as: food, shelter, clothing, and other necessities. If these needs are unmet, a child may be at a greater risk of being removed from their homes and placed into care.

To ensure equitable access, the funding will be increased for communities in remote areas, recognizing the higher cost of delivering services in those locations. These adjustments are detailed in paragraph 33 and Appendix 10 of the Agreement.

Amount: **A total amount of $5.3 million yearly, adjusted for inflation and remoteness. This amount is shared across all First Nations in Ontario, and the allocation is based partly on each community's population and poverty levels.**

Purpose: **To help First Nations meet the basic family needs that, if unmet, could lead to children being placed in care.**



Housing Funding

Canada shall provide funding in the amount of $258.4 million over fiscal years 2025-2026, 2026-2027, and 2027-2028, to support the purchase, construction, and renovation of housing units in First Nation communities for the purpose of preventing First Nation children from being taken into care. This funding also supports the reunification of families when housing is a barrier. This funding was negotiated specifically for the OFA and was not part of the original National Agreement. Housing funding is distinct from Household Support funding. Household support funding is intended to meet families' basic needs, particularly those that, if left unmet, could lead to children being placed in care. Housing funding can be carried over to the next fiscal year as long as it is within the First Nation funding agreement.

Amount:

Totalling 258.4 million over fiscal years 2025-2026, 2026-2027, and 2027-2028. Individual community housing funding amounts can be found in their community profile. Funding amounts shall be adjusted based on a detailed formula comprised of the following:

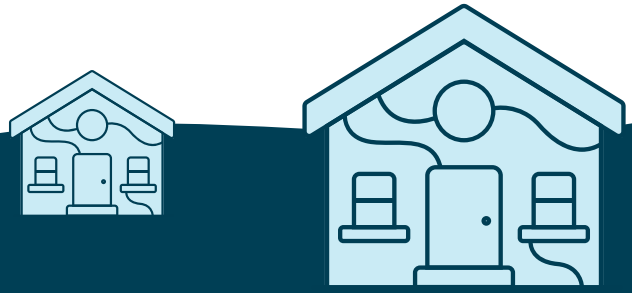
- **On-reserve population (IRS 2023),**
- **Adjusted by remoteness score (2021 Index of Remoteness),**
- **Adjusted by overcrowded dwelling percentage (Census 2021),**
- **A base amount of $250,000 per First Nation**

Formula:

Population × Remoteness × Overcrowding + $250k
will set each Nation's share for 2025–28.

Purpose:

To support the purchase, construction, housing barriers, and renovation of housing units in First Nation communities to prevent First Nation children from being taken into care.



Prevention Funding

Prevention funding shall be directed to First Nation Communities. This new approach to Prevention recognizes First Nations as leaders in carrying out services that best suit their community. However, First Nations can share this funding with their affiliated FNCFS Agency. Communities must declare their funding intentions to ISC in writing by September 30th, 2025, for the following fiscal year on how they plan to distribute their Prevention funding. In the 2025–2026 fiscal year, Prevention services funding under the Reformed FNCFS Program will be calculated by multiplying $2,655.62 by the total eligible population of all participating First Nations in Ontario, as determined in paragraph 36 of the OFA. In addition to this base amount, each First Nation will receive a minimum of $75,000 to ensure adequate prevention support.

In the following years, these funding amounts will be adjusted for inflation to maintain their value over time. Further, funding will be increased for remote communities, recognizing the higher costs involved in delivering services in those areas. These adjustments follow the guidelines in paragraph 33 and Appendix 10 of the OFA.

Each First Nation's individual Prevention funding will be based on its specific population size, calculated using the same per capita amount established for that fiscal year. However, for 2025–2026, special transition rules outlined in paragraph 54(h) may apply.

No later than 6 months after the signing of the OFA, First Nations shall be required to provide ISC with a multi-year plan regarding the implementation of services it is funded for under the Reformed FNCFS Funding Approach outlined above until the period ending on March 31, 2029.

The second funding period for the Reformed FNCFS Program in Ontario shall be, at a minimum, the amount of funding provided for the reformed FNCFS program in Fiscal year 2028-2029. This accounts for adjustments by inflation and population, and any funding increases that communities have accumulated. Funding may be upwardly adjusted pending recommendations and judicial review.

Amount: **Each First Nation's Prevention funding is calculated by multiplying $2,655.62 by the total eligible population. First Nations shall receive a minimum of $75,000 regardless of their eligible population size. Funding amounts shall be adjusted annually for inflation, population, and remoteness.**

Purpose: **Funding Prevention services in communities aims to keep families together by providing early, culturally relevant supports that help address issues before they escalate into crises requiring child and youth removal.**

First Nation Representative Services Funding

First Nation Representatives advocate for their communities in all matters related to the delivery of child welfare services. Their responsibilities are defined by each individual First Nation, reflecting the unique cultural, legal, and social needs of their citizens and informed by applicable provincial and federal child welfare laws.

The funding provided for First Nation Representative Services is designed to support key goals, including:

- Meeting the cultural needs of First Nations children, youth, and families;
- Helping families and young people connect to their Nation's culture, language, land, traditions, and knowledge systems;
- Supporting the repatriation of children to their home communities; and
- Ensuring that the rights of First Nations and their children are respected within the child welfare system.

At present, and during the 2025–26 fiscal year, First Nations Representative Services funding followed a transitional approach (using pre-OFA rules). Beginning in the 2026–2027 fiscal year, each First Nation will receive funding equal to the highest annual amount they received for First Nation Representative Services between 2019–2020 and 2023–2024, adjusted for inflation and population growth. In future years, this funding will continue to increase based on the previous year's total, with the same adjustments for inflation and growth.

Finally, to ensure fairness, additional funding will be available for remote communities, where the costs of delivering services are significantly higher. This is guided by the provisions outlined in paragraph 33 and Appendix 10 of the OFA.

Amount: **Equal to the highest annual amount each community received for their First Nation Representative Services between 2019-2020 and 2023-2024. Funding amounts shall be adjusted annually for inflation, population, and remoteness.**

Purpose: **This funding is intended to support the First Nations' Representatives' role and program. To further understand the role of the First Nation Representative, please visit: https://www.sac-isc.gc.ca/eng/1648916987446/1648917051790**

FNCFS Capital Funding

During the Initial Funding Period, ISC will provide up to $264.1 million to First Nations and FNCFS Service Providers in Ontario to support infrastructure and capital needs related to the Reformed First Nations Child and Family Services (FNCFS) Program. ISC will administer this capital funding based on proposals, and allocations are guided by Appendix 11.

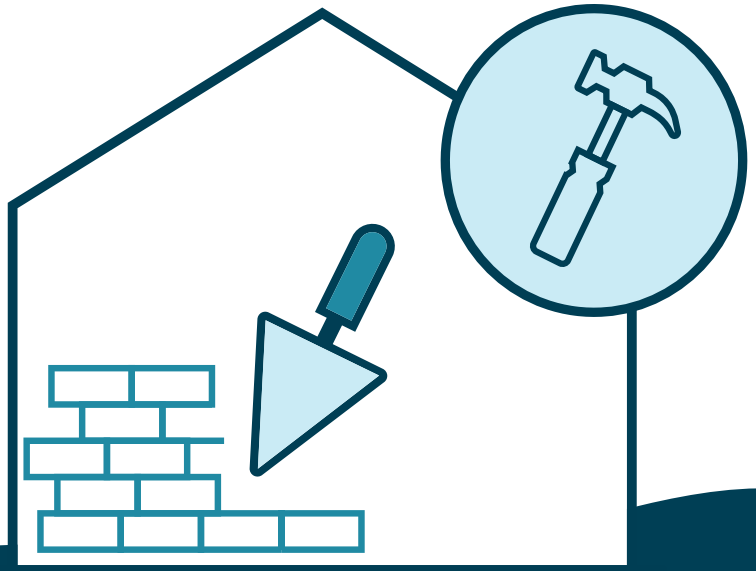
This funding can be used for a variety of essential activities, including:

- Conducting needs assessments and feasibility studies to evaluate service and infrastructure requirements;
- Purchasing or building new facilities to support service delivery;
- Repairing or renovating existing buildings used in the program; and
- Covering lifecycle costs of owned assets, such as ongoing maintenance or planning for future upgrades and replacements.

This capital investment ensures that First Nations have the physical infrastructure necessary to deliver high-quality, culturally appropriate services under the Reformed FNCFS model.

Amount: **Totalling $ 264.1 million for the initial funding period.**

Purpose: **To support the capital needs related to delivering the reformed FNCFS Programs.**



Post-Majority Support Services Funding

During the Initial Funding Period, ISC will provide $134.8 million to support First Nations youth aging out of care and young adults formerly in care, helping them transition into adulthood and independent living.

These post-majority support services are available to:

- Youth who were ordinarily resident on a reserve in Ontario when taken into care, regardless of where they were placed;
- Youth and young adults who are currently living on a reserve in Ontario; or
- Those who are actively planning to return to reside on the reserve.

Eligible individuals can receive services until their 26th birthday, or longer if a greater age is set out under Ontario's Child, Youth and Family Services Act, 2017, or future replacement legislation.

Canada cannot require First Nations to confirm whether the youth has tried to access other funding sources before providing services. Nor can Canada stop First Nations from offering support even when other funding exists—as long as the total combined funding doesn't exceed the actual cost of the service or activity.

For clarity, the $134.8 million already accounts for and includes inflation (so no additional yearly inflation adjustment applies). However, the funding will be increased where needed to reflect the higher cost of delivering services in remote communities, as outlined in paragraph 33 and Appendix 10 of the OFA.

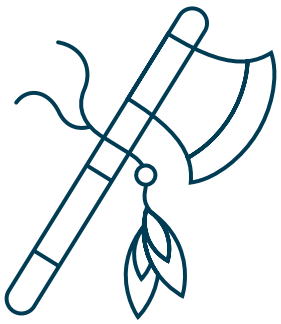
Amount: **$134.8 million during the initial funding period. This amount shall be adjusted for remoteness.**

Purpose: **To support First Nations youth aging out of care and young adults formerly in care in their transition into adulthood and independence.**

General Funding Adjustments

General funding adjustments include: remoteness, Population, Insurance Premiums, and Inflation. These are adjustment to program funding commitments that allow funding to increase over time to reflect certain evolving circumstances.

Remoteness Adjustment Funding



For any First Nation with a 2021 Index of Remoteness score of 0.40 or higher, ISC will increase the funding provided to either the First Nation or its associated FNCFS Agency to account for the additional costs of delivering services in remote locations.

This adjustment only applies to those parts of the Reformed FNCFS Funding Approach that are specifically meant to be adjusted for remoteness. To determine the exact increase, ISC will use the Remoteness Quotient Adjustment Formula (RQAF), with full calculation details outlined in Appendix 10 of the agreement. For clarity, a remoteness adjustment is not reflected in a separate pot of money, but a percentage increase applied to specific eligible funding streams.

Amount: **ISC will increase the funding for First Nations and/or their affiliated Agency when the First Nation's 2021 Index of Remoteness score is 0.40 or higher.**

Purpose: **Intended to account for the increased cost of providing services in Northern Ontario and remote parts of Canada.**

Insurance Premiums for First Nations and FNCFS Service Providers

Insurance premiums for First Nations and FNCFS Service Providers are eligible expenses for funding under the Reformed FNCFS Funding Approach.



Inflation

Specific components of the Reformed FNCFS Funding Approach are designed to be automatically adjusted for inflation each fiscal year. These adjustments occur every November and are based on changes in the "All-items Consumer Price Index (CPI)" over the 12-month period ending September 30.

Each adjustment is applied to the previous year's funding amount, including any past inflation-related increases. Importantly, the inflation adjustment can never be negative — even if the CPI drops, funding will not be reduced. The adjustment will either maintain or increase the funding amount, ensuring stability year over year.

Amount: **Specific components of the reformed FNCFS Funding Approach will see funding maintained or increased with inflation.**

Purpose: **Ensures that communities and Agencies can continue to provide services, and to account for the potential rising costs of the CPI.**

Population

When funding components of the Reformed FNCFS Program are adjusted based on population, the official population of each First Nation is taken from the Indian Registration System (IRS) and includes only members living on-reserve or on Crown land. This number is based on the population count as of September 30 in the fiscal year before the funding year.

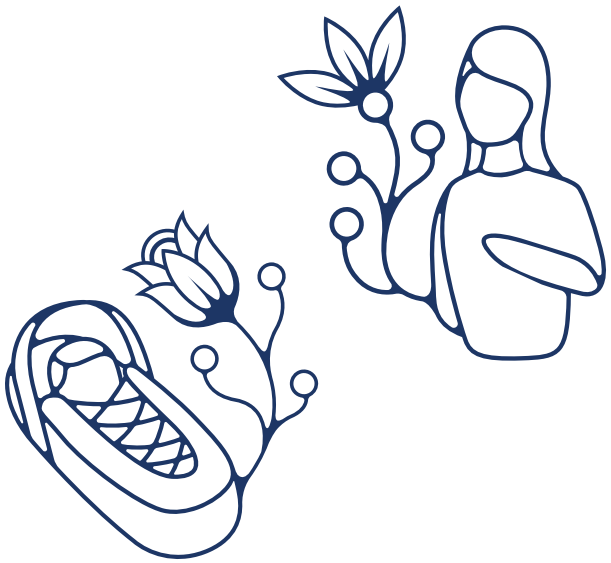
For funding calculated on a per capita basis, this population is directly used in the funding formula. For components that are not per capita, but still adjusted for population, funding is increased or decreased proportionally based on how much the population changed from the previous year, again using IRS data from September 30.

For FNCFS Agencies, their total population is calculated as the combined population of all affiliated First Nations. Similarly, the total population used for provincial-level program calculations is the sum of all eligible First Nations' populations in Ontario.

In some cases, if a First Nation has a self-government agreement or modern treaty, the method for calculating population may differ from what's outlined here.

Amount: **Funding is adjusted for population or is to be calculated on a per capita basis.**

Purpose: **To ensure that funding is correctly adjusted to reflect the community population accurately.**



Child Protection Services (Baseline) Funding Under the Ontario Final Agreement

Information Sheet

What is Child Protection Services Funding?

Child protection services funding provided through the First Nations Child and Family Services (FNCFS) Program is meant to ensure that children and youth are safe, well, healthy, and living free of harm or child maltreatment. These services are based on risk assessments conducted by personnel delegated under Ontario's *Child, Youth and Family Services Act, 2017* (CYFSA). The CYFSA outlines the responsibilities of Children's Aid Societies, including FNCFS Agencies, which are delegated to investigate allegations of maltreatment and provide support to families. Key provisions within the CYFSA include:

- **Child Protection:** The CYFSA defines when a child is considered to be in need of protection which includes situations of maltreatment or neglect. It mandates that Agencies follow specific procedures when investigating allegations and making decisions regarding a child's safety.

- **Family Support Services:** The CYFSA promotes the provision of support services to families to help them care for their children, aiming to keep families together wherever possible. This includes prevention and early intervention services.

- **Court Processes:** Child protection cases are heard in the Ontario Court of Justice and the Superior Court of Justice. The CYFSA outlines the legal framework for these proceedings, ensuring the rights of children and families are respected throughout the process.

- **Diversity and Inclusion:** The CYFSA acknowledges the importance of respecting diversity and addressing the systemic racism within child welfare services. It aims to provide services that are culturally sensitive and inclusive.

For more detailed information, you can refer to the full text of the CYFSA on the official Ontario government website[1]. This act is crucial for understanding the legal framework surrounding child protection in Ontario and the rights of children and families.

Currently, child protection services funding for on reserve use is reimbursed from Indigenous Services Canda (ISC) to the Government of Ontario through the *Memorandum of Agreement Respecting Welfare Programs for Indians* (1965 Agreement) for expenditures provided to FNCFS Agencies (operations and maintenance). All Agencies receive an allocation form the provincial government. In addition, child protection funding is also provided directly to FNCFS Agencies, when the provincial allocation is insufficient to cover these costs, through the 2018 Canadian Human Rights Tribunal (CHRT) 4 Order for Intake and Investigation, Building Repairs,

[1] https://www.ontario.ca/laws/statute/17c14

and Legal Fees. This funding is collectively referred to as “Baseline Funding” under the Ontario Final Agreement (OFA).

What is Changing Under the Ontario Final Agreement?

Under the OFA, Baseline Funding will continue to be provided to Agencies from the Government of Ontario through the 1965 Agreement as well as from ISC as follows:

Change	Impact
Allocation-Based Funding Model	Baseline Funding will automatically go to eligible FNCFS Agencies at an amount that is based on actual expenditures incurred in 2022–2023 for intake and investigation, legal fees, and building repairs increased for population and inflation. In subsequent years, this funding will continue to be adjusted annually for population and inflation, and not be reduced. Top-up Funding including, Information Technology, Results, and Emergency will also make up a percentage of Baseline Funding. See the Top-Up Funding Information Sheet for more information.

How to Prepare for Child Protection Services (Baseline Funding) Under the OFA

Under the OFA, Baseline Funding will be automatically provided to the eligible FNCFS Agencies based on the allocation methodology outlined above. First Nations and their FNCFS Agency should ensure that all planned activities and services for child protection align with the Ontario CYFSA and FNCFS Terms and Conditions[2]. By confirming eligibility early and planning service delivery accordingly, FNCFS Agencies can reduce the risk of funding gaps, and strengthen their capacity to meet their legislated responsibilities and community needs.

Collaborative Planning

FNCFS Agencies will be encouraged to use a portion of their Baseline Funding to facilitate the necessary collaboration and planning activities with their affiliated First Nation(s). This will provide an opportunity to discuss expected roles and responsibilities, and to ensure that First Nation’s priorities, needs and cultural considerations are respected and unique circumstances are reflected in service delivery.

[2] https://www.sac-isc.gc.ca/eng/1648577221890/1648577242550

Annex A: Questions to Guide Discussions with Your FNCFS Agency

Use the following questions to support discussions with your FNCFS Agency regarding the delivery of child protection services:

- How will child protection services be reflected in the FNCFS Agency's Child and Community Wellbeing Plan? What collaboration/engagement should be scheduled?
- How will you and your FNCFS Agency coordinate planning, implementation, assessment, and evaluation of child protection services?
- What standards and cultural expectations will guide the placement practices of your FNCFS Agency?
- Who will be the point(s) of contact for your First Nation for ongoing collaboration with your FNCFS Agency, and how will this new or ongoing collaboration occur?
- How will you and your FNCFS Agency determine what services fall under Least Disruptive Measures and what will be delivered as Prevention Services?
- Do the planned activities and services for child protection fall under Maintenance and Care, Least Disruptive Measures, and/or Operations expenses? For example:
    - Do the planned activities directly support placing children or youth in out-of-home or alternate care arrangements?
    - Do the planned activities help maintain children or youth in safe, appropriate care once placed?
    - Are the planned activities connected to an assessment or investigation of child maltreatment or risk of harm?
    - Do the planned activities contribute to safety planning for children, youth, or families involved with child and family services?
    - Are the resources or activities necessary for your agency to deliver child and family services in accordance with provincial legislation, regulations, and policies?
    - Do the planned activities support core operational functions such as staffing, administrative capacity, or service coordination that are essential to fulfilling the legislated child and family services mandate?
    - How is your FNCFS Agency utilizing community prevention programming or First Nation Representative Services to support a child in remaining in the family home?

First Nations Child and Family Services Capital Funding Under the Ontario Final Agreement

Information Sheet

Support for Capital under the First Nations Child and Family Services Program

The First Nations Child and Family Services (FNCFS) Program supports the construction or purchase of capital assets (i.e. buildings) needed to deliver one or more of the service elements of the FNCFS Program (protection, prevention, First Nation Representative Services, or post-majority support services).

Capital assets support the delivery of the FNCFS Program to First Nation residents on reserve or ordinarily resident on reserve as laid out in the FNCFS Transitional Terms and Conditions.

What is Changing under the Ontario Final Agreement?

Under the Ontario Final Agreement (OFA), funding for capital assets that support the implementation of the Reformed FNCFS Program will shift to a new planning approach. Full details on the OFA capital planning process, co-developed by Indigenous Services Canada (ISC), Chiefs of Ontario (COO), and Nishnawbe Aski Nation (NAN), will be set out in an *OFA Capital Implementation Guide* that will be shared once completed. Changes under this new funding approach include the following:

Summary:

Element	CHRT 41	OFA
Funding style Reimbursement	Phase-by-Phase	One-time approval
Planning basis	Individual proposals	First Nations Infrastructure Investment Plan (FNIIP)/Agency Infrastructure Investment Plan (AIIP) annual planning
Ranking method	CHRT 41 internal assessment	Standardized Priority Ranking Framework, with Ontario Reform Implementation Committee review

First Nations Child and Family Services Capital Funding Under the Ontario Final Agreement

Information Sheet

Additional detail:

Change	Process
Allocation-Based Funding Model	FNCFS Capital requests will be funded from a $455 million OFA envelope committed over the timeframe of the OFA (depending on the Effective Date of the OFA). The funding approach is detailed in Part V, paragraph 27 of the OFA.
New Capital Funding Process under the OFA	When the OFA takes effect, ISC will apply the new OFA capital planning process outlining how proposals are submitted, reviewed and funded. Under the OFA Capital process, each First Nation will include its FNCFS capital needs and ranks its priority capital needs annually in its First Nation Infrastructure Investment Plan ("FNIIP"), a long-standing planning tool. FNCFS Agency submissions will be included annually in an equivalent Agency Infrastructure Investment Plan ("AIIP"), annexed to their Child and Community Well-Being Plan (CCWBP). ISC will evaluate all eligible FNCFS capital requests identified in the FNIIPs and AIIPs using a Priority Ranking Framework (PRF) – a tool co-developed by ISC, COO and NAN that helps ensure OFA FNCFS capital funding is directed to the highest priorities using a consistent process. Eligible projects that can be funded within the yearly funding envelope will proceed to the next step: the application phase. Once selected for funding, projects will be supported throughout the entire capital project life cycle. Projects not selected for funding in a given fiscal year will remain in the FNIIP or AIIP, unless revised the subsequent year during the FNIIP and AIIP updates. Where a capital request is submitted **before** the Effective Date of the OFA, ISC will continue to apply the 2021 Canadian Human Rights Tribunal (CHRT) 41 approval process to determine if the request is approved. The 2021 CHRT 41 approval process will apply to that request until ISC makes a final determination, even if this determination is made after the Effective Date. **After** the Effective Date, ISC will apply the PRF to FNIIPs and AIIIPs received to determine eligibility and priority. Requests that received

First Nations Child and Family Services Capital Funding Under the Ontario Final Agreement

Information Sheet

	funding for design under CHRT 41 will not be ranked against the PRF for the construction phase. ISC will approve such requests if they meet the eligibility criteria under the Terms and Conditions of the Reformed FNCFS Program and are supported by sufficient documentation, as outlined in applicable program guidance like the OFA Capital Guide that will be shared once completed. The PRF will apply only to determine the fiscal year in which the request will be funded.

How to Prepare and Transition for the New Funding Approach?

To ensure a smooth transition, it is recommended that First Nations and FNCFS Agencies begin working on First Nation multi-year plans and the Child and Community Well-Being Plans as early as possible. This will help with the identification of capital needs that can then be added to their Infrastructure Investment Plans (FNIIPs or AIIPs). This will ensure timely funding decisions for recipients when the OFA is implemented. Additional guidance and tools to support the preparation will be shared in near future.

First Nations Child and Family Services Capital Funding Under the Ontario Final Agreement

Information Sheet

ANNEX A

How will Eligibility be Determined & the Priority Ranking Framework (PRF) Applied under the OFA?

1. Eligibility

ISC determines the eligibility of FNCFS capital proposals by looking at the type of asset that is being proposed, whether the requestor is a recipient of FNCFS Program funding, and whether the asset supports the delivery of FNCFS services to First Nations children, youth, and families ordinarily resident on reserve. Full details on eligibility will be outlined in the *OFA Capital Implementation Guide*.

Note: Under the OFA, ISC will continue to treat off-reserve FNCFS capital assets as it did under 2021 CHRT 41. Off-reserve construction or purchase is eligible for FNCFS capital funding when no suitable on-reserve option exists, or when an off-reserve location offers better access to services for children, youth, and families ordinarily resident on reserve.

2. Prioritization

Once a project is eligible, it will move to the next stage: prioritization. Eligible proposals are assessed and ranked using the PRF. The PRF uses a standardized criteria to evaluate proposals fairly and rank projects based on the greatest need regardless of whether the recipient is a First Nation or FNCFS Agency. Projects that score higher will be considered for funding sooner, while those with lower scores may be scheduled for later years. ISC's Capital team will prepare an initial ranking report that identifies the list of priorities that ranked highest through application of the PRF.

PRF Key Criteria:

Criteria applicable to *renovations:*

- the condition of the current building
- if the building meets safety standards and building codes

Criteria applicable to *new builds:*

- whether existing space can meet service needs
- how far the nearest suitable facility is from the community

Criteria applicable to both renovation and new builds*:*

- if the community has received construction funding before
- how many of the FNCFS Program's funding components will be delivered (for First Nations) or how many First Nations will be served (for FNCFS Agencies)
- how much of the space will be dedicated to FNCFS service delivery
- whether essential infrastructure like water, power, and roads is in place

- whether the request comes from a First Nation
- if the request comes from an FNCFS Agency, whether a land designation is secured or in progress

3. Review by Ontario Reform Implementation Committee (ORIC)

Once ISC has completed its initial ranking report, it will be submitted to the ORIC for review. The ORIC will consist of eight (8) members, with one (1) member appointed by each Party (Chiefs of Ontario, Nishnawbe Aski Nation, and ISC) and five (5) at-large members appointed by Ontario Chiefs-in-Assembly. This governance body will examine the ranked list of priorities and provide feedback to ISC, including any concerns or observations regarding the prioritization of projects. Once projects are selected for funding, they move to the next step: the application phase.

If a First Nation or FNCFS Agency disagrees with the ranking of their project, they may pursue a Claimant Dispute under the OFA's dispute resolution process.

4. Application Phase

For capital projects, First Nations or FNCFS Agencies must submit an application to receive funding for the feasibility phase. This phase identifies what infrastructure and resources are needed to deliver programs and services.

Following the finalization of the feasibility study, recipients will complete a Project Approval Request ("PAR"). This will include a feasibility study, detailed scope, cost estimates, justification, and all necessary documentation – such as budget breakdowns, risk assessments (via the Project Risk Assessment Tool), and project schedules.

The OFA Implementation Guide will clearly lay out the process and ISC staff will be available to support recipients through the process.

5. Project Approval & Funding Agreement

If and when the PAR is fully supported by ISC, funding will flow via the Funding Agreement. Chief and Council must sign the agreement to confirm their acceptance.

6. Project Proceeds

Once a project is approved, the First Nation or FNCFS Agency hires qualified professionals as required under clause 1.1 of the *Protocol for ISC-Funded Infrastructur*e (PIFI), and the project proceeds through design, tendering, and construction. Funding will be provided as needed throughout the phases of the capital project life cycle.

First Nations Child and Family Services Capital Funding Under the Ontario Final Agreement

Information Sheet

A separate funding application will not be required for each phase. Unlike the CHRT 41 process, capital projects under the OFA will be approved for funding once, rather than by phase. Project approval occurs at the beginning, and ISC will support the full life cycle from start to finish, subject to funding availability.

7. Reporting Requirements

Once funding flows, First Nations and FNCFS Agencies are required to report on the funding, utilizing the Data Collection Instrument (DCI) as per the CIRNAC-ISC *Reporting Guide* aligning with ISC's standard reporting tools under the Capital Facilities and Maintenance Program (CFMP) and PIFI protocols. Regional annexes or protocols under PIFI will be followed.

First Nations Child and Family Services Capital Funding Under the Ontario Final Agreement

Information Sheet

ANNEX B

Use the following questions to reflect on as you prepare for discussions between First Nations and FNCFS Agencies:

- What FNCFS services are you planning to deliver post-effective date?
- What capital assets are currently available to the First Nation or FNCFS Agency for service delivery, and what condition are they in? (e.g., conduct an inventory of existing capital, assess whether it is suitable for service delivery needs, and identify gaps.)
- What are the community's highest priority capital needs to support effective FNCFS delivery?
- What are the immediate needs compared to what might be required in future years?
- Who needs to be consulted during the planning process?
- Are there minor renovations that can be done to meet immediate needs?
- What land is available for development, and is it appropriately zoned or designated?
- How accessible will facilities be for families, children, and staff (e.g., proximity to homes, schools, health centers, and transportation routes)?
- Are there opportunities for multi-use or shared facilities?
    - How much of the proposed building or space will be used for FNCFS services?
- How do FNCFS capital needs align with broader community infrastructure plans (e.g., housing, schools, and supporting infrastructure such as water and wastewater)?
- Is the community prepared to operate and manage a potential new asset?

First Nation Representative Services Under the Ontario Final Agreement

Information Sheet

What is First Nations Representative Services Funding?

First Nation Representative Services (FNRS) (sometimes referred to as Band Representative Services) funding provided through the First Nations Child and Family Services (FNCFS) Program, is meant to support First Nation Representatives in their role to support First Nations youth, young adults, and families who are involved, or at risk of involvement, with the child and family services system. First Nations Representatives play a critical role as the main liaison, on behalf of families or communities, between First Nations, child and family services agencies, or the Government of Ontario.

What is Changing Under the Ontario Final Agreement?

Under the Ontario Final Agreement (OFA), FNRS will shift to a new funding approach that includes the following changes:

Change	Impact
Default Service Provider	Funding for FNRS will automatically go to First Nations as the default service provider unless a First Nation chooses a different FNCFS Service Provider to deliver FNRS (in part or in full) on their behalf. ISC will reach out to First Nations not currently receiving FNRS funding to confirm their intentions.
Allocation-Based Funding Model	If the OFA Effective Date is after April 1, 2026, recipients will have access to FNRS on-reserve funding at actual costs until March 31, 2027. Beginning on April 1, 2027, FNRS on-reserve will no longer be funded based on actual reimbursement of costs. Funding will instead be based on the highest annual amount of FNRS funding received from fiscal year 2019-2020 to fiscal year 2023-2024, increased for inflation, population growth and the increased costs of delivering services in remote First Nations.

In addition, under the *Agreement Respecting Funding for First Nations Representatives Services Off-Reserve in Ontario*, signed by Canada, Chiefs of Ontario (COO), and Nishnawbe Aski Nation (NAN), Canada will provide funding for FNRS to support First Nations children and families off-reserve until **March 31, 2027**. COO, NAN, and Canada will work with the Government of Ontario to explore long-term solutions.

For more information, please refer to the Information Bulletin dated September 26, 2025 - First Nation Representative Services in Ontario Off-reserve Funding for 2025-2026, and the update to this Bulletin dated October 31, 2025.

Change	Impact
Advance Claims (off-reserve)	FNRS off-reserve will be funded at actual costs until March 31, 2027. Proposed expenses related to FNRS incurred off-reserve must be requested in advance: • November 15, 2025 for the period November 16 - March 31, 2026. • December 31, 2025 for the period April 1, 2026 - March 31, 2027. FNRS advance claims must be pre-approved by ISC before costs are incurred. The deadline for reimbursement requests for the expenditure period of April 1, 2025 – November 15, 2025, is March 31, 2026.

How to Prepare for First Nation Representative Services Under the OFA

Under the OFA and the new FNRS funding approach, First Nations may take on several new or expanded roles and responsibilities related to FNRS, including:

- If your community has authorized a FNCFS service provider to deliver FNRS, make sure you collaboratively develop a multi-year service delivery plan;
- If your community has authorized a delegated FNCFS agency to deliver FNRS, ensure the agency includes FNRS planning in their Child and Community Wellbeing Plan.
- If your community plans to begin delivering FNRS itself, you should work with affiliated FNCFS Service Providers to plan for the transition of services.
- If your community is already delivering FNRS, you should discuss roles and responsibilities with your FNCFS agency to ensure they are able to fulfill their role in relation to cultural care plans and prevention services.
- If your community is already delivering FNRS, you should discuss the role of the First Nations Representative in relation to prevention services that may be required for children and families at risk of CFS involvement and distinguish the roles and responsibilities of FNRS and Prevention Services to provide better coordination.

Collaborative Planning

To ensure a smooth transition, First Nations and FNCFS Service Providers are encouraged to begin collaborating early on service delivery plans under the OFA. This collaboration is crucial for determining how FNRS funding will be distributed and managed, ensuring that First Nations' priorities, needs and cultural considerations are respected, and that FNRS and prevention services are coordinated in communities and with agencies.

The OFA emphasizes accountability of service providers to the First Nations they serve, requiring meaningful engagement and shared planning, even if service providers remain unchanged.

Annex A: Questions to Guide Discussions with Your FNCFS Service Provider

Use the following questions to support discussions with your FNCFS Service Provider regarding the delivery of FNRS services:

- What will service delivery for FNRS look like under the new funding approach (i.e. First Nation delivery, FNCFS Service Provider delivery, or both) including the respective roles and responsibilities?
- If you intend to take on a more direct role in service delivery, how familiar are you with the FNRS advance claim process, eligible activities covered under FNRS, the annual deadline for Band Council Resolution submissions, and the rights of children and families who are involved with the Child and Family Services system?
- What information sharing mechanisms need to be put in place to assist First Nations Representative transition into this role?
- What privacy measures exist, or need to be put in place to ensure that information handled by a First Nations Representative is confidential and protected?
- How will FNRS funding be reflected in your Multi-Year Plan and the FNCFS Service Provider's Child and Community Wellbeing Plan? What collaboration/engagement should be scheduled?
- What functions of a First Nation Representative are set out under federal and provincial legislation and as laid out in *An Act respecting First Nations, Inuit and Métis children, youth and families* and how will they be applied in your context?
- Are there existing community partnerships or resources that can be maintained or transitioned from the previous service provider to you?
- What will be the role of the First Nation Representative to ensure coordination between the services being provided (i.e. prevention, post-majority support services) and, if applicable, the services being provided by your FNCFS Provider?
- Are there existing training/tools that can be shared, or what lessons have been learned about providing FNRS that could be shared from the previous service provider?
- How will a First Nation and/or the FNCFS Service Provider inform affected families about any change in service providers?
- What measures will be taken to ensure that the cultural needs of a child involved with the Child and Family Services system are being addressed?
- How can the continuity of relationships and trust be maintained during the transition with the FNCFS Service Providers and affected families?
- Will there be feedback mechanisms accessible to families to guide improvements regarding the transition and the general delivery of FNRS?

Post-Majority Support Services Under the Ontario Final Agreement

Information Sheet

What is Post-Majority Support Services Funding?

Post-majority support services funding provided through the First Nations Child and Family Services (FNCFS) Program are meant to support eligible First Nations youth in care as they get close to the age of majority, and young adults who have left care at the age of majority, up to their 26th birthday (or to the age that is in provincial legislation, whichever is greater) to successfully transition into adulthood.

Currently, post-majority support services funding can be requested by First Nations and FNCFS Service Providers (FNCFS Agencies and/or First Nation Service Providers, where authorized). The costs that are eligible are funded based on the actual amount that was spent.

What is Changing Under the Ontario Final Agreement?

When the Ontario Final Agreement (OFA) takes effect, post-majority support services will shift to a new funding approach that includes the following changes:

Change	Impact
Default Service Provider	Funding for post-majority support services will automatically go to each First Nation unless a First Nation chooses a different FNCFS Service Provider to deliver post-majority support services (in part or in full) on their behalf.
Allocation-Based Funding Model	Post-majority support services will be funded through a pre-determined allocation model that was developed by the Parties to the OFA which creates stable and predictable funding. Each First Nation's funding amount will be based on its share of post-majority support services funding, calculated by the size of its eligible young adult population (using both the First Nation's estimate and the Indian Registry System estimate) relative to the total eligible population in Ontario. Each First Nation will receive no less than $75,000, which will be adjusted for inflation and for the increased costs of delivering services in a remote First Nations.The funding approach is detailed in Part V, paragraph 44(f) of the OFA.

How to Prepare for Post-Majority Support Services Under the Ontario Final Agreement

Under the OFA and the new allocation-based post-majority support services funding approach, First Nations may take on several new or larger roles and responsibilities.

GCDOCS # 141447692

Indigenous Services Canada / Services aux Autochtones Canada

Canada

- If your community has authorized a FNCFS service provider to deliver post-majority support services, make sure you work collaboratively to develop your First Nation Multi-Year Plan;
- If your community has authorized a delegated FNCFS agency to deliver post-majority support services, work collaboratively to ensure post-majority support services planning is included in their Child and Community Wellbeing Plan.
- You may also wish to discuss transition of post-majority support services if you wish to provide these service yourself.
- If you are currently delivering post-majority support services, discuss with your FNCFS Agency any applicable roles and responsibilities and begin planning what this service delivery will look like in the First Nation Multi-Year Plan.

To ensure a smooth transition to the new post-majority support services funding approach, current recipients should submit any anticipated 2025-2026 funding requests to ISC for approval before incurring expenses, wherever possible. Unexpended funds should be used to support these requests.

Until the OFA comes into effect, ISC will continue to accept and review requests based on actual costs, and will advise recipients if claimed expenses would be more than their future OFA allocation. Funding approvals for FNCFS Agencies will be limited to no more than three months of advanced funding. This approach is designed to maintain stable programming and help prevent gaps during the transition. Once the OFA takes effect, ISC will no longer accept claims based on actual costs spent and will apply the new funding methodology.

Please reference a previous ISC Bulletin, “Guidance on Post-Majority Support Services Claims Process in advance of Ontario Final Agreement” released on August 13, 2025 for further details about the current post-majority support services claim process.

Collaborative Planning

First Nations and FNCFS Service Providers are encouraged to begin early collaboration on future service delivery plans under the OFA. This collaboration is essential for determining how post-majority support services funding will be distributed and managed, ensuring that First Nations’ priorities, needs and cultural considerations are respected and that unique circumstances are reflected in planning.

The OFA requires service providers to demonstrate accountability to the First Nations they serve, through meaningful engagement and joint planning, even if service providers remain unchanged.

Indigenous Services Canada Services aux Autochtones Canada
GCDOCS # 141447692
Canada

Annex A: Questions to Guide Discussions with Your FNCFS Service Provider

Use the following questions to support discussions with your FNCFS Service Provider regarding the delivery of post-majority support services:

- What will service delivery for post-majority support services look like under the new funding approach under the OFA including the respective roles and responsibilities?
- If you intend to take on post-majority support services service delivery, are you familiar with the post-majority support services funding methodology, eligibility criteria, and eligible activities under the OFA, the FNCFS Terms and Conditions, and any applicable guidance?
- Are you aware of the current services provided by your FNCFS Service Provider for eligible youth/young adults from your community?
- What information sharing mechanisms need to be put in place to transition youth/young adults to the new service provider?
- What would you want to include in a transition plan with the current FNCFS Service Provider (i.e. timelines, risk-assessment, capacity development, staffing, service continuity, change management, etc.)?
- What should be the process for sharing case details relevant to the continuity of care and validation of care eligibility, especially with respecting the youth/young adults consent and any privacy limitations?
- How will post-majority support services be reflected in your Multi-Year Plan and/or the FNCFS Agency's Child and Community Well-Being Plan? What collaboration/ engagement should be scheduled?
- Are there existing community partnerships or resources that can be maintained or transitioned from the previous service provider to you?
- Are there existing training/tools that can be shared or what lessons have been learned about providing post-majority support services that could be shared from the previous service provider?
- Who will be the point(s) of contact at the FNCFS Service Provider for ongoing collaboration or referrals, and how will this new or ongoing collaboration occur between the First Nation and the FNCFS Service Provider?
- How will you/and or the FNCFS Service Provider inform the youth/young adults about the change in service providers, and how will it be ensured that there are no gaps in service delivery during the transition?
- Will there be feedback mechanisms accessible to youth/young adults to guide improvements regarding the transition and the delivery of post-majority support services in general?
- What considerations should be put in place in cases where a youth/young adult does not wish to change service providers. For example, could a fee for service model be established with the existing provider, or are there other complimentary services/programs the youth/young adult could access to meet their needs (i.e., Ready, Set, Go)?

Annex A: Questions to Guide Discussions with Your FNCFS Service Provider

What is Prevention Funding?

Prevention funding provided through the First Nations Child and Family Services (FNCFS) Program is meant to support healthy child development, strengthen families, and promote the safety and wellbeing of First Nations children, youth, young adults, families and communities. Each First Nation decides what its prevention needs are, and services put in place based on the community's wellbeing goals.

Currently, prevention funding is provided to First Nations and FNCFS Service Providers (FNCFS Agencies and/or First Nation Services Providers), unless the First Nation has provided formal written direction to Indigenous Services Canada (ISC) identifying an alternate approach. Prevention is funded by multiplying the amount of $2,655.62 (2025-2026 fiscal year) by the total population of the First Nations on-reserve, plus the amount necessary to provide the First Nation a minimum amount of $75,000.

What is Changing Under the Ontario Final Agreement?

When the Ontario Final Agreement (OFA) comes into effect, prevention funding will continue to be funded as it is currently, with annual increases for population, inflation and to account for the increased costs of delivering services in remote First Nations. The following will apply:

Change	Impact
Prevention Allocation	A First Nation may receive their prevention funding directly or choose a different service provider to receive their prevention funding (in full or in part) through a Band Council Resolution or other official decision document.

How to Prepare for Prevention Under the OFA

Under the OFA, First Nations may take on several new or larger roles and responsibilities related to prevention services including:

- Becoming the default prevention service provider;
- Participating in collaborative discussion with your community's affiliated FNCFS Agency to plan for the transition of services and/or confirm FNCFS Agency's service delivery plans;
- Understanding the current prevention delivery by the FNCFS agency;
- Understanding the delegated FNCFS Agency's role in delivering least disruptive measures as part of mandated child protection work;
- Designing and developing the community's own service delivery plans and/or approving the required FNCFS Service Provider Child and Community Wellbeing Plan; and,

- Submitting the required First Nation Multi-Year Plan.

Collaborative Planning

First Nations and FNCFS Service Providers are encouraged to begin early collaboration on future service delivery plans under the OFA. This collaboration is essential for determining how prevention funding will be distributed and managed, ensuring that First Nations' priorities, needs and cultural considerations are respected and that unique circumstances are reflected in planning.

The OFA requires service providers to demonstrate accountability to the First Nations they serve, through meaningful engagement and joint planning, even if service providers remain unchanged.

Use the following questions to support discussions with your FNCFS Service Provider regarding the delivery of prevention services:

- What will service delivery for prevention look like under the OFA (i.e. First Nation delivery and FNCFS Agency delivery), including the respective roles and responsibilities?
- Are you aware of the current prevention services provided by your FNCFS Agency to/for your community?
- If service providers are changing or you intend to take on a more direct role in service delivery, are you familiar with the prevention funding methodology and the eligible activities that can be funded through prevention under the OFA, the FNCFS Terms and Conditions, and any applicable guidance?
- What would you want to include in a transition plan with the current FNCFS Service Provider (i.e. timelines, risk assessment, capacity development, staffing, service continuity, change management, etc.)?
- How will prevention services be reflected in your Multi-Year Plan and/or the FNCFS Agency's Child and Community Wellbeing Plan? What collaboration/engagement should be scheduled?
- If you intend to take on a more direct role for prevention service delivery, are there existing community partnerships or resources that can be maintained or transitioned from the previous FNCFS Service Provider to you?
- What training, tools, or lessons from the previous service provider can be shared to improve the delivery of prevention services?
- Who will be the point (s) of contact at the FNCFS Service Provider for ongoing collaboration or referrals, and how will this new or ongoing collaboration occur between the First Nation and the FNCFS Service Provider?

- How will you/and or the FNCFS Agency inform the children and families about the change in service providers?

- Will there be feedback mechanisms accessible to help improve the transition process and the overall delivery of prevention services?

Top-Up Funding and Household Supports Funding Under the Ontario Final Agreement

Information Sheet

What is Top-Up Funding and Household Support Funding?

Top-up Funding is intended to provide resources for First Nations to implement the reformed First Nations Child and Family Services (FNCFS) Program in Ontario. Under the Ontario Final Agreement (OFA), this funding includes three specific areas:

- **Information Technology**: Upgrade and maintain IT equipment such as computers and software to implement and report on the reformed FNCFS Program in Ontario.
- **Results**: Supports the tracking and reporting to ISC of the performance measurement framework and related indicators.
- **Emergencies**: Supporting responses to unanticipated events affecting child and family service delivery.

Household Supports Funding is provided to assist First Nations in meeting the basic needs of families, particularly those needs that, if left unmet, could lead to children being placed in care, may result in a family being involved in the child welfare system or that may prevent a family from reuniting.

What is Changing Under the Ontario Final Agreement?

Following the Effective Date of the OFA, Top-up Funding and Household Supports Funding will be provided as follows:

Top-Up	Change
Information Technology	Funding is equal to **6%** of annual Baseline Funding. This funding will increase annually to account for inflation, population growth and the increased costs of delivering services in remote First Nations. All Information Technology Funding will be allocated to First Nations
Results	Funding is equal to **5%** of annual Baseline Funding. This funding will increase annually to account for inflation, population growth and the increased costs of delivering services in remote First Nations. All Results Funding will be allocated to First Nations
Emergency	Funding is equal to **2%** of annual Baseline Funding. This funding will increase annually to account for inflation and the increased costs of delivering services in remote First Nations. 50% of Emergency Funding will be allocated to First Nations and 50% will be allocated to FNCFS Agencies.

Top-Up Funding and Household Supports Funding Under the Ontario Final Agreement

Information Sheet

Top-Up	Change
Household Supports	This funding will increase annually to account for inflation and the increased costs of delivering services in remote First Nations. Annually, Household Supports Funding will be allocated to First Nations on a per capita basis.

Recipients are encouraged to use each top-up for its intended purpose.

How to Prepare for Top-Up and Household Support Funding Under the OFA

Before the Effective Date of the OFA, First Nations are encouraged to consider the specific purpose for each category of funding and plan for its use accordingly. This could include:

- Identify your Information Technology needs. Are the computers used to manage your child and family service program in good working order?;
- Should your IT systems be reviewed to identify any privacy concerns?;
- Consider creating an emergency situation protocol and preparedness plan, with example scenarios, related to the Emergency Top-up Funding to identify who, how, and when these funds may be used;
- Consider creating criteria standards for use of Household Support Funding to identify who, how, and when these funds may be used;
- How can Results Funding be used to support your First Nation to gather data and provide timely reports to ISC on the Performance Measurement Indicators identified in Annex 2 of the OFA?;
- Consider whether funding can be used to support strengthening data systems, reporting frameworks/processes, and program evaluation capacity;
- Review your Human Resource needs. If you plan on hiring new people based on these funding streams (an IT specialist for example), begin outlining a job description and requirements based on expectations and needs.

Annex A: Questions to Guide Discussions About Top-Up and Household Supports Funding

Use the following questions to support discussions regarding the use of top-up funding:

- What Information Technology (IT) infrastructure (computers, software etc.) will be needed to successfully implement the FNCFS Program under the OFA?
- Will IT professionals be required to review and/or build your FNCFS technology needs? Will they be internal or contracted?
- What cybersecurity or privacy measures need to be addressed, if any?
- Are there any issues or concerns with internet stability and connectivity? How can this be addressed with the IT Top-up Funding?
- Will staff IT training be required?
- Are systems aligned with the data gathering and management required for reporting under the OFA? How long will data need to be retained?
- Is your case management system compatible with affiliated Agencies (if applicable)?
- What data does your First Nation currently capture related to child and family Services? Does it match the data required for Results Reporting under the OFA?
- What procedures (if any) need to be introduced or strengthened to ensure accurate and timely reporting?
- What constitutes an “Emergency Situation” in order to draw from the Emergency Top-up?
- Does your First Nation have an existing Emergency Response Protocol? If not, is there benefit in creating one?
- Who within your First Nation will be responsible for deciding when and how Emergency Funding can be used?
- What factors or criteria can help you prioritize Household Support Funding?
- How will community members request Household Support Funding and who will be responsible for approvals and monitoring?

Annex B: Reporting on Indicators Under the OFA

Under the OFA, First Nations and FNCFS Service Providers will be required to report on indicators directly related to their activities to advance the Reformed FNCFS Program's outcomes through various means.

Performance Measurement Indicators

The indicators in Appendix 2[1] of the OFA shall be used for the performance measurement of the Reformed FNCFS Program. Recipients can report on these indicators in their annual First Nation Child and Family Services Activity Report (DCI #1278249 for 2025-2026).

Community Wellness Indicators (The definition and data collection methodology is under final review) in Appendix 5[2]

FNCFS Agencies are required to collect data and report on indicators drawn from the Measuring to Thrive Framework. The intent of this data collection is to provide First Nations and FNCFS Agencies with a holistic vision of the people they serve and the context in which they operate to support decision-making. FNCFS Agencies can report on these indicators in their Child and Community Wellbeing Plan (CCWP). First Nations and their FNCFS Agencies are encouraged to co-develop additional well-being indicators where suitable to ensure that the First Nation's unique goals and targets are reflected in planning. COO and NAN are currently working to refine and define these indicators which will be reflected in the CCWP. The indicators on which FNCFS Agencies shall collect data with respect to children placed in out-of-home care are as follows:

1. Knowledge of Indigenous languages;
2. Connection (access) to land;
3. Community-based activities;
4. Spirituality;
5. Family reunification;
6. Placement within community (kin and kith);
7. Stability (i.e. moves in care);
8. Incidence of abuse while child is in care;
9. Reason for entry;
10. Housing;
11. Reason for exit;
12. (l) Time to exit;
13. Referrals to pre- and post-natal services
14. Referrals to medical services
15. Referrals to mental health services; 48
16. Referrals to substance misuse services;
17. Referrals to family violence intervention services;
18. Referrals to FNCFS prevention services;
19. Early learning childhood education;
20. Numeracy and literacy targets;
21. Secondary education completion rate; and
22. Post-secondary education aspirations.

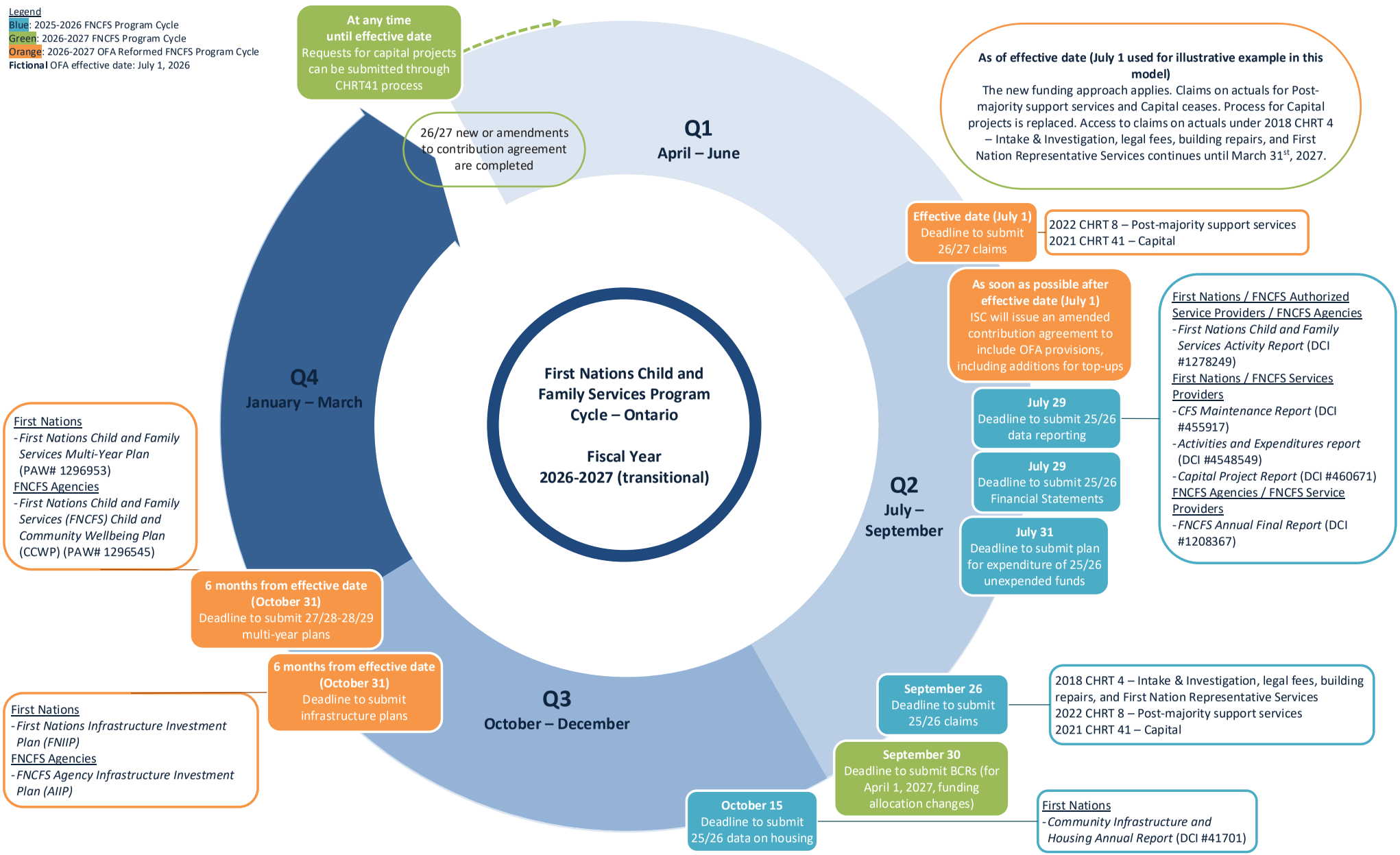
[1] https://fncfsreform.ca/DOWNLOADS/MAR-3-2025/Final%20Agreement%20on%20FNCFS%20Program%20Reform%20in%20Ontario%20--%20February%2026,%202025.pdf

[2] https://fncfsreform.ca/DOWNLOADS/MAR-3-2025/Final%20Agreement%20on%20FNCFS%20Program%20Reform%20in%20Ontario%20--%20February%2026,%202025.pdf

First Nation's Roles & Responsibilities Under The Ontario Final Agreement			
Topic	Responsibilities and Deliverables	Provided to…	Important Date(s)
Planning and Reporting	Recipient to complete a multi-year plan regarding the delivery of services funded under the Reformed FNCFS Funding Approach. The plan should cover the period until March 31, 2029 with annual updates as necessary.	ISC	6 months following Effective Date
	Contribute to the FNCFS Agency's FNCFS Child and Community Well-being Plan (if applicable) with option to co-develop additional well-being indicators to ensure that your First Nation's unique goals are reflected in planning.	Agency	6 months following Effective Date
	Complete all reporting for associated funding streams (e.g. Annual Activities and Expenditures Report).	ISC	120 days following the end of the fiscal year
	Report on Measuring to Thrive Framework Performance Indicators.	ISC	120 days following the end of the fiscal year
Prevention	If authorizing a FNCFS Service Provider to deliver all or partial Prevention Services, provide ISC with a Band Council Resolution to authorize funding.	ISC	Due September 30 (effective for the upcoming fiscal year)
	Engage with your affiliated FNCFS Service Provider to plan for the transition of services and/or confirm FNCFS Service Provider service delivery plans.	Service Provider	6 months following Effective Date
Post-Majority Support Services	First Nations will become the default post-majority support services provider (can also authorize a FNCFS Service Provider).	N/A	Beginning on the Effective Date
	If authorizing a FNCFS Service Provider to deliver all or partial Post-Majority Support Services, provide ISC with a Band Council Resolution to authorize funding.	ISC	Due September 30 (effective for the upcoming fiscal year)
	Coordinate with your affiliated FNCFS Service Provider to plan for the transition of services.	Service Provider	6 month transition period
First Nations Representative Services	First Nations will remain the default First Nations Representative Services (FNRS) service provider (can also authorize a FNCFS Service Provider).	N/A	Beginning on the Effective Date
	If authorizing a FNCFS Service Provider to deliver all or partial FNRS Services, provide ISC with a Band Council Resolution to authorize funding.	ISC	Due September 30 (effective for the upcoming fiscal year)
	For Off-Reserve FNRS, all claims must be submitted in advance and receive approval from ISC prior to costs being incurred.	ISC	For anticipated expenses Apr. 1, 2026 – Mar. 31, 2027 submit claims by Dec. 31, 2025.
Capital	If applicable, develop and submit an annual First Nation Infrastructure Investment Plan ("FNIIP") that includes its priority ranked FNCFS capital needs.	ISC	6 months following the Effective Date

FNCFS Agency's Responsibilities and Deliverables Under The Ontario Final Agreement			
Topic	Responsibilities and Deliverables	Provided to…	Important Date(s)
Planning and Reporting	Complete a Child and Community Wellbeing Plan (CCWP) with your affiliated First Nations(s) regarding service delivery under the Reformed FNCFS Funding Approach. The plan should cover the period from the Effective Date of the Ontario Final Agreement until March 31, 2029 with annual updates as necessary. First Nations and FNCFS Agencies are also encouraged to co-develop additional well-being indicators where suitable.	ISC	6 months following Effective Date
	Complete all reporting for the associated funding streams being accessed (e.g. Annual Activities and Expenditures Report).	ISC	120 days following the end of the fiscal year
	Report on the Measuring to Thrive Framework Performance Indicators.	ISC and affiliated First Nations	120 days following the end of the fiscal year
Baseline Funding (Child Protection)	Baseline funding (child protection services) will automatically go to eligible FNCFS Agencies. A portion of baseline funding should be used to facilitate the necessary collaboration and planning activities with their affiliated First Nation(s).	Affiliated First Nation(s)	Beginning on Effective Date
Prevention	Coordinate with your affiliated First Nation(s) to plan for the delivery of Prevention Services including the transition of services (if applicable).	Affiliated First Nation(s)	N/A
Post-Majority Support Services	Coordinate with your affiliated First Nation(s) to plan for the delivery of Post-Majority Support Services including the transition of services (if applicable).	Affiliated First Nation(s)	N/A
First Nation Representative Services	Coordinate with your affiliated First Nation(s) to plan for the delivery of First Nation Representative Services including the transition of services (if applicable).	Affiliated First Nation(s)	N/A
Capital	If applicable, develop and submit the FNCFS Agency Infrastructure Investment Plan (AIIP) that includes priority ranked FNCFS capital needs. This plan should be annexed to CCWP.	ISC	6 months following the Effective Date

First Nations Child and Family Services Program Cycle for Fiscal Year 2026-2027 – Ontario



First Nations Child & Family Services Program Prioritization Ranking Framework (PRF) for Capital Proposals under the Ontario Final Agreement

Last updated: September 12, 2025 by Chiefs of Ontario

Criteria #	Theme	Criteria	Description	Assigned Value	Assigned Value Description	Weight	Source of information	Total score per factor (criteria)	Total score per factor (weighted)
If the purpose of the request <u>is not</u> to improve the condition of an existing ISC-funded building or space available to deliver FNCFS Program services, skip Q1 and Q2 and proceed to Q3. For clarity, if the purpose of the request is to expand on/build an addition to an existing ISC-funded building or space, skip Q1 and Q2 and proceed to Q3.									
1	Current Building Asset Inventory	General Condition of Building or Space	Where the purpose of the request is to improve the condition of an existing ISC-funded building or space available to deliver FNCFS Program services, what is the condition of the building or space, as reported in the most recent Asset Condition Reporting System (ACRS) inspection report? Note: - An "ISC-funded building or space" is a building or space funded under the FNCFS Program or another program and listed in ISC's Integrated Capital Management System. - If there is no current ACRS report, assume a score of 5	5 4 3 2 0	Closed Poor Fair Good New	2	ACRS inspection report		
2	Current Building Asset Inventory	Health and Safety, Building Codes	Where the purpose of the request is to improve the condition of an existing ISC-funded building or space available to deliver FNCFS Program services, is the request meant to address health and safety concerns in that building or space or a failure of the building or space to meet building codes?	5 3 0	Current building or space does not meet building codes Current building or space meets building codes but requires repairs/maintenance to protect health and safety Current building or space meets building codes and does not require repairs/maintenance to protect health and safety	2			
If the purpose of the request <u>is</u> to improve the condition of an existing ISC-funded building or space available to deliver FNCFS Program services, skip Q3 and Q4 and proceed to Q5.									
3	Current Building Asset Inventory	Current Assets	Is an ISC-funded building or space currently available to the requestor that could support the service delivery needs identified in their FNCFS Program request? If yes, to what extent does the available building or space meet the specific service delivery needs outlined in the request?	5 4 3 2 0	No available ISC-funded assets meet the service delivery needs identified in the request Available assets meet up to 24% of the identified service delivery needs Available assets meet 25–49% of the identified service delivery needs Available assets meet 50–74% of the identified service delivery needs Available assets meet at least 75% of the identified service delivery needs	2			
4	Current Building Asset Inventory	Proximity of Current Assets	How close is the nearest existing ISC-funded building or space available to support FNCFS Program service delivery that was identified in Q3? **If the requestor is deemed to have no current assets that can support FNCFS Program service delivery in Q3,** ~~,~~assign maximum points for Q4. Note: ISC would consider the time required by car to reach the nearest existing available ISC-funded building or space. If the nearest existing available ISC-funded building or space is not reachable by an all-season road, the requestor would receive maximum points for this criterion.	5 3 1	Alternative options to deliver services are > 1 hour Alternative options to deliver services are within 1 hour Alternative options to deliver services are available within the community	2			
5	Other Considerations	Previous Receipt of Construction Funding	Has the requestor previously received construction funding under the FNCFS Program (i.e., via 2021 CHRT 41 or construction funding received via the OFA Capital Process)?	5 2.5 0	No Requestor has previously received construction funding under FNCFS Program but for a project that was 40% or more funded from other sources Yes	2			
6	Programs & Services	Scope of Programming	For First Nations: How many of the FNCFS Program's funding components (prevention, First Nation Representative Services, post-majority support services) will be delivered through the proposed building or space? For FNCFS Agencies or other FNCFS Service Providers: How many First Nations will receive services supported by the proposed building or space?	4 3 2 1	<u>For First Nations:</u> 4 - all of prevention, First Nation Representative Services, and post-majority support services 3 - two of the above list 2 - one of the above list <u>For FNCFS Agencies:</u> 4 – deliver services to 4 or more First Nations 3 – delivers services to 3 First Nations 2 – delivers services to 2 First Nations 1 – delivers services to 1 First Nation	2			
7	Programs & Services	Consolidation of Service Delivery	How much of the proposed building or space will be used for FNCFS Program services?	4 3 2 1	The building or space will be used only for FNCFS Program services The building or space will be used mostly for FNCFS Program services About half of the building or space will be used for FNCFS Program services The building or space will be used mostly for services or activities other than FNCFS Program services	2			
8	Readiness	Existing Infrastructure	To what degree are all required infrastructure services (water main, sewer main, power grid, roads, internet connectivity, bridges) already present?	5 3 0	All required infrastructures available Presence of 1 or 2 (i.e., some) infrastructure services No existing infrastructure	2			
9	Other Considerations	Identity of Requestor	Is the requestor a First Nation?	5 0	Yes No	2			
10	Other Considerations	Land Designation	**If the requestor's proposal <u>does</u> <u>not</u> relate to a building or space on reserve lands**, assign maximum points for Q10. **If the requestor is a First Nation and the proposal relates to a building or space on reserve lands,** assign maximum points for Q10. **If the requestor is an FNCFS Agency or other FNCFS Service Provider and the proposal relates to a building or space on reserve lands:** Does the requestor possess a land designation from the First Nation whose reserve lands the	5 3 0	Yes In Process No	2			

First Nations Child & Family Services Program Prioritization Ranking Framework (PRF) for Capital Proposals under the Ontario Final Agreement

Last updated: September 12, 2025 by Chiefs of Ontario

			building or space will occupy, or has the requestor begun the process of seeking such a land designation?						
								TOTAL	

** A "weight" is a value we assign to a criterion that changes how much impact the individual score for that specific criterion has on the overall outcome. This is a way to put more emphasis on certain criteria. Generally, weights should not exceed two as doing so may imbalance the criteria.

Tiebreakers

In the event of a tie only, a 0.5-point "boost" will be given to:

- First Nation requestors (which would break a tie between a First Nation project and an FNCFS Agency project in favour of the First Nation project);
- Requestors that have not previously received any construction funding under the FNCFS Program (which could help break a tie between 2 First Nation projects or 2 FNCFS Agency projects, for example); and
- The project that receives the highest score on Q6 assessing the scope of FNCFS program components delivered or the number of First Nations served (which could help break a tie between two First Nation projects or two FNCFS Agency projects where none of or both of the requestors have received construction funding previously).

PART A

FIRST NATION INFRASTRUCTURE INVESTMENT PLAN

PRIVACY ACT STATEMENT

This statement explains the purposes and use of your personal information. Only information needed to respond to program requirements will be requested. Collection and use of personal information is in accordance with the Privacy Act. In some cases, information may be disclosed without your consent pursuant to subsection 8(2) of the Privacy Act - https://laws-lois.justice.gc.ca/ENG/ACTS/P-21/page-1.html#h-397260.

We will use your personal information in order to respond to your requests and/or obtain further information for the purpose of supplying public services in capital facilities and maintenance. The collection and use of your personal information is provided to ISC for the Capital Facilities and Maintenance Program and is authorized by program specific legislation and is required for your participation.

The information collected is described by program specific Personal Information Banks (PIBs) detailed at https://laws-lois.justice.gc.ca/ENG/ACTS/P-21/page-2.html#h-397331. For further details about applicable legislative authority, PIB description and/or to notify us about incorrect information or to withdraw participation after submitting your information contact your regional office.

If you require clarification about this Statement, contact our Privacy Coordinator at 1-800-567-9604. For more information on privacy issues and the Privacy Act in general, you can consult the Privacy Commissioner at 1-800-282-1376.

I hereby certify that the information provided in this First Nation Infrastructure Investment Plan has been reviewed by and is acceptable to the Band Council.

Person Authorized by the Band Council:	
Given Name:	
Family Name:	
Business Email Address:	
Business Telephone	
Date (YYYY/MM/DD):	

First Nations Contact:	
Name of First Nation	
Given Name:	
Family Name:	
Business Email Address:	
Business Telephone	

We also give consent to share/exchange information regarding the FNIIP with:

☐ **Tribal Council**

Tribal Council Name:	
Contact Name:	
Email:	

☐ **Other Organization - please add details below:**

Contact Name:	
Organization:	
Email:	

Draft Letter to First Nations in Ontario on the Ontario Final Agreement's Capital Process

Good day,

As previously communicated, Chiefs of Ontario ("COO"), Nishnawbe Aski Nation ("NAN"), and Indigenous Services Canada ("ISC") are jointly developing guidance to support the roll-out of First Nations Child and Family Services ("FNCFS") Program capital funding under the *Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario* (the "Ontario Final Agreement").

While the Ontario Final Agreement is still pending approval by the Canadian Human Rights Tribunal ("CHRT"), we are taking steps to get ready for its first year of implementation.

A key step in this process is to develop First Nation Infrastructure Investment Plans ("FNIIP"s). Under the Ontario Final Agreement, First Nations in Ontario will identify their priority FNCFS capital needs each year by creating or updating their community-level FNIIP, with support from the ISC regional office.

The FNIIP is a planning tool that communities will use to identify and rank their priority infrastructure needs. Many of you may already be familiar with this process, as ISC uses it to manage planning under the Capital Facilities and Maintenance Program ("CFMP") and funding for community infrastructure needs.

Once FNCFS capital needs are identified in the FNIIP, these will be evaluated/assessed using the Priority Ranking Framework, which is a planning tool developed by ISC in collaboration with COO and NAN to help direct funding to the highest capital priorities using a consistent and transparent process. Projects that score higher will be considered for funding sooner, while those with lower scores may be scheduled for later years.

To support the transition year of fiscal 2026–2027, First Nations will be asked to submit their priority FNCFS capital requests in a stand-alone FNCFS FNIIP within six months of the Ontario Final Agreement coming into effect.

Beginning in fiscal year 2027–2028, the FNCFS portion of each community's FNIIP will be submitted in the fall of each year as a distinct tab in existing FNIIPs.

We recognize this represents a significant shift from the previous CHRT 41 capital process and are committed to supporting First Nations throughout this transition.

Attached you will find:

- A guidance document outlining how to complete a FNIIP

- A FNIIP template for your use

To support you in this exercise, ISC will share an instructional video to walk through the process of completing a FNIIP. Please be on the lookout for a message with a link to that video. In addition, representatives of ISC's Ontario regional office will be available to support you throughout the process of FNIIP completion.

Thank you for your ongoing collaboration and we look forward to working with you in advancing this process.

Indigenous Services Canada | Services aux Autochtones Canada

PART A

AGENCY INFRASTRUCTURE INVESTMENT PLAN

PRIVACY ACT STATEMENT

This statement explains the purposes and use of your personal information. Only information needed to respond to program requirements will be requested. Collection and use of personal information is in accordance with the Privacy Act. In some cases, information may be disclosed without your consent pursuant to subsection 8(2) of the Privacy Act - https://laws-lois.justice.gc.ca/ENG/ACTS/P-21/page-1.html#h-397260.

We will use your personal information in order to respond to your requests and/or obtain further information for the purpose of supplying public services in capital facilities and maintenance. The collection and use of your personal information is provided to ISC for the Capital Facilities and Maintenance Program and is authorized by program specific legislation and is required for your participation.

The information collected is described by program specific Personal Information Banks (PIBs) detailed at https://laws-lois.justice.gc.ca/ENG/ACTS/P-21/page-2.html#h-397331. For further details about applicable legislative authority, PIB description and/or to notify us about incorrect information or to withdraw participation after submitting your information contact your regional office.

If you require clarification about this Statement, contact our Privacy Coordinator at 1-800-567-9604. For more information on privacy issues and the Privacy Act in general, you can consult the Privacy Commissioner at 1-800-282-1376.

Submitting Agency:	
Business Name:	
Business Email Address:	
Business Telephone	
Date (YYYY/MM/DD):	

I hereby certify that the information provided in this Agency Infrastructure Investment Plan has been reviewed by and is acceptable to the following Band Council(s).

Person Authorized by the Band Council:	
Given Name:	
Family Name:	
Business Email Address:	

Business Telephone	
Date (YYYY/MM/DD):	

Person Authorized by the Band Council:

Given Name:	
Family Name:	
Business Email Address:	
Business Telephone	
Date (YYYY/MM/DD):	

Person Authorized by the Band Council:

Given Name:	
Family Name:	
Business Email Address:	
Business Telephone	
Date (YYYY/MM/DD):	

We also give consent to share/exchange information regarding the AIIP with:

☐ **Tribal Council**

Tribal Council Name:	
Contact Name:	
Email:	

☐ **Other Organization - please add details below:**

Contact Name:	
Organization:	
Email:	

Person Authorized by the Band Council:

Given Name:	
Family Name:	
Business Email	
Business Telephone	
Date (YYYY/MM/DD):	

Person Authorized by the Band Council:

Given Name:	
Family Name:	
Business Email	
Business Telephone	
Date (YYYY/MM/DD):	

Person Authorized by the Band Council:

Given Name:	
Family Name:	
Business Email	
Business Telephone	
Date (YYYY/MM/DD):	

Draft Letter to FNCFS Agencies in Ontario on the Ontario Final Agreement's Capital Process

Good day,

As previously communicated, Chiefs of Ontario ("COO"), Nishnawbe Aski Nation ("NAN"), and Indigenous Services Canada ("ISC") are jointly developing guidance to support the roll-out of First Nations Child and Family Services ("FNCFS") Program capital funding under the *Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario* (the "Ontario Final Agreement").

While the Ontario Final Agreement is still pending approval by the Canadian Human Rights Tribunal ("CHRT"), we are taking steps to get ready for its first year of implementation.

A key step in this process is to develop Agency Infrastructure Investment Plans ("AIIP"s). Under the Ontario Final Agreement, FNCFS agencies in Ontario will identify and rank their priority FNCFS capital needs each year by creating or updating an AIIP, with support from the ISC regional office. The AIIP will be annexed to agencies' Child and Community Well-Being Plans (a new planning requirement for FNCFS agencies under the Ontario Final Agreement) which is due within six months of the Ontario Final Agreement coming into effect. In subsequent years, the AIIP annex will be updated and submitted to ISC in the fall of each year.

Once FNCFS capital needs are identified in the AIIP, these will be evaluated/assessed using the Priority Ranking Framework, which is a planning tool developed by ISC in collaboration with COO and NAN to help direct funding to the highest capital priorities using a consistent and transparent process. Projects that score higher will be considered for funding sooner, while those with lower scores may be scheduled for later years.

It is important to note that, as outlined in the Ontario Final Agreement, FNCFS agencies will be required to co-develop Child and Community Well-Being Plans with their affiliated First Nation(s). This includes collaboration in the development of the AIIPs. In order to be eligible for capital funding, within the Privacy Act tab of the AIIP, agencies will need to certify that they have obtained support of the First Nation(s) served by each project and include their contact information.

We recognize this represents a significant shift from the previous CHRT 41 capital process and are committed to supporting recipients throughout this transition.

Attached you will find:

- A guidance document outlining how to complete an AIIP

- An AIIP template for your use

To support you in this exercise, ISC will share an instructional video to walk through the process of completing an AIIP. Please be on the lookout for a message with a link to that video. In addition, representatives of ISC's Ontario regional office will be available to support you throughout the process of AIIP completion.

Thank you for your ongoing collaboration and we look forward to working with you in advancing this process.

Step-by-Step Guide to Completing Part C: Capital Projects Priority List of the FNIIP/AIIP

PART B: FNCFS CAPITAL PROJECT PRIORITY LIST								
Recipient Priority	Project Name	Project Description	Comments	Project Category	Total Estimated Cost	Shared Costs (excluding ISC):	ISC Funding Request - 2026-2027	ISC Funding Request - 2027-2028
					$0.00			
					$0.00			

PART B: FNCFS AGENCY CAPITAL PROJECT PRIORITY LIST								
Recipient Priority	Project Name	Project Description	Comments	Project Category	Total Estimated Cost	Shared Costs (excluding ISC):	ISC Funding Request - 2026-2027	ISC Funding Request - 2027-2028
					$0.00			
					$0.00			

1. Recipient Priority

Description: A numeric value representing the First Nation's/Agency ranking or prioritization of a project among all others submitted that fiscal year. This helps ensure clarity on a First Nation's/Agency priority infrastructure needs.

Required information/steps:

- Use whole, unique numbers starting at 1 (1 = top priority)
- If submitting multiple FNCFS projects, rank them accordingly, in order of priority

Ensure that the priority is consistent with the Community Well-Being Plan *Example:* 1

---

2. Project Name

Description: A short, descriptive title of the project that clearly identifies the type of infrastructure being planned or implemented.

Required information/steps:

- Use concise, specific wording
- Include the type of infrastructure and the stage of the project (e.g., feasibility, design, new build)

Example: Healing Lodge – Feasibility Study

Example: Regional Hub – Design & Construction

---

3. Project Description

Description: A summary of the scope of work and intended outcomes of the project. It should capture the project's purpose, phase, and connection to FNCFS objectives.

Required information/steps:

- Identify whether the project is for feasibility, design, new build, or renovation
- Clearly state how the project supports the delivery of FNCFS services
- Include whether the project has completed a needs assessment or is being designed to support culturally appropriate services

Example: The project involves a feasibility study to assess the need, cost, and functional space requirements for a new FNCFS care and administration facility to serve on-reserve children and families.

---

4. Comments

Description: A space for contextual notes, supporting information, or cross-references that provide clarity or important caveats.

Required information/steps:

- Include relevant status (e.g. “ready to proceed,” needs assessment underway, etc.)
- New or Existing Building
- Infrastructure present or not

Example: Community/Agency - Band Council Resolution submitted. Needs assessment completed January 2025. New Building. Major infrastructure present.

---

5. Project Category

Description: A classification that aligns with ISC infrastructure reporting categories for planning and funding purposes. This field allows requests to be easily sorted for application of the Priority Ranking Framework.

Required information/steps: For FNCFS projects, commonly used entries include:

- FNCFS Facility – Feasibility
- FNCFS Facility – Needs Assessment
- FNCFS Facility – Design
- FNCFS Facility – Construction
- FNCFS Facility – Post Completion
- FNCFS Facility – Renovation

Ensure it reflects the current phase of the project, and not the end state.

Example: FNCFS Facility – Design

---

6. Total Estimated Cost

Description: All-inclusive estimated cost of the entire project (including phases requiring future approval), including planning, design, construction, contingency, fit-up, and post-completion.

Required information/steps:

- This cell is auto-populated/calculated from the values entered in the fiscal year(s)
- Reflects latest available costing from a feasibility study or quantity surveyor
- Use whole-dollar Canadian amounts (no cents)

Example: $12,400,000

---

7. Shared Costs (excluding ISC) – If project is a joint request

Description: Confirmed or anticipated funding contributions from non-ISC sources.

Required information/steps:

- Enter total contributions from the First Nation, Canada Mortgage and Housing Corporation (CMHC), other federal departments, provincial ministries, or philanthropic sources.
- Enter $0 if no other funding partners identified

Example: $1,000,000

---

8. ISC Funding Request – FY

Description: The amount requested from ISC for the upcoming fiscal year(s) under the OFA.

Required information/steps:

- Indicate the value requested in the identified fiscal year(s) (e.g., 2026–27)
- For multi-year projects (e.g., a 3-year construction), enter the **estimated cost for each year** — the yearly totals must add up to the **full project cost**.

- Smaller projects (feasibility studies, purchases, minor renovations) usually **finish within one fiscal year**, so they only need **one year of funding shown**.
- Must reflect capital phase being requested (e.g., design, construction)

Example: $3,200,000 – FY2025–26

First Nations Child and Family Services (FNCFS) - Child and Community Wellbeing Plan

PAW number / Fiscal year:
1296545 (2026-2027)

Purpose:
This PAW contains the following sections:
- a work plan for the planned performance of the upcoming fiscal years;
- a forecasted budget.

Refer to the recipient funding agreement for any additional requirements.

Reporting period:
annually

Due date:
Contact your Indigenous Services Canada (ISC) regional office for details.

Field definitions:

Field	Definition
1. Reporting period	
Planning period	The planning period for this Child and Community Wellbeing Plan is from 2026-2027 to 2028-2029. Please ensure that all activities and information align with this timeframe.
Update for a fiscal year:	This plan is to be resubmitted whenever updates occur. Choose the fiscal year for which this update is being submitted from the drop-down list.
2. Organization information	
FNCFS agency name	Enter the name of the First Nation Child and Family Services agency or authorized organization receiving funding.
FNCFS agreement number	Enter the existing funding agreement number. If no agreement exists, please leave this field blank.
- Mailing address (number / street / apartment / P.O. box) - City/Town - Province/Territory - Postal code - Telephone number - Facsimile number - Email address	The contact information for the organization. A valid postal code is in the upper case in the format 'A#A#A#'. A valid telephone number includes the 3 digit area code in the format, '###-###-####'. A valid facsimile number includes the 3 digit area code in the format, '###-###-####'.

Field	Definition
	A valid email address may be in upper or lower case in the format 'a@a.a'.
3. Recipient information	
- Given name - Family name - Title/Position - Telephone number (if different from above) - Email address	The contact information of the recipient who can be contacted for further information about this Child and Community Wellbeing plan. A valid telephone number includes the 3 digit area code in the format, '###-###-####'. A valid email address may be in upper or lower case in the format 'a@a.a'.
4. First Nations served	
Community name	Provide the name of the communities served by this FNCFS agency or authorized recipient. If needed, click '[+] Add a community' to add more communities.
Environmental scan for the communities served	
Provide environmental scan which is based on data that would include information, insights, perspectives, etc. from the First Nation communities served.	Using publicly available data from sources such as ISC, Statistics Canada, Employment and Social Development Canada, provincial government departments, agency records or authorized recipient records, and other reliable sources, such as data provided by the communities served (e.g., families, chiefs/councils, elders, etc.), prepare a profile of each First Nation community served by the agency or authorized recipient. Include enough detail to provide insight into the area and people served. For each First Nation community served, include at the minimum the following elements: • circumstances affecting the well-being of children, youth, young adults and families, as well as the delivery of services (as per the agency or authorized recipient's needs assessment activities); • key child and family well-being priorities; • child and family service priorities
5. Collaboration with First Nations	This section focuses on the partnership between the organization and the First Nation communities you serve. Collaboration is an essential aspect of developing a plan that truly meets the needs of First Nation communities. By actively collaborating with First Nations in the development and implementation of this plan, your organization ensures that the services provided are responsive and respectful of each community's unique

Field	Definition
	perspectives and needs.
Describe how the agency collaborated with the First Nations to co-develop the plan, and how the agency will work with the First Nations as the plan is implemented.	Describe how your organization has collaborated with First Nations to co-develop the plan and outline how you will work with them during its implementation. The topics you must cover include: • **Information sharing mechanisms and protocols**: Detail how the recipient will share information with First Nations to assist them in delivering services under the reformed FNCFS program. • **Supporting/Complementary roles:** Identify any supporting and/or complementary roles to affiliated First Nations in the delivery of services under the reformed FNCFS program. • **Approach to prevention:** Outline the mutually agreed upon prevention approach between the recipient and affiliated First Nation communities. This should reflect both the recipient's and First Nations' roles, ensuring services address needs in a holistic manner. • **First Nation Representative Services and Post-Majority Support Services:** Describe how your organization will recognize and respect First Nations' delivery of these services. • **Capital projects:** Outline the agency's planned capital projects, if any, to support the delivery of the Reformed FNCFS Program's funded services and activities. **Note (for Ontario only):** Per the Ontario Final Agreement, FNCFS agencies will be required to co-develop Child and Community Well-Being Plans with their affiliated First Nation(s). This includes collaboration in the development of the Agency Infrastructure Investment Plan (AIIP) • **Notification procedures:** Outline how the recipient will notify First Nations, in a manner that meets the standards set out in provincial and federal law, of a child's involvement with the recipient • **Reporting process:** Detail the process for reporting to First Nations (at least annually) on the planned activities and achievement of performance targets of

Field	Definition
	your organization. • **Plan updates:** Provide the timeline and process for working with First Nations to update the plan, including seeking approval for updates from each affiliated First Nation community. • **Risk management:** Describe the process for identifying potential risks with First Nations, developing risk management strategies, and modifying plans accordingly. • **Approval requirements:** Outline the approval requirements and protocols for the co-developed plan
6. Agency plan summary	This broad overview in the agency plan summary is intended to complement the specific activities detailed in the activity plan. This section provides an opportunity for an FNCFS agency or authorized recipient to present important information about its background, vision, mandate, and mission.
Provide the agency plan summary with the broad overview that is intended to complement the specific activities detailed in the activity plan below.	The agency plan summary, co-developed with affiliated First Nations, must include the following: • **vision, priority, key operational and service initiatives:** Describe your organization's overarching vision and priorities. Outline the key operational and service initiatives that will guide your work during the planning period. • **service needs:** Identify the specific service needs your organization will focus on during the planned period. Please consider including a caseload overview that outlines trends and forecasts. • **governance structure:** Provide details about your organization's governance structure (i.e., board of directors and its relationship with the agency director and the communities), information on full-time staff qualifications (i.e., education, training completed, training required), and salary grid. Please consider providing an organizational chart (i.e., director, service staff, HR, finance, etc.). • **linkages and alignment:** Explain how the organization's initiatives link and align with the service initiatives of the affiliated First Nations. • **potential risks:** Identify any potential risks that may impact your organization's

Field	Definition
	operations. • **risk mitigation strategies:** Describe the strategies your organization will implement to mitigate financial, operational, governance or other risks. • **budget:** Provide an overview of budget considerations and how the budget will be utilized.
7. Activity plan	
Activity	If needed, click '[+] Add an activity' button to add more activities.
Activity description	Provide a description of this planned activity, including priorities and goals to be achieved.
Budget	**Source:** The provider of the funding. **Amount:** The portion of budget required for the planned activity
Desired outcome	Identify the objective to be met for this planned activity.
Indicators (if applicable)	If applicable, your organization can identify how the planned activity relates to performance indicators.
8. Community Wellness Reporting (Ontario region only)	Data collection on Community-Wellness will be mandatory as explained in the Final Agreement on Long-Term Reform of the FNCFS Program in Ontario. Please note that the agencies will share the data collected for the community wellness indicators with the Data Secretariat and with their applicable First Nations. Additional information on data collection methodology will be provided to agencies once indicators and corresponding definitions are developed.
9. Financial forecast	
Funding component	Only if organization is directly receiving the funding, the funding components are as follows: • Baseline (i.e., maintenance and operations) • Prevention (applicable if the FNCFS Agency is receiving prevention funding) • Post-Majority Support Services (applicable if post-majority support services funding is provided to the FNCFS Agency by its

Field	Definition
	affiliated First Nations)
Planned expenditures ($)	Provide the planned expenditures for each fiscal year.
Total planned expenditures ($):	Total planned expenditures for each fiscal year will be automatically calculated.
10. Unexpended funding plan (if applicable)	Recipients **may** carry forward unexpended funding at year end to continue supporting the implementation of the FNCFS Program and the delivery of child and family services in the following years, subject to ISC's review and approval of this unexpended funding plan submitted. Unexpended funding plans are used to show the ongoing need for these funds to achieve program objectives. Updated unexpended funding plans are required on a yearly basis. Please provide the following elements to clearly demonstrate the ongoing need for the funding to achieve program outcomes: • Identify the total amount of unexpended FNCFS Program funds provided; • Describe the planned activities, estimated cost and timeline for the use of the unexpended funds to be used; and, • Provide enough detail in the plan to allow for the tracking of expenditures related to the activities in the subsequent years' financial reporting.
Total amount of unexpended FNCFS Program funds to March 31, 2026 ($):	Identify the total amount of unexpended FNCFS Program funds provided up to March 31, 2026.
Reformed FNCFS funding component	Specify the intended FNCFS funding category that the unexpended funds will be utilized towards.
Unexpended funding ($)	Provide the estimated amount of the unexpended funds to be used, by funding component.
Description of planned activities	Provide a description of the planned activities to use the unexpended funds.
Fiscal year (when activities will be conducted)	Indicate the timeline for the use of the unexpended funds.
11. Supporting documents	
Title	Enter the name of the supporting document.

Field	Definition
Submission method	From the drop-down list, select the method by which additional documents will be submitted. The options include: - attachment - email - facsimile - mail - by hand/courier If you select 'Attachment' as the submission method, an 'Attach file' button will appear. Selecting this button allows you to select a file that will be attached to the form. After attaching the file, you can click on the paper clip icon on the right side of the Adobe application to see the attached file. Once the file is attached, the 'Attach file' button changes to 'Remove file'. To remove the file only, select this button. To clear all fields for a single document and remove the associated file, select the [-] button.
12. Declaration	As co-development between First Nations and FNCFS agencies is an essential aspect of this plan, please ensure that your organization and each First Nation approves this plan by entering information in all the following fields. FNCFS agencies must co-develop the Community Wellbeing Plan with their affiliated First Nations and provide opportunities for their meaningful participation.
FNCFS agency declaration	
- Given name - Family name - Title/Position - Date (YYYYMMDD)	The given name, family name and title/position of the person who acknowledged the accuracy of the information, and the date on which it was completed. Dates are in the format of 'Year-Month-Day'. FNCFS agencies will determine who the authorized officials are (i.e. Executive Director, Director of Finance, etc.).
First Nation declarations	
- Given name - Family name - Title/Position - Date (YYYYMMDD)	The given name, family name and title/position of the person who acknowledged the accuracy of the information, and the date on which it was completed. Dates are in the format of 'Year-Month-Day'. A First Nation's Chief, Deputy Chief or designated

Field	Definition
	Council member may sign on behalf of the First Nation. **For Ontario only:** There is also a checkbox for the above person to provide their consent for the agency to share the co-developed plan with the Ontario FNCFS Data Secretariat.

Export data | Instructions | Clear data

First Nations Child and Family Services (FNCFS) - Child and Community Wellbeing Plan

Privacy statement

This statement outlines the purposes for the collection and use of personal information. The collection, use and disclosure of personal information by the First Nations Child and Family Services (FNCFS) Program is authorized under *Department of Indigenous Services Act* (https://laws.justice.gc.ca/eng/acts/I-7.88/page-1.html), the annual *Appropriation Acts (https://www.canada.ca/en/treasury-board-secretariat/services/planned-government-spending/appropriation-acts.html)* granting authority to the Government to spend funds on programs and is in accordance with the *Privacy Act* (http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). Information collected will be exclusively for the purpose of administrating the FNCFS Program. This includes personal information, which is a portion of the contact information of the person completing the form. All other information collected (organization name, program results, etc.) will be used for reporting aggregated program results. The collection of personal contact information is required for identifying a point of contact. The information will be retained in the Grants and Contributions Information Management System (GCIMS) as per GCIMS requirements. It will only be used to administer the program. Personal information will be retained pursuant to the Privacy Act and its Regulations. The information collection is described in PIB ISC PPU 210, available online at Info Source (https://www.sac-isc.gc.ca/eng/1639748667069/1639748703555). As stated in the *Privacy Act*, individuals have the right to the protection of, access to, and request the correction of their personal information. Contact your Regional Office (https://www.sac-isc.gc.ca/eng/1100100016936/1534342668402) to notify us about incorrect information or contact the departmental Public Enquiries Contact Centre at 1-800-567-9604 for general enquiries. If you require clarification concerning the privacy statement, please contact the Departmental Access to Information and Privacy Office at 1-819-997-8277 or by email at upvp-ppu@sac-isc.gc.ca. For more information on privacy issues, your right to file a complaint and the *Privacy Act* in general, you can consult the Privacy Commissioner at 1-800-282-1376.

Note: Every recipient approved for FNCFS funding to deliver and manage Child Protection Services to First Nation children and families ordinarily resident on reserve shall complete this plan.

1. Reporting period

Planning period: 2026-2027 to 2028-2029	Update for (choose fiscal year): Choose an item.

2. Organization information

FNCFS agency name	FNCFS agreement number

Mailing address (number / street / apartment / P.O. box)

City/Town	Province/Territory	Postal code
	Choose an item.	

Telephone number	Facsimile number	Email address

3. Recipient information

Given name	Family name	Title/Position

Telephone number (if different from above)	Email address

4. First Nations served

[-] Remove community

	Community name
1	

Environmental scan for the communities served

Provide environmental scan which is based on data that would include information, insights, perspectives, etc. from the First Nation communities served.

Topics must include the following:

- circumstances affecting the well-being of children, youth, young adults and families, as well as the delivery of services;
- key child and family well-being priorities;
- child and family service priorities.

[+] Add a community

5. Collaboration with First Nations

Describe how the agency collaborated with the First Nations to co-develop the plan, and how the agency will work with the First Nations as the plan is implemented.

Topics must include:

- information sharing mechanisms and protocols, to assist First Nations in the delivery of services under the reformed FNCFS program;
- identify any supporting and/or complementary roles to affiliated First Nations in the delivery of services under the reformed FNCFS program;
- approach to the delivery of Prevention that defines and reflects the agency's and First Nations' respective roles, ensuring that services address needs in a holistic manner;
- how the agency will recognize and respect First Nations' delivery of First Nation Representative Services and Post-Majority Support Services;
- the agency's planned capital projects, if any, to support the delivery of the Reformed FNCFS Program's funded services and activities;
- how the agency will notify First Nations, in a manner that meets the standards set out in provincial and federal laws, of a child's involvement with the recipient;
- process for reporting to First Nations (at least annually) on delivery of the agency's planned activities and achievement of performance targets;
- timeline and process for working with First Nations to update the plan as required, including process for seeking approval of updates by each affiliated First Nation community;
- process for the agency to work with First Nations to identify potential risks, develop risk management strategies, and modify plans accordingly;
- approval requirements and protocols for co-developed plan.

6. Agency plan summary

Provide the agency plan summary with the broad overview that is intended to complement the specific activities detailed in the activity plan below.

Topics must include:

- vision, priority, key operational and service initiatives;
- service needs on which the agency will focus during the planned period;
- governance structure, full-time staff qualifications, salary grid;
- linkages and alignment with First Nations' service initiatives;
- potential risks identified;
- strategies to manage financial, operational, governance or other risks;
- budget considerations and usage.

7. Activity plan

[-] Remove activity

1 Activity

Activity description

Budget:

Source	Amount ($)
	$0.00

Desired outcome

Indicators (if applicable)

[+] Add an activity

8. Community Wellness Reporting (Ontario only)

Please refer to *Instructions* for details.

9. Financial forecast

Funding component	Planned expenditures ($)		
	2026-2027	2027-2028	2028-2029
Baseline (i.e., maintenance and operations)	$0.00	$0.00	$0.00
Prevention (applicable if the FNCFS agency is receiving prevention funding)	$0.00	$0.00	$0.00
Post-Majority Support Services (applicable if Post-Majority Support Services funding is provided to the FNCFS agency by its affiliated First Nations)	$0.00	$0.00	$0.00
Total planned expenditures ($)	[Automated]	[Automated]	[Automated]

10. Unexpended funding plan (if applicable)

Total amount of unexpended FNCFS Program funds to March 31, 2026 ($): $0.00

	Reformed FNCFS funding component	Unexpended funding ($)	Description of planned activities	Fiscal year (when activities will be conducted)
[-]		$0.00		Choose an item.
[-]		$0.00		Choose an item.

[+] Add a funding component

11. Supporting documents (if applicable)

This table allows you to identify the supporting documents being submitted and the method of submission.

Title	Submission method

[-]		Choose an item.
[+] Add a document		

12. Declaration

FNCFS agency declaration

On behalf of (name of FNCFS agency:), I declare that this Child and Community Wellbeing Plan has been informed by and co-developed with (list the participating First Nations):

Given name	Family name

Title/Position	Date (YYYYMMDD)
	Click or tap to enter a date.

☐ **I, , affirm that the above stated facts, to the best of my knowledge, are true and correct.**

First Nation declarations

I declare that (First Nation name:) has informed and co-developed this Child and Community Wellbeing Plan with (name of FNCFS agency:).

Given name	Family name

Title/Position	Date (YYYYMMDD)
	Click or tap to enter a date.

☐ **I, , affirm that the above stated facts, to the best of my knowledge, are true and correct.**

To appear only if 'Ontario' is selected:

☐ **I, , consent for the agency to share this plan with the Ontario FNCFS Data Secretariat.**

First Nations Child And Family Services (FNCFS) - First Nations Multi-Year Plan

PAW number / Fiscal year:
1296953 (2026-2027)

Purpose:
This PAW contains the following sections:
- a work plan for the planned performance of the upcoming fiscal years;
- a forecasted budget.

Refer to the recipient funding agreement for any additional requirements.

Reporting period:
annually

Due date:
Contact your Indigenous Services Canada (ISC) regional office for details.

Field definitions:

Field	Definition
1. Recipient information	
First Nation name	The name of your First Nation or authorized recipient receiving funding. **Authorized recipient:** An entity authorized by the First Nation to support the implementation of the FNCFS Program, and the delivery of services, on reserve, including non-delegated service providers, not-for-profit First Nation organizations, and mandated organizations, for example, Tribal Councils or regional Indigenous organizations.
First Nation/Band number	Provide your First Nation/Band number.
Protection served by (FNCFS agency or province/territory name)	The name of the First Nation Child and Family Services agency or authorized organization that your First Nation is affiliated with for protection services

Field	Definition
Contact	
- Given name - Family name - Title/Position - Mailing address (Number/Street/Apartment/P.O. box) - City/Town - Province/Territory - Postal code - Telephone number - Extension - Email address	The name and contact information of the person responsible for having completed this report and can be contacted for further information about the report. A valid postal code is in the upper case in the format 'A#A#A#'. A valid telephone number includes the 3-digit area code in the format, '###-###-####'. If there is an extension, it has a maximum of 5 digits and is in the format '#####'. A valid email address may be in upper or lower case in the format 'a@a.a'.
Plan completion date (YYYYMMDD)	Select the date when this plan was completed from the drop-down calendar. Dates are in the format of 'Year-Month-Day'.
Update for (if required)	This plan is to be resubmitted whenever updates occur. Choose the fiscal year for which this update is being submitted from the drop-down list.
2. Overview	
Provide an overview to complement the information on specific initiatives and activities detailed in the following sections, 3. Prevention, 4. First Nation Representative Services, and 5. Post-Majority Support Services.	Provide the plan summary which includes the planned initiatives and activities for each funding category that a First Nation or authorized recipient is funded for. For your First Nation community, please include at minimum the following elements: • key child and family well-being priorities; • strategic priorities for the planning period; and, • child and family service priorities (prevention, First Nation Representative Services, and post-majority support services).
3. Prevention	
Initiatives and activities	Provide the description of the planned initiatives and activities to achieve prevention priorities and goals.
Link to FNCFS agency initiatives (if applicable)	If applicable, please provide the link to FNCFS agency initiatives.
Timeframe: Initiative/Activity completion date (YYYYMMDD)	Select the target date of completion for the initiative and activity in the drop-down calendar.

Field	Definition
4. First Nation Representative Services	
Initiatives and activities	Provide the description of the planned initiatives and activities to achieve First Nation Representative Services' priorities and goals.
Link to FNCFS agency initiatives (if applicable)	If applicable, please provide the link to FNCFS agency initiatives. Consider drawing from the agency's Child and Community Wellbeing Plan.
Timeframe: Initiative/Active completion date (YYYYMMDD)	Select the target date of completion for the initiative and activity in the drop-down calendar.
5. Post-Majority Support Services	
Initiative and activities	Provide the description of the planned initiatives and activities to achieve Post-Majority Support Services' priorities and goals.
Link to FNCFS agency initiatives (if applicable)	If applicable, please provide the link to FNCFS agency initiatives. Consider drawing from the agency's Child and Community Wellbeing Plan.
Timeframe: Initiative/Activity completion date (YYYYMMDD)	Select the target date of completion for the initiative and activity in the drop-down calendar.
6. Financial forecast	
Funding component	Only if First Nation is directly receiving the funding, the funding components are as follows: • prevention • First Nation Representative Services • post-majority support services • household supports • information technology • results
Planned expenditures ($)	Provide the planned expenditures for each fiscal year.
Total planned expenditures ($)	Total planned expenditures for each fiscal year will be automatically calculated.

Field	Definition
7. Unexpended funding plan (if applicable)	Recipients **may** carry forward unexpended funding at year end to continue supporting the implementation of the FNCFS Program and the delivery of child and family services in the following years, subject to ISC's review and approval of this unexpended funding plan . Unexpended funding plans are used to show the on-going need for these funds to achieve program objectives. Updated unexpended funding plans are required on a yearly basis. Please provide the following elements to clearly establish the on-going need for the funding to achieve program outcomes: • Identify the total amount of unexpended FNCFS Program funds provided; • Describe the planned activities, estimated cost and timeline for the use of the unexpended funds to be used; and, • Provide enough detail in the plan to allow for the tracking of expenditures related to the activities in the subsequent years' financial reporting.
Total amount of unexpended FNCFS Program funds to March 31, 2026 ($):	Identify the total amount of unexpended FNCFS Program funds provided up to March 31, 2026.
Reformed FNCFS funding component	Specify the intended FNCFS funding category that the unexpended funds will be utilized towards.
Unexpended funding ($)	Provide the estimated amount of the unexpended funds to be used, by funding component.
Description of planned activities	Provide a description of the planned activities to use the unexpended funds.
Fiscal year (when activities will be conducted)	Indicate the timeline for the use of the unexpended funds.
8. Supporting documents	
Title	Enter the name of the supporting document.

Field	Definition
Submission method	From the drop-down list, select the method by which additional documents will be submitted. The option include: - attachment - email - facsimile - mail - by hand/courier If you select 'Attachment' as the submission method, an 'Attach file' button will appear. Selecting this button allows you to select a file that will be attached to the form. After attaching the file, you can click on the paper clip icon on the right side of the Adobe application to see the attached file. Once the file is attached, the 'Attach file' button changes to 'Remove file'. To remove the file only, select this button. To clear all fields for a single document and remove the associated file, select the [-] button.
9. First Nation Declaration	Ensure that your First Nation approves this plan by entering information in all the following fields.
- Given name - Family name - Title/Position - Date (YYYYMMDD)	The given name, family name and title/position of the person who acknowledged the accuracy of the information, and the date on which it was completed. Dates are in the format of 'Year-Month-Day'.

Export data | Instructions | Clear data

First Nations Child and Family Services (FNCFS) -

First Nations Multi-Year Plan

Privacy statement
This statement outlines the purposes for the collection and use of personal information. The collection, use and disclosure of personal information by the First Nations Child and Family Services (FNCFS) Program is authorized under *Department of Indigenous Services Act* (https://laws.justice.gc.ca/eng/acts/I-7.88/page-1.html), the annual *Appropriation Acts* (https://www.canada.ca/en/treasury-board-secretariat/services/planned-government-spending/appropriation-acts.html) granting authority to the Government to spend funds on programs and is in accordance with the *Privacy Act* (http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). Information collected will be exclusively for the purpose of administrating the FNCFS Program. This includes personal information, which is a portion of the contact information of the person completing the form. All other information collected (organization name, program results, etc.) will be used for reporting aggregated program results. The collection of personal contact information is required for identifying a point of contact. The information will be retained in the Grants and Contributions Information Management System (GCIMS) as per GCIMS requirements. It will only be used to administer the program. Personal information will be retained pursuant to the *Privacy Act* and its Regulations. The information collection is described in PIB ISC PPU 210, available online at Info Source (https://www.sac-isc.gc.ca/eng/1639748667069/1639748703555). As stated in the *Privacy Act*, individuals have the right to the protection of, access to, and request the correction of their personal information. Contact your Regional Office (https://www.sac-isc.gc.ca/eng/1100100016936/1534342668402) to notify us about incorrect information or contact the departmental Public Enquiries Contact Centre at 1-800-567-9604 for general enquiries. If you require clarification concerning the privacy statement, please contact the Departmental Access to Information and Privacy Office at 1-819-997-8277 or by email at upvp-ppu@sac-isc.gc.ca. For more information on privacy issues, your right to file a complaint and the *Privacy Act* in general, you can consult the Privacy Commissioner at 1-800-282-1376.

Note: Every First Nation or authorized recipient approved for FNCFS funding to deliver Prevention Services, Post-Majority Support Services, First Nation Representative Services, and Funding Strategies (i.e., household supports, information technology, and results) shall complete this plan.

1. Recipient information

First Nation name	First Nation/Band number	Protection served by (FNCFS agency or province/territory name)

Contact (person who can be contacted for further information about the report)

Given name	Family name	Title/Position

Mailing address (number / street / apartment / P. O. box)

City/Town	Province/Territory	Postal code
	Drop-down list	

Telephone number	Extension	Email address

Plan completion date (YYYYMMDD) Click or tap to enter a date.	Update for (if required) Choose an item.

2. Overview

Provide an overview to complement the information on specific initiatives and activities detailed in the following sections, **3. Prevention, 4. First Nation Representative Services, and 5. Post-Majority Support Services**.

The overview must include:

- key child and family well-being priorities
- service priorities for the planning period
- strategic priorities for the planning period

3. Prevention

Initiatives and activities

Link to FNCFS agency initiatives (if applicable)

Timeframe: Initiative/Activity completion date (YYYYMMDD) Click or tap to enter a date.

4. First Nation Representative Services

Initiatives and activities

Link to FNCFS agency initiatives (if applicable)

Timeframe: Initiative/Activity completion date (YYYYMMDD) Click or tap to enter a date.

5. Post-Majority Support Services

Initiatives and activities

Link to FNCFS agency initiatives (if applicable)

Timeframe: Initiative/Activity completion date (YYYYMMDD) Click or tap to enter a date.

6. Financial forecast

Funding component	Planned expenditures ($)		
	2026-2027	2027-2028	2028-2029
Prevention	$0.00	$0.00	$0.00
First Nation Representative Services	$0.00	$0.00	$0.00
Post-Majority Support Services	$0.00	$0.00	$0.00

Household supports	$0.00	$0.00	$0.00
Information technology	$0.00	$0.00	$0.00
Results	$0.00	$0.00	$0.00
Total planned expenditures ($)	[Automated]	[Automated]	[Automated]

7. Unexpended funding plan (if applicable)

Total amount of unexpended FNCFS Program funds to March 31, 2026 ($):

	Reformed FNCFS funding component	Unexpended funding ($)	Description of planned activities	Fiscal year (when activities will be conducted)
[-]		$0.00		Choose an item.
[-]		$0.00		Choose an item.

[+] Add a funding component

8. Supporting documents (if applicable)

This table allows you to identify the supporting documents being submitted and the method of submission.

	Title	Submission method
[-]		Choose an item.

[+] Add a document

9. First Nation Declaration

I declare that (First Nation name:) has developed this FNCFS Multi-Year Plan.

Given name	Family name

Title/Position	Date (YYYYMMDD)
	Click or tap to enter a date.

☐ **I, , affirm that the above stated facts, to the best of my knowledge, are true and and correct.**

Government of Canada / Gouvernement du Canada

Instructions | Clear data

Activities and Expenditures Report

Note ► This template is for use by the following departments: Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) and Indigenous Services Canada (ISC).

Privacy statement

This statement explains the purposes for the collection and use of personal information. Only information needed to respond to program/reporting requirements will be requested. Collection and use of personal information are in accordance with the *Privacy Act* (https://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). In some cases, information may be disclosed without your consent pursuant to subsection 8(2) of the *Privacy Act*. We will use your personal information in order to respond to your requests and/or program requirements. The collection and use of your personal information provided to Crown-Indigenous Relations and Northern Affairs Canada / Indigenous Services Canada for selected program/funding reporting and administration purposes are authorized by program specific legislation and required for your participation. The information collected is described by program specific Personal Information Banks (PIB) detailed at Info Source (https://www.sac-isc.gc.ca/eng/1353081939455). For further details about applicable legislative authority, PIB description and/or to notify us about incorrect information or to withdraw participation after submitting your information, contact the departmental Public Enquiries Contact Centre at 1-800-567-9604. If you require clarification about this statement, contact our Privacy Coordinator at 819-997-8277. For more information on privacy issues and the *Privacy Act* in general, you may consult the Privacy Commissioner at 1-800-282-1376.

Identification

Recipient name	Recipient number

Program

Choose the program from the list below for which you are reporting. Fields that are not required for that program are hidden.

- ○ AFOA Canada
- ○ Assisted Living
- ○ Capital Facilities and Maintenance Program
- ○ Consultation and Policy Development
- ○ Education Research and Innovation
- ○ Emergency Management Assistance Program
- ○ Estates Management Program
- ○ Family Violence Prevention Program: Prevention Projects
- ○ Federal Initiative on Consultation
- ○ First Nations Child and Family Services
- ○ Income Assistance
- ○ Non Block First Nation School
- ○ Professional and Institutional Development
- ○ Registration and Membership
- ○ Treaty Management
- ○ Treaty Related/Interim Measures
- ○ Other

(Specify)

Contact

Enter the contact information for the individuals responsible for completing this form.

Contact 1

Given name	Family name	Title

Mailing address (Number/Street/Apartment/P.O. Box)

City/Town	Province/Territory	Postal code

Telephone number	Extension number	Facsimile number	Email address

[+] Add a contact

Canada

Project information

Project name	Project number

Support for the Wellbeing of Families and Survivors of Missing and Murdered Indigenous Women, Girls, and 2SLGBTQI+ People Contribution Program

Did you receive any funding for the Support for the Wellbeing of Families and Survivors of Missing and Murdered Indigenous Women, Girls, and 2SLGBTQI+ People Contribution Program? ◯ Yes ◯ No

Did the funding your organization received improve the wellbeing of families and survivors?

◯ 1. Strongly disagree ◯ 2. Somewhat disagree ◯ 3. Neither agree nor disagree ◯ 4. Somewhat agree ◯ 5. Strongly agree

Please elaborate on how the funding your organization received did or did not improve the wellbeing of families and survivors (optional: 1000 characters or less)

Approximately how many individuals participated in your program?

Activity report

Reporting Period From (YYYYMMDD): To (YYYYMMDD):

Activity 1

Provide a brief description of the activity.

If the activity was completed within the period identified above, enter the date (YYYYMMDD) the activity was completed.

If the activity was not completed within the period identified above, explain why it was not completed and describe any work completed within this period.

List any deliverables associated with this activity that are specified in the recipient's funding agreement and attach if completed.

Provide any additional comments you would like to share regarding this activity.

List any supporting documents associated with this activity (if applicable).

Title	Submission method
[-]	

[+] Add a document

[+] Add an activity

If this is a final report, describe the final outcomes and any highlights.

Expenditure report

Reporting Period From (YYYYMMDD): To (YYYYMMDD):

Budget item	Budget amount	Expenditure amount	Variance
[-]	$0.00	$0.00	$0.00
[+] Add a budget item			
Total	$0.00	$0.00	$0.00

In-kind sources (if applicable)

Source name	Value (optional)
[-]	$0.00

[+] Add a source name	
Total in-kind sources	**$0.00**

Supporting documents (if applicable)

List any supporting documents associated with the above budget (if applicable).

Title	Submission method
[-]	

[+] Add a document

Declaration

The information provided is accurate to the best of my knowledge.

Given name	Family name

Title	Date (YYYYMMDD)

Instructions | Clear data

Capital Projects Report

Privacy statement

This statement explains the purposes for the collection and use of personal information. Only information needed to respond to program requirements will be requested. Collection and use of personal information are in accordance with the *Privacy Act* (https://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). In some cases, information may be disclosed without your consent pursuant to subsection 8(2) of the *Privacy Act*. We will use your personal information in order to respond to your requests and/or to obtain further information for the purpose of supplying public services in capital facilities and maintenance. The collection and use of your personal information are authorized by program specific legislation, and required for your participation. The information collected is described by program specific Personal Information Banks (PIBs) detailed at Info Source (https://www.sac-isc.gc.ca/eng/1353081939455). For further details about applicable legislative authority, PIB description and/or to notify us about incorrect information or to withdraw participation after submitting your information, contact your Regional Office (https://www.sac-isc.gc.ca/eng/1100100016936/1534342668402). If you require clarification about this statement, contact the departmental Public Enquiries Contact Centre at 1-800-567-9604. For more information on privacy issues and the *Privacy Act* in general, you may consult the Privacy Commissioner at 1-800-282-1376.

Identification

Recipient name	Recipient number

Contact

Given name	Family name	Title

Telephone number	Email address

Project information

Project name	Project number

Site name	Site number

Report information

Report type

◯ Progress report ◯ Provisional certificate of completion ◯ Final certificate of completion

Funding arrangement number

Progress report schedule

Project start date (YYYYMMDD) | Expected/Actual completion date (YYYYMMDD)

If progress report, select project phase

◯ Design ◯ Construction ◯ Commissioning ◯ Other

Expenditures statement

Estimated project total	Spent to date	Spent this phase

Check all that apply for progress and/or provisional reports:

☐ All details of the project are resolved and there is no flaw, omission, uncompleted work, claim or outstanding payment.

☐ The "as constructed" plans are available.

☐ Flaws, omissions, incomplete work, claims or outstanding payments exist, and an action plan and either a substantial completion certificate or a certificate of occupancy are attached.

☐ The construction complies with all requirements of all applicable codes, standards and Indigenous Services Canada funding arrangement.

☐ Official inspection reports or certificates by qualified inspectors are attached.

Check all that apply for completed projects:

- ☐ Building inspection final report
- ☐ Septic installation approval
- ☐ Fire Commissioner reports
- ☐ Electrical inspection final report
- ☐ Concrete testing reports
- ☐ Environmental license (provincial/territorial)
- ☐ Survey and soil testing reports
- ☐ Certificate of occupancy
- ☐ Water/Sewage testing reports (Health Canada or territorial government)
- ☐ Workers' compensation (safety and labour conditions)
- ☐ Substantial completion certificate as per provincial legislation (e.g. *Construction Lien Act*)
- ☐ Operator's certification for water/sewage treatment plants
- ☐ Environmental site assessment
- ☐ Environmental mitigation report, if required by environmental assessment
- ☐ Waste disposal permit
- ☐ Others (specify)

Supporting documents (if applicable)

This table allows you to identify the supporting documents being submitted and the method of submission. List all reports or supporting documents attached and any additional documents not included in the checklist.

Title	Submission method
[-]	

[+] Add a document

Declaration

I hereby certify that all work has been completed in accordance with the terms and conditions set out in the funding agreement and the effective project approval, and that all specified codes and standards have been met.

Given name	Family name

Title	Date (YYYYMMDD)

Indigenous Services Canada / Services aux Autochtones Canada

PROTECTED A (When Completed)
DCI 455917 (2025-2026)

Save | Export data | Import data | Clear data | Instructions

CHILD AND FAMILY SERVICES MAINTENANCE REPORT

Privacy statement

The collection, use and disclosure of personal information by Indigenous Services Canada (ISC) is authorized under *Department of Indigenous Services Act* (https://laws.justice.gc.ca/eng/acts/I-7.88/page-1.html), the annual Appropriation Acts granting authority to the Government to spend funds on programs and is in accordance with the *Privacy Act* (http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). Only the information needed to administer the First Nations Child and Family Services Sub-Program within Social Development will be collected. Personal information will be retained pursuant to the *Privacy Act* and its Regulations. The information collection is described in PIB AANDC PPU 210, available online at Info Source (https://www.sac-isc.gc.ca/eng/1353081939455). We will use personal information for administrating, assessing and determining eligibility for the program to which you are applying and for reporting aggregated program results. Individuals have the right to the protection of, access to and to request correction of their personal information under the *Privacy Act*. If you require clarification concerning the *Privacy Act* Statement, please contact the Departmental Access to Information and Privacy Office at 1-819-997-8277 or by email at aadnc.upvp-ppu.aandc@canada.ca. For more information on privacy issues, your right to file a complaint and the *Privacy Act* in general, you can consult the Privacy Commissioner at 1-800-282-1376.

Province or Territory

Agency Name	Funding Recipient Number	Fiscal Year
		2025-2026
Funding Recipient Name (Agreement)	**Type of Submission**	**Reporting Period**

Child #	IRS Number	Non-Registered Temp. No.	Child's Family Name	Child's Given Name	Date of Birth	Gender
+ 1						☐ M ☐ F ☐ AG ☐ NR X

[+] Add Child

Calculate Financial Summary

Financial Summary for DCI

1. Maintenance Expenditure (Regular)

Placement Type / Service	Total Number of Child Placements	Total Number of Days	Total Care Cost	Total Additional Child Expenses	Total Maintenance Cost
Foster Homes					$0.00
Group Homes					$0.00
Institutional Care					$0.00
Kinship Care					$0.00
Total	0	0	$0.00	$0.00	$0.00

Post Adoption Subsidy			

2. Post Majority Support Services (PMSS)

Placement Type / Service	Cost of Placement Expenses	Cost of Financial including housing	Total cost of Placement and Financial including housing	Cost of Educational & Professional Development	Cost of Physical, social mental wellbeing	Cost of Land, culture, language, community	Total PMSS Cost
None of the Above - PMSS			$0.00				$0.00

3. Least Disruptive Measures (LDM)

Placement Type / Service	Total Number if Child Placements	Total Number of Days	Total Care Cost	Total Additional Child Expenses	Total LDM Cost
N/A LDM Not in Care					$0.00
LDM in Care					$0.00
Total	0	0	$0.00	$0.00	$0.00

Canada

Indigenous Services Canada | Services aux Autochtones Canada

Save | Export data | Import data | Clear data | Instructions

Authorization

The information provided is accurate to the best of my knowledge.

Given Name	Family Name	Title	Date (YYYYMMDD)

Contact

Given Name	Family Name	Title

Telephone Number	Email Address

Instructions

Clear data

COMMUNITY INFRASTRUCTURE AND HOUSING ANNUAL REPORT

Privacy statement
This statement explains the purposes for the collection and use of personal information. Only information needed to respond to program requirements will be requested. Collection and use of personal information are in accordance with the *Privacy Act* (https://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). In some cases, information may be disclosed without your consent pursuant to subsection 8(2) of the *Privacy Act*. We will use your personal information in order to respond to your requests and/or to obtain further information for the purpose of supplying public services in capital facilities and maintenance. The collection and use of your personal information are provided to Indigenous Services Canada for the Capital Facilities and Maintenance Program and authorized by program specific legislation, and required for your participation. The information collected is described by program specific Personal Information Banks (PIBs) detailed at Info Source (https://www.sac-isc.gc.ca/eng/1353081939455). For further details about applicable legislative authority, PIB description and/or to notify us about incorrect information or to withdraw participation after submitting your information, contact your Regional Office (https://www.sac-isc.gc.ca/eng/1100100016936/1534342668402). If you require clarification about this statement, contact the departmental Public Enquiries Contact Centre at 1-800-567-9604. For more information on privacy issues and the *Privacy Act* in general, you may consult the Privacy Commissioner at 1-800-282-1376.

Identification

Tribal council name	Tribal council number	Band name	Band number	Site name	Site number

Contact

Given name	Family name	Title	Telephone number	Email address

Report information

Total housing units	Undeveloped housing lots available		Housing units WITHOUT:		Housing units with solid waste services					Housing plan	Housing units				Housing conditions		
	Number of serviced	Number of un-serviced	Electrification	Road access	Solid waste service (Yes/No)	First Nation municipal service agreements (Yes/No)	Recycling (Yes/No)	Curbside waste pickup (Yes/No)	Solid waste transfer station (Yes/No)	Housing plan (Yes/No)	Total units renovated	Total units constructed and completed	Total units renovated, constructed and completed	Total units housing at least one child and/or youth renovated or constructed and completed	Replacement required	Major renovations required	Total adequate units

In the past year, did your First Nation employ a housing manager/professional? ○ Yes ○ No

If no, how did your First Nation access housing management / professional services? Please describe:

In the past year, did your First Nation access housing-related training, tools, resources or technical supports and services? ○ Yes ○ No

If yes, what kind of tools, training and services did your First Nation access? (Please check all that apply.)

☐ Podcasts, webcasts, radio shows ☐ Networks, community of practice ☐ Courses, training leading to professional designation, certification ☐ Technical services from a First Nations service provider

☐ Other (Please describe):

Housing management is defined as the function of managing or coordinating, planning, developing community policy/guidance, or administering the construction, renovation, operation, and/or maintenance of housing in your community.

Indigenous Services Canada | Services aux Autochtones Canada

PROTECTED **A** (when completed)
DCI 1278249 (2026-2027)

Export data | Instructions | Clear data

First Nations Child and Family Services (FNCFS) - Activity Report

Privacy statement

This statement outlines the purposes for the collection and use of personal information. The collection, use and disclosure of personal information by the First Nations Child and Family Services (FNCFS) Program is authorized under *Department of Indigenous Services Act* (https://laws.justice.gc.ca/eng/acts/I-7.88/page-1.html), the annual *Appropriation Acts* (https://www.canada.ca/en/treasury-board-secretariat/services/planned-government-spending/appropriation-acts.html) granting authority to the Government to spend funds on programs and is in accordance with the *Privacy Act* (http://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). Information collected will be exclusively for the purpose of administrating the FNCFS Program. This includes personal information such as contact information of the individual completing the forms. The collection, use and disclosure of your personal information is required for identifying a point of contact. All other information collected (organization name, program results, etc.) will be used for reporting aggregated program results. Personal information will be retained pursuant to the *Privacy Act* and its *Regulations*. The collection of information is described in PIB ISC PPU 210, available online at Info Source (https://www.sac-isc.gc.ca/eng/1639748667069/1639748703555). As stated in the *Privacy Act*, individuals have the right to the protection of, access to and request the correction of their personal information. Contact your Regional Office (https://www.sac-isc.gc.ca/eng/1100100016936/1534342668402) to notify us about incorrect information or contact the departmental Public Enquiries Contact Centre at 1-800-567-9604 for general enquiries. If you require clarification concerning the privacy statement, please contact the Departmental Access to Information and Privacy Office at 1-819-997-8277 or by email at upvp-ppu@sac-isc.gc.ca. For more information on privacy issues, your right to file a complaint and the *Privacy Act* in general, you can consult the Privacy Commissioner at 1-800-282-1376.

1. Recipient type

◯ First Nation ◯ FNCFS service provider

2. Recipient information

Province/Territory

First Nation / Band name	First Nation / Band number (recommended)

FNCFS service provider name	FNCFS service provider number (for Ontario only)

Reporting period: 2026/04/01 – 2027/03/31

Contact (person who can be contacted for further information about the report)

Given name	Family name	Title/Position

Telephone number (work)	Extension	Email address (work)

3. Program services

Select **all applicable** program services:

- ☐ Prevention Services
- ☐ Child Protection Services
- ☐ First Nation Representative Services
- ☐ Post-Majority Support Services

4. Service information

5. Comments

Provide additional information that you would like to share with us.

Canada

196

6. Supporting documents (if applicable)

This table allows you to identify the supporting documents being submitted and the method of submission.

Title	Submission method
[-]	

[+] Add a document

7. Declaration

The information provided is accurate to the best of my knowledge.

Given name	Family name

Title	Date (YYYYMMDD)

Instructions | Clear data

First Nations Child and Family Services Annual Final Report

Privacy statement

This statement outlines the purposes for the collection and use of personal information. Only information needed to respond to program requirements will be requested. Collection, use, and disclosure of personal information are in accordance with the *Privacy Act* (https://laws-lois.justice.gc.ca/eng/acts/P-21/index.html). In some cases, information may be disclosed without your consent pursuant to subsection 8(2) of the *Privacy Act*. The authority to collect and use personal information for the First Nations Child and Family Services Sub-Program within Social Development is derived from OIC 2017-1464 (http://orders-in-council.canada.ca/attachment.php?attach=35375&lang=en), as well as from annual *Appropriation Acts* granting authority to the Government to spend funds on programs. We will use personal information for administrating, assessing and determining eligibility for the program to which you are applying and for reporting aggregated program results. We may share the personal information you provide us with as outlined under ISC PPU 210, detailed at Info Source (https://www.sac-isc.gc.ca/eng/1353081939455). The information collected will be retained for a period of five years, then transferred to Library and Archives Canada. As stated in the *Privacy Act*, you have the right to access the personal information you give us and request changes to incorrect information. Contact your Regional Office (https://sac-isc.gc.ca/eng/1100100016936/1534342668402) to notify us about incorrect information or contact the departmental Public Enquiries Contact Centre at 1-800-567-9604 for general enquiries. For more information on privacy issues and the *Privacy Act* in general, you may consult the Privacy Commissioner at 1-800-282-1376.

Identification

Recipient name	Recipient number

Mailing address (number / street / apartment / P.O. box)

City/Town	Province/Territory	Postal code

Telephone number	Facsimile number	Email address

Contact

Given name	Family name	Title

Telephone number	Email address

Reporting period

From (YYYYMMDD): To (YYYYMMDD):

A. Final report

Every recipient approved for operations funding under the Child Protection Guardianship and Support Category and/or Supporting Initiatives for the provision of Child and Family Services to First Nations children and families ordinarily resident on reserve, or in the Yukon shall provide the following information in relation to the previous fiscal year. Refer to the Instructions for details on each section.

1. Executive summary

2. Recipient profile update

3. Child and Community Wellbeing Plan or First Nations Multi-Year Plan summary report (if provided)

4. Achievements and challenges

5. Did you produce and publicly share an annual report of the progress on your Multi-Year Plan or Child Community Wellbeing Plan? (**Note**: If 'yes', provide a copy of the annual report and identity in the S**upporting documents** section.) ◯ Yes ◯ No

B. Financial summary

Please provide the following:
- Current year budget revenues that are in accordance with the funding agreement;
- A budget forecast that outlines revenues and expenditures for the delivery of child and family services for the current year and projections for the following year.

Revenues	**2026-27 Budget current year**	**2027-28 Budget forecast**
Indigenous Services Canada		
Administration/Operations		
Maintenance/Protection/Least disruptive measures		
Prevention		
Funding strategies (i.e., Results, IT, Emergency, Household Supports)		
Other sources		
Provincial government		
Children's special allowance		
Child's disability benefit/Child care		
Other		
Total revenues		
Expenses	**2026-27 Budget current year**	**2027-28 Budget forecast**
Program delivery services		
Intake, assessment and investigation		
Child protection services/Least disruptive measures		
Prevention		
Funding strategies (i.e., Results, IT, Emergency, Household Supports)		
Supports for permanency services		
Total program delivery costs		
Operations		
Core management		
Financial administration		
Infrastructure costs		
Board governance		
Total operations		
Total expenses		
Net operating results		

Supporting documents (if applicable)

This table allows you to identify the supporting documents being submitted and the method of submission.

Title	Submission method
[-]	

[+] Add a document

199

Declaration

The information provided is accurate to the best of my knowledge.

Given name	Family name

Title	Date (YYYYMMDD)

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM

2025 EXTERNAL BULLETINS E-BINDER

November 20, 2025

Table of Contents

Management of unexpended First Nations Child and Family Services Program funding……...1

ADDENDUM to FNCFS Information Bulletin Management of Unexpended Funds……...7

Changes to Administration Fee Reimbursement Claims…..……..8

First Nation Children's Housing Fund (FNCHF).....……9

2021 CHRT 41 Capital Projects Tendering Policy…….……12

Definition of “Ordinarily Resident on Reserve”…….……...13

First Nation Requests to Authorize and Direct Funding to a Service Provider……..14

Contribution Agreement Reporting…….……16

FNCFS funding for purchase, operation and maintenance of vehicles.....17

Post-Majority Support Services: Eligibility and Assessment of Direct and Indirect Costs…...22

Guidance on 2018 CHRT 4 Claims.....26

Guidance on 2018 CHRT 4 Costs in British Columbia.....32

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM INFORMATION BULLETIN
FNCFS/SEFPN-2025-001-E

Management of unexpended First Nations Child and Family Services Program funding

All regions received the bulletin

February 25, 2025

This information sheet provides First Nations Child and Family Services (FNCFS) Program recipients with guidance on managing unexpended (unspent) FNCFS Program funding from current or previous fiscal years. It includes information on:

- Flexibility in funding agreements for reallocation of unexpended funding, based on the FNCFS Program's Terms and Conditions and Canadian Human Rights Tribunal (CHRT) order considerations.
- Prioritizing unexpended funds ahead of advance claims for reimbursement based on actual costs (under 2018 CHRT 4 and 2022 CHRT 8), for more efficient cashflow.
- Unexpended funding plans and cash management principles to avoid the accumulation of unexpended funds.
- Specific provisions for unexpended funds related to 2021 CHRT 12 and the Community Well-Being Jurisdiction Initiative (CWJI).

This information sheet aligns with the Deputy Ministers' message to funding agreement recipients shared on October 29, 2024, announcing the reinstatement of pre-pandemic reporting requirements, timelines and procedures, and with Indigenous Services Canada's (ISC) ongoing financial obligations outlined in all funding agreements, in accordance with Canada's Policy and Directive on Transfer Payments and other applicable federal laws. To support financial accountability, transparency and alignment with the objectives of the FNCFS Program as well as compliance to CHRT orders, the use of unexpended funds follows specific guidelines.

Significant changes to the FNCFS Program have occurred since previous guidance was issued in the "National Recipient Guide for Reimbursement of 2018-2019 Prevention and Operations First Nations Child and Family Services Actual Costs Resulting from the Canadian Human Rights Tribunal Orders Dated January 26, 2016, April 26, 2016, September 14, 2016 and February 1, 2018". This bulletin provides updated procedures on the in-year reallocation or use of unspent funds among the FNCFS funding elements and replaces any previous guidance.

In-year reallocation and use of unexpended funds

Cash management

Effective cash management involves a set of principles and practices aimed at efficiently transferring funds while managing Program cash flows for operating and financing activities. These practices promote accurate budgeting and forecasting, strengthen financial monitoring and ensure payments flow without unnecessary delays or interruptions.

FNCFS funding recipients have the flexibility to reallocate and carry forward unexpended funding from one fiscal year to the next, as outlined in Appendix K of the Directive on Transfer Payments and the terms and conditions of each funding agreement (detailed in Schedule 2 and the Schedule on Delivery Requirements and Funding Adjustment Factors). Under the terms of the funding agreement, reallocation refers to the ability to transfer funding from one Program service area to another in order to cover planned operational costs or service delivery activities.

In-year reallocation

It is possible for recipients to reallocate FNCFS funds between Program service areas within a fiscal year, although certain restrictions apply under the programs terms and conditions and in order to ensure Canada continues to meet its obligations under Canadian Human Rights Tribunal Orders (see Table 1). Reallocation can be an effective proactive measure to ensure funds contribute to program objectives and avoid unexpended funds. Recipients are encouraged to consult with their regional program officer on these reallocations

Use of unexpended funds

According to the terms and conditions of ISC's funding agreements, specific provisions are set for unexpended funding. In line with the terms and conditions of funding arrangements, recipients must complete an unexpended funds plan if they have a balance of unspent funds from their funding arrangements. As per the Deputy Minister's letter to recipients, these plans must reflect how the funds not spent by March 31, 2024 will be used by up to and including March 31, 2026 (for the 2025-26 fiscal year), for activities that align with the purposes for which the funds were granted. Recipients with an unexpended funding plan will also be required to update that plan for any unexpended funds remaining on March 31, 2025.

Beginning April 1, 2025 the FNCFS Program Delivery Requirements outlined in all funding agreements will require that recipients always submit unexpended funding plans regardless of the funding model or whether the funding will be spent within the same service delivery area and associated activities. Under the FNCFS Program, recipients can reallocate their funding to different eligible Program activities and expenses to respond to changing needs in line with Table 2 below and to ensure effective financial management and service delivery. As per the terms of all funding agreements, once the plans have been transmitted, ISC must confirm receipt and review and accept the unexpended funding plans as long as the plan aligns with the terms and conditions of the Program and this communication. ISC regional offices are responsible for reviewing the plans and requesting clarification if needed.

Table 1 provides information on FNCFS Program funding that can be reallocated between funding service areas, with attention to Canadian Human Rights Tribunal orders and time-limited funding. Reallocation is further defined in the terms and conditions (Schedule 2 and the Schedule on Delivery Requirements and Funding Adjustment Factors) of recipient's funding agreements. Table 1 also includes related funding that has been provided to some recipients under other program terms and conditions such as Housing funding and the Community Well-Being Jurisdictional Initiative.

Restrictions on in-year reallocation and use of unexpended funds

There are four main funding areas where reallocation is not permitted. These restrictions are in place to ensure that Canada continues to provide funding to cover the actual costs of certain activities in compliance with CHRT orders:

1. **Prevention funding:** Reallocation of prevention funding to protection is not permitted, except to fund least disruptive measures aligned with provincial/territorial legislation.

2. **Protection funding:** Reallocation of protection funding is not permitted as it is specifically designated to support mandated legislative services which include operations, maintenance, and least disruptive measures.

3. **Capital projects:** Reallocation of capital project CHRT 41 funding is not permitted. Funding is provided on actuals for its intended purpose. Any unexpended funding must be allocated to the to the next phase of the capital project. If the project is complete, the funds should be directed toward operations and maintenance of the capital asset.

4. **Housing:** As a Special Purpose Allotment, use of these funds is restricted to their intended use and cannot be reallocated towards other FNCFS Program funding areas. The intent of the funding is to address housing as a structural driver contributing to the overrepresentation of First Nation children and youth in child and family services. This includes the purchase, construction, or renovation of housing assets on reserves or in the Yukon. All activities must comply with the terms and conditions of the Capital Facilities and Maintenance Program.

Table 1: FNCFS Program and related funding − Reallocation and restrictions			
Funding service area	**Eligible funding recipient**	**Reallocation and restrictions**	
Protection, Operations, Maintenance and care (including least disruptive measures)	Provincial/Yukon delegated service providers	Protection, operations, maintenance and care, including least disruptive measures, cannot be reallocated to other Program funding areas as these are legislated services. When carried forward, any unexpended funds must be applied to current-year costs before submitting any claims.	
First Nation representative services in Ontario	First Nations and First Nation authorized service providers	First Nation representative services funding in Ontario is based on actual eligible costs. Any carried forward unexpended funding must be applied to current-year costs before any claims are submitted.	
First Nation representative services (National)	First Nations and First Nation authorized service providers	First Nation representative services can be reallocated to: • Prevention • Post-majority support services	
Capital	First Nations and First Nation authorized services providers	Capital funding to support FNCFS activities provided under CHRT Order 41 cannot be reallocated to other FNCFS Program funding areas, nor can any unspent funds from any FNCFS Program area be reallocated towards capital (except for the CWJI funding).	
Prevention	First Nations and First Nation authorized services providers	Prevention can be reallocated to: • Least disruptive measure activities that would otherwise be funded under protection, in accordance with provincial and territorial legislation • First Nation representative services • Post-majority support services	
Post-majority support services	First Nations and First Nation authorized services providers	Post-majority support services funding is based on actual eligible costs. Any carried forward unexpended funding must be applied to current-year costs before any claims are submitted.	
Housing	First Nations and First Nation authorized services providers	Unspent housing funds cannot be reallocated to other FNCFS Program funding areas. Housing funds must be used in accordance with the terms and conditions of the Capital Facilities and Maintenance Program.	
Top ups	First Nations and First Nation authorized services providers	Each top up serves a specific purpose and exists as a result of Institute of Fiscal Studies and Democracy research.	
		1. Information technology 2. Results 3. Remoteness 4. Household supports (previously Poverty funding)	Although reallocation is possible based on the flexibilities of the funding agreements, recipients are encouraged to use each top up for their specific purpose only.
		5. Emergency	Funding should only be used to support unanticipated circumstances affecting or related to child and family service delivery. Reallocation is not permitted in-year, however after two years from the date that funding was provided recipients can reallocate funds according to an approved spending plan.

Table 1: FNCFS Program and related funding − Reallocation and restrictions		
Funding service area	**Eligible funding recipient**	**Reallocation and restrictions**
Community Well-Being Jurisdictional Initiative	First Nations and First Nation authorized services providers	These funds are specifically related to 2021 CHRT 12 and the Community Well-Being Jurisdiction Initiative (CWJI). CWJI unexpended funds can be carried forward up to 5 years from the date that the CWJI funding was provided up to March 31, 2027 as long as an unexpended funding plan is submitted and approved by ISC. Funds can be reallocated to prevention-based activities, including least disruptive measures in accordance with CWJI or FNCFS terms and conditions. Reallocation towards capital expenditures is only permitted in accordance with the CWJI terms and conditions and in line with the capital CHRT 41 process.

Reimbursement claims based on actuals in the context of unexpended funds

In compliance with the Canadian Human Rights Tribunal (CHRT) Orders, ISC funds FNCFS recipients through reimbursements based the actual costs incurred for eligible expenses related to:

- Care and maintenance, intake and investigation, legal fees, building repairs and child service purchase amounts;
- Small agency expenses;
- First Nations representative services in Ontario;
- Post-majority support services; and
- Capital needs to support FNCFS delivery.

For reimbursement of claims, recipients must submit documentation in support of the incurred cost. When a recipient has unexpended FNCFS funds, ISC may require recipients apply unexpended funding from prior fiscal years to eligible expenses before accessing additional funds.

When a recipient has insufficient cash flow to operate, an advance claim may be submitted. Recipients are required to provide a projection of anticipated financial needs, which may include estimates based on previous years' expenditures to establish a baseline for the requested advance. These advance claim projected costs may range from three (3) to twelve (12) months. In accordance with the Directive on Transfer Payments,and the Guideline on the Directive on Transfer Payments advance payments must align with the recipient's cash flow requirements. The guideline specifies that:

- Advance payments are used for authorized purposes; and
- Advance payments are not made to a recipient while the recipient has an unexpended balance in hand.

To ensure compliance with the Policy on Transfer Payments, recipients are encouraged to collaborate with regional staff in preparing advance claims. Regional staff can both confirm claim eligibility and clarify whether use of unexpended funds is expected. Table 2, below, sets out how unexpended funds from a given service area can be reallocated to other areas for claims. Furthermore, recipients are asked to demonstrate that they have expended more than 75% of their current allocation before requesting additional advances.

Table 2 : FNCFS Program claims and priority use of unexpended funds		
Claim service area	**Eligible funding recipient**	**Possible sources of unexpended funds**
Protection, Operations, Maintenance and care (including least disruptive measures)	Provincial/Yukon delegated service providers	Unspent funds to support protection, operations, maintenance and care, and least disruptive measures can be reallocated from: • Prevention: unspent funds can only be used for service delivery activities related to least disruptive measures • First Nation representative services • Post-majority support services
First Nation representative services in Ontario	First Nations and First Nation authorized service providers	Access to claims on actuals for First Nation representative services (FNRS) is only available in Ontario and where 75% of the allocation has been expended and the remaining amount is insufficient to deliver the appropriate services. Unspent funds from previous fiscal years should be used before submitting a FNRS claim. Unspent funds can also be reallocated from: • Prevention • Post-majority support services
First Nation representative services (National)	First Nations and First Nation authorized service providers	Unspent funds to support First Nation representative services can be reallocated from: • Prevention • Post-majority support services
Capital	First Nations and First Nation authorized services providers	Unspent funds from any other FNCFS funding area cannot be reallocated to capital under 2021 CHRT Order 41, with the exception unexpended funds related to 2021 CHRT 12 Community Well-being Jurisdiction Initiative (CWJI). CWJI unspent funds must be spent in accordance with CWJI and FNCFS terms and conditions and can be reallocated towards capital. Requirements for the use of CWJI funds towards capital are included with more information below.
Prevention	First Nations and First Nation authorized services providers	Unspent funds should be used before submitting a 2022 CHRT 8 claim on actuals for post-majority support services, or unspent funds can be reallocated from: • First Nation representative services • Post-majority support services Prevention surplus should also be used prior to claiming any additional funds under 2018 CHRT 4 for FNRS in Ontario.
Post-majority support services	First Nations and First Nation authorized services providers	Unspent funds should be used before submitting a 2022 CHRT 8 claim on actuals for post-majority support, or unspent funds can be reallocated from: • First Nation representative services • Prevention

Community Well-Being Jurisdiction Initiative unexpended funds

ISC has granted an exception to the general carry-forward timelines for unspent funds specifically for the Community Well-Being Jurisdiction Initiative (CWJI). Both fixed and flexible CWJI funding may be carried forward up to March 31, 2027 as long as an annual unexpended funding plan is submitted and approved by ISC. Like all unexpended funds, these must be used in compliance with the terms and conditions under which they were granted—either CWJI terms and conditions or as prevention funding under the FNCFS Program terms and conditions (sections 5.3, 6.4).

CWJI terms and conditions: capital

Under the Contributions to support Community Well-Being and Jurisdiction Initiatives for children and families, CWJI unexpended funds may be invested in capital projects that directly support FNCFS Program service delivery activities.

When using CWJI funds for capital projects:

- Projects must follow the process and reporting requirements outlined in 2021 CHRT 41 to ensure tracking and compliance with operations and maintenance standards.
- Projects must adhere to Capital Facilities Management Program (CFMP) authorities and related Capital infrastructure processes.

Core infrastructure projects as outlined in the Capital Assets Guide are not eligible as these fall under CFMP program authorities. This includes expansion of core community infrastructure (main distribution systems) such as roads, electrical distribution, water and wastewater mains/systems.

Submitting capital requests

If a CWJI unexpended funding plan includes capital investments to support FNCFS Program implementation, recipients must:

1. Complete the capital request forms.
2. Follow the capital CHRT 41 process.
3. Attach the unexpended funding plan to the capital request form.
4. Inform the Capital Intake Desk that unexpended funds will be used to support the request. They can be contacted at: chrt41-tcdp41@sac-isc.gc.ca.

Contact information

If you have questions about this bulletin or its implementation, please contact your ISC regional office.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM

ADDENDUM to FNCFS Information Bulletin 2025-001-E Management of Unexpended Funds

All regions received the bulletin

April 8, 2025

This is an update to the February 25, 2025 Information Bulletin to First Nations Child and Family Services (FNCFS) recipients on managing unexpended FNCFS Program funding from current or previous fiscal years (Bulletin 2025-001-E).

Additional Details

Vehicles

Vehicle purchases remain eligible under CHRT 41. FNCFS agencies and First Nations can access funding for vehicle purchases as part of 2021 CHRT 41 to support FNCFS activities. Vehicle purchases are intended to enable recipients to carry out their daily operations and service delivery of the FNCFS Program. Vehicle purchases need to demonstrate a direct link to service delivery.

Unexpended funds can be used for vehicle purchases as part of an unexpended funding plan. Reallocation of unexpended funds to vehicle purchase or replacement are subject to the same restrictions outlined in Bulletin 2025-001-E. The purchase must be outlined within recipients' unexpended funding plan and submitted to the department. For example, in instances where a First Nation or FNCFS agency has unexpended prevention funding, the funds can be applied to a necessary vehicle purchase or replacement as part of an unexpended funding plan. ISC Regional offices are responsible for reviewing and approving these plans and requesting clarification if needed.

As part of the regional review of the funding requests, officers must check if the recipient has unexpended funds that could be applied to the expense. If this is the case, regional officials will evaluate the request and work with the recipient to fund the purchase as part of a revised unexpended funds plan where appropriate.

Building Repair and Maintenance

FNCFS agencies that have planned building renovations or repair projects that ensure FNCFS facilities comply with applicable fire, safety, and building codes and regulations can access 2018 CHRT 4 to cover eligible costs. The guidelines for in-year reallocation of funding and use of unexpended funding plans outlined in Bulletin 2025-001-E apply. When assessing claims for building repairs and maintenance, regional officers are required to review eligible claims alongside unexpended funding plans and to direct Agencies to use any unexpended operational funds before requesting additional operations funding.

If you have questions about this bulletin or its implementation, please contact your ISC regional office.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN-2025-003-E

Changes to Administration Fee Reimbursement Claims

All regions received the bulletin

March 27, 2025

This bulletin outlines updates for claiming administrative or administration fees under the First Nations Child and Family Services (FNCFS) Program actuals process for post-majority support services, capital funding, and claims for protection, including maintenance and care costs, legal fees, building repairs, and small agencies (operations), as the FNCFS Program continues to fund in accordance with the Canadian Human Rights Tribunal (CHRT) orders 2018 CHRT 4, 2021 CHRT 41 and 2022 CHRT 8.

Since 2017, ISC has been reimbursing administrative/administration fees based on a percentage varying from 10% to 15% of eligible expenditures. **Effective April 1, 2025**, First Nations and FNCFS service providers submitting claims or requests on actuals under the FNCFS Program will be **required to detail the actual eligible costs for reimbursement based on administrative needs** and the items required to support administrative functions for service delivery. Proof of actual expenditures, such as invoices or other documentation, will need to be submitted by recipients to ISC regional officers.

As of the effective date, the following will apply:

- **2018 CHRT 4** and **2022 CHRT 8** administration fee claims, including First Nations representative services in Ontario, will be assessed based on the actual eligible expenditures as outlined in claims and requests.
- **2021 CHRT 41** administration fee claims will be assessed on actual eligible expenditures for each project phase. The maximum reimbursement amount for an eligible administrative fee claim is 15% of the total capital cost of the project. As per the FNCFS Capital Delivery Guide, capital administration fee claims must be related to the development of a capital funding request, project management/coordination, travel, and other project implementation and oversight activities and cannot duplicate costs requested at actuals.

The reimbursement of eligible actual costs provides the FNCFS Program with evidence-informed financial information to ensure a nationally consistent claims approach while ensuring adherence to the CHRT orders on actuals, with the *FNCFS Transitional Terms and Conditions: Contributions to provide children, youth, young adults, families and communities, with prevention and protection services*, the Transfer Payment Policy and Directive, and the Financial Administration Act.

For any questions or further clarification, please contact: sefpn-fncfs@sac-isc.gc.ca.

First Nation Children's Housing Fund (FNCHF)

Information Bulletin (April 2025)

Issued by Indigenous Services Canada

Background:

The Agreement-in-Principle on the Long-Term Reform of the First Nations Child and Family Services (FNCFS) Program and Jordan's Principle, announced in budget 2022, included $2 billion for the purchase, construction, and/or renovation of housing units in their communities to meet the needs of children and families. While negotiations towards a final agreement were ongoing, in fiscal year 2023-2024, $209.4 million of that funding was made available to First Nations by ISC regional offices through established processes available under the Capital Facilities and Maintenance Program (CFMP) with carry forward provisions to 2024-2025.

While the commitments in the Agreement-in-Principle are predicated on reaching a final agreement, and although the final agreement was ultimately rejected by the First Nations-in-Assembly in October 2024, ISC allocated to eligible First Nations, $413.1 million of the housing funding in fiscal year 2024-25 and will allocate $438.1 million in fiscal year 2025-2026.

Administration:
The FNCHF is a special purpose allotment and is outside of core CFMP funding, however the funding will be delivered through the CFMP's existing terms and conditions and balanced with respect to the paramount choice of rights-holders.

Modern Treaty and Self-Governing First Nations will receive funding allocations through their existing funding agreement held with Indigenous Services Canada regional offices.

The methodology for the distribution of the 2025-2026 funding is based on the funding methodology previously negotiated with the parties to the Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program. The guidelines related to eligibility, spending and reporting on the FNCHF are outlined in this document.

Eligible Recipients:
The housing funding is intended to support First Nation children, youth and families on-reserve and in Yukon. The Fund aims to support the safety and well-being of First Nation children in a manner that is culturally appropriate, in their best interest, and provided on the basis of substantive equality. The housing funding will support all First Nations, including Self-Governing and Modern Treaty First Nations who are currently receiving FNCFS Program funding. First Nations exercising their jurisdiction in relation to child and family services through *An Act*

respecting First Nations, Inuit and Métis children, youth and families maintain eligibility for this housing funding.

Eligible Expenditures:
Housing expenditures related to:

- purchase;
- construction;
- renovation;
- major/minor repairs;
- lot servicing; and/or,
- sub-division development.

First Nations will be encouraged to dedicate funding to meet the expressed needs of children and youth at risk. Should First Nations choose, they can use these funds to address other housing needs, as covered under the CFMP.

Reporting:
Funding allocated under this program activity will be reported under the CFMP special purpose code (332-B581E) by regional offices and funding agreements with FNCHF allocations will include this coding.

First Nations will report on outcomes in the Community Infrastructure and Housing Annual Report, Data Collection Instrument (DCI) #41701, or for recipients of the New Fiscal Relationship (NFR) Grant, the NFR Grant Results Report (DCI #33315098) which have been updated to include an additional data element, being the number of family homes with youth or children that have been supported with funding for repairs, renovations, replacement or new builds. Regional offices will review the DCIs for completeness where recipients have received an allocation for this purpose.

Funding Allocations:
Eligible First Nations will be advised of the amount available for their community. The letter will include a FNCHF spending plan template to be completed by the First Nation and returned to the ISC regional office for national reporting on planned outcomes and will be required by June 2025, and each fiscal year thereafter.

Funding for 2025-2026 will be released, less a 10% holdback. The 10% holdback will be released upon receipt of a First Nation's FNCHF Spending Plan. The FNCHF Spending Plan is to be sent to regional offices by June 30, 2025 and each year thereafter however First Nations can submit the plans in advance to secure the release of the holdback.

Funding approaches that provide for carry-forward of unspent amounts will be leveraged to provide for the housing expenditures to be incurred in future years with considerations for funding arrangements that are renewing or expiring in a fiscal year.

Regional offices will work collaboratively with First Nations, and where appropriate, share information regarding Jordan's Principle and FNCFS Program on-reserve housing requests that are not eligible under these authorities but could be considered under their FNCHF allocations.

Should you have any questions concerning the FNCHF funding, or require assistance in completing the FNCHF spending plan, please contact the ISC regional representative responsible for capital investments.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN-2025-004-E

2021 CHRT 41 Capital Projects Tendering Policy

All regions received the bulletin

May 22, 2025

This bulletin serves as a reminder regarding tendering requirements for First Nations Child and Family Services (FNCFS) Program capital projects funded under 2021 CHRT 41. These requirements are detailed in Section 4 of the FNCFS chapter of the Capital Assets Guide.

Tendering requirements

FNCFS capital projects located on-reserve and administered by a First Nation must comply with the Tendering policy for federally funded capital projects for First Nations on reserve. This requirement applies to contracting for construction services and professional services for all project phases, including but not limited to: project management, pre-capital needs assessment/feasibility/planning, design, construction, and operations and maintenance.

Cost thresholds detailed in the tendering policy determine what type of tendering approaches may be used for construction services and professional services, depending on the value of the contract. In situations where First Nations have developed their own tendering policies, the minimum requirements in ISC's tendering policy, including these thresholds (see below), remain applicable as a minimum standard for FNCFS-funded projects.

CONTRACT VALUE THRESHOLDS			CHOICE OF TENDERING PROCESS
Professional Services (Needs Assessment/ Feasibility, Design, Project Management)	**General Contracting (Construction)**	**Construction Management - competitively awarded portion (Construction)**	
over $500,000	over $1 million	over $200,000	• Open tender, publicly advertised
$100,000 to $500,000	$200,000 to $1 million	$50,000 to $200,000	• Open tender, publicly advertised • Invited tender, minimum 2 bids solicited
under $100,000	under $200,000	under $50,000	• Open tender, publicly advertised • Invited tender, minimum 2 bids solicited • Sole source, if conditions warrant

Sole source (non-competitive) tendering is not permitted based solely on cost falling within the permitted threshold; funding requests must still demonstrate why the use of open or invited tenders are not suitable. Refer to Section 5.6 of the Tendering Policy for all conditions that warrant the use of sole source tendering.

FNCFS agencies and First Nation off-reserve projects

The Capital Assets Guide requires that federally funded capital projects administered by FNCFS agencies align with public sector tendering practices. While the ISC tendering policy does not specifically address capital projects administered by FNCFS agencies, or by First Nations for off-reserve projects (including in the Yukon), ISC encourages alignment with tendering thresholds in the ISC tendering policy.

If you have questions about this bulletin, please contact your ISC regional office.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN 2025-005

Definition of "Ordinarily Resident on Reserve"

All regions received the bulletin

May 30, 2025

This information bulletin provides the First Nations Child and Family Services (FNCFS) Program definition of "ordinarily resident on reserve", **effective June 1, 2025.**

This definition is intended to provide clarity and a common understanding to ensure that the FNCFS Program is delivered in compliance with the FNCFS Transitional Terms and Conditions which states the program funds services for First Nations children, youth and families **ordinarily resident on reserve or in the Yukon**. Where eligibility for the Program is based on an individual being ordinarily resident on reserve, the following definition will be used:

Ordinarily resident on reserve refers to the residency status of an adult who resides on reserve at least 50% of the calendar year and who does not maintain a primary residence elsewhere, or:

- is temporarily residing off reserve while registered either full-time or part-time in an educational institution or a training program and who would otherwise reside on reserve; or
- is temporarily residing off reserve in order to obtain health or social services for which there are no reasonably comparable services on reserve and who, but for the need to receive said services, would reside on reserve; or
- is temporarily residing off reserve due to a natural disaster.

The residency of a child is derived from the residency of the child's parent or guardian. The residency of a child who comes into the care of a mandated child welfare agency is derived from the residency of the child's parent or primary caregiver at the time the child is taken into care.

For the purpose of this definition, a **reserve** includes:

- a reserve, as defined in s. 2 (1) of the Indian Act, R.S.C., 1985, c. I-5;
- lands set aside in Yukon as per Cabinet Directive (Circular No. 27) entitled Procedure for Reserving Land in the Yukon and Northwest Territories (1955);
- lands formerly defined as a reserve or lands set aside which now form part of modern treaty settlement lands; and
- Crown land which is recognized or deemed by Canada as settlement lands of a First Nation.

If you have questions about this bulletin or its implementation, please contact your ISC regional office.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM INFORMATION BULLETIN
FNCFS/SEFPN 2025-006-E

First Nation Requests to Authorize and Direct Funding to a Service Provider

All regions received the bulletin

August 1, 2025

This bulletin outlines how First Nations can authorize Indigenous Services Canada (ISC) to provide funding for prevention services, First Nation Representative services (FNRS), and post-majority support services to a child and family services provider.

Authorizing a service provider to directly receive funding

Under the First Nations Child and Family Services (FNCFS) Program, a First Nation can choose to directly provide prevention services, FNRS and post-majority support services, or authorize another service provider to deliver these services to their on-reserve community members on the First Nation's behalf.

- **Prevention and FNRS**: a First Nation can request that ISC direct any portion of the First Nation's funding to a different service provider by submitting an official decision document that aligns with their governance structure and customs, such as a Band Council Resolution (BCR).
- **Post-majority support services**: a First Nation can authorize another service provider to submit funding claims to serve their community members using a BCR or other official decision document. If a First Nation authorizes a post-majority support services provider to submit funding claims for their community, the First Nation must state whether they intend to deliver post-majority support services in addition to their authorized provider. If so, the First Nation's BCR or decision document must describe how they will work with their authorized service provider to ensure there is no duplication of services. If an authorized service provider and the First Nation both submit funding claims and requests for post-majority support services funding, the claims will be reviewed together to ensure the funding and service delivery coverage works in a complementary way.

Annual deadline to direct funding

BCRs or decision documents that direct funding to an authorized service provider in any given fiscal year beginning April 1st, must state who will access FNCFS funding to deliver services and be **submitted by September 30th of the preceding calendar year** (e.g. a BCR with direction for the 2026-2027 fiscal year must be submitted by September 30, 2025). This ensures timely distribution of funds at the beginning of the fiscal year.

Due to the nature of the funding distribution cycle, this direction submitted to ISC will apply for a **minimum of one full fiscal year** and will remain in effect until the First Nation provides updated instructions, again adhering to the September 30 deadline.

Transition between service providers

If a First Nation decides to change service providers, ISC will collaborate with all affected providers to develop transition plans. Planning must start before ISC can allocate funding to the new service provider, and will:

- clarify roles and responsibilities related to services;
- address the handling of any unexpended (unspent) funds; and

- establish communication strategies to support smooth and uninterrupted service delivery.

Redistribution of funding

In addition to requesting that ISC direct funding to another service provider, under the Program's terms and conditions, recipients can themselves redistribute funding they have received from ISC to another service provider. However:

- Redistribution of funding requires a written agreement between the recipient and the party to which they would be providing the funding.
- The **original funding recipient remains accountable** for how the funding is used, including unexpended funds.
- Recipients must ensure compliance with the Program's terms and conditions, including **any associated reporting**. Outstanding reporting may delay or impact future payments.

Please refer to your contribution agreement for more information, and speak to an ISC regional representative for support where needed.

Additional information

A BCR template is attached to support First Nations, but it is not mandatory to use it. For questions or further support regarding this process, please contact: sefpn-fncfs@sac-isc.gc.ca.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN-2025-08-E

Contribution Agreement Reporting

Sent to all regions excluding Yukon, British Columbia and Ontario

August 7, 2025

This bulletin serves as a reminder to First Nations Child and Family Services (FNCFS) Program recipients about current contribution agreement management practices and reporting due dates. It aligns with the Deputy Ministers' message to contribution agreement recipients shared on October 29, 2024, which announced the reinstatement of the reporting requirements in place prior to the COVID-19 Pandemic. This includes all timelines, procedures and financial obligations outlined in all funding agreements, in accordance with Canada's Policy and Directive on Transfer Payments.

Your contribution agreement outlines your organization's reporting requirements and the applicable due dates within the *Reporting and Due Dates* Schedule. This includes all reporting on funding related to the FNCFS Program, such as child protection, maintenance and care, prevention, post-majority support, and First Nation Representative Services. Indigenous Services Canada (ISC) is requesting your assistance in providing any outstanding reporting as soon as possible.

For example, the last **maintenance report** of the fiscal year must be submitted **within 45 days** following the end of the fiscal year**, or by the applicable due date outlined in the recipient contribution agreement.** The reporting instrument for maintenance funding is the **Data Collection Instrument no. 455917** "Child and Family Services Maintenance Report". Eligible maintenance expenditures should be captured through this report and/or through existing mechanisms such as the continued use of the **FNCFS Data Management System** (DMS).

To support timely maintenance reporting, ISC will begin working with FNCFS agencies to transition to the DMS if they are not already users of the system. We acknowledge that obstacles may arise and encourage contacting regional offices for support. Using the DMS reduces delays and enables agencies to submit reports directly for timely review and finalization.

Missing reporting deadlines can negatively impact an organization. Late or missing submissions can negatively affect General Assessment scores, potentially lead to a hold on non-essential funds, and, in severe cases, trigger one or more provisions under the *Remedies on Default* section of the contribution agreement.

The main goal of reporting is to assess if a funded provided has met its objectives, and to demonstrate that public funds are used appropriately. Financial and program reporting ensures funds are used according to the funding agreement and helps ISC track progress in closing socio-economic gaps. It also supports evidence collection to evaluate program outcomes and performance.

If you have questions about this bulletin or require assistance in completing your reporting, please reach out to your regional departmental representatives.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS 2025-010-E

FNCFS funding for purchase, operation and maintenance of vehicles

September 18, 2025

This bulletin provides guidance on requesting funding for vehicles through the First Nations Child and Family Services (FNCFS) Program. This bulletin applies in all provinces and the Yukon. Should the Final Agreement on the Long-Term Reform of the First Nations Child and Family Services Program in Ontario (the "Ontario Final Agreement") come into effect, policy outlined in the Ontario Final Agreement will supersede this guidance in Ontario.

The FNCFS Program funds the purchase, operation, and maintenance of vehicles for recipients to carry out their daily operations and service delivery of FNCFS funded services and activities to First Nations children, youth and families ordinarily resident on reserve or in the Yukon.

All vehicle purchases, operations and maintenance funded by the FNCFS Program **must demonstrate a direct link to the delivery** of child protection services, prevention services, First Nation Representative services or post-majority support services. Funding for vehicles is provided at actual costs through claims processes in alignment with the 2021 Canadian Human Rights Tribunal (CHRT) 41 order and as detailed in the First Nations Child and Family Services and Jordan's Principle Capital Delivery Guide (Capital Delivery Guide).

Eligibility of vehicle requests

To support Indigenous Services Canada (ISC) in the efficient review of vehicle purchase claims, a **checklist outlining the required documentation is attached to this bulletin and should be submitted with each vehicle purchase request (see Annex A)**.

Incomplete claims will not be assessed and will be returned to recipients outlining any missing information.

The vehicle purchase request review process is based on:

Service delivery requirements

- Requestors must provide plans for how the vehicle(s) will be used and how the request supports the delivery of FNCFS-funded services and activities. The plans must describe:
  - the FNCFS-funded services or activities that require the purchase of a vehicle(s);
  - the rationale for the specific type of vehicle(s) requested;
  - which staff positions will use the vehicle(s).
- Where multiple vehicles are funded or requested, the plans should indicate the shared use of vehicles by the requestor’s staff or where shared use is not possible, provide justification (e.g. serving two geographically distinct communities).

Reasonableness and value-for-money

- The number and type of vehicles requested must be reasonable relative to the services delivered and population served, and the requestor’s annual FNCFS Program funding allocations.
- Purchase claims must include quotes from a minimum of 2 dealerships or vendors to demonstrate that an economical choice has been made.
- Vehicle purchase and maintenance may not always represent a cost-effective model of service delivery. When vehicles are not required on a regular basis, recipients should

consider alternatives such as rental vehicles, particularly when daily use of a vehicle is not required for a position.

Sustainability of vehicles

- To ensure life-cycle management of vehicles as assets, the requesting First Nation or FNCFS agency must have or put in place a **vehicle replacement policy** detailing the criteria and timeline for vehicle replacement, as well as procedures for disposing of vehicles.
  - Where the First Nation or FNCFS agency has a vehicle replacement policy, it must submit the policy to ISC as part of its funding request.
  - Where the First Nation or FNCFS agency does not have such a policy, its funding request will be considered and ISC will flow funding for the request (if the request is approved) in advance of ISC receiving a vehicle replacement policy. In the absence of a replacement policy at the time of request, an inventory of vehicles used in FNCFS program provision must be included in as part of the plan submitted to ISC to support the request's assessment. The First Nation or FNCFS agency must also put a replacement policy in place within six months of approval of its funding request. ISC will provide a template to assist in the First Nation's or FNCFS agency's development of a policy.
- Funding for eligible expenditures for operations and maintenance costs for vehicles can be claimed through the 2021 CHRT 41 capital claims process (see section 3.6 of the Capital Delivery Guide).
- Adequate ongoing funding to support vehicle operations is considered when adjudicating requests. Fuel costs to operate vehicles are covered under the FNCFS-funded service area that the vehicle purchase directly supports and are not eligible capital funding requests (e.g., fuel costs for vehicles linked to First Nation Representative services are funded from the requestor's First Nation Representative services funding allocation).

Exceptional vehicle purchases

The following types of vehicles are **typically not eligible** for funding through the FNCFS Program but may be considered on an exceptional basis if justified by complex or unique needs. Please note that all exceptional costs must be **pre-approved** by ISC. These include:

- Airplanes
- All-terrain vehicles (ATVs)
- Boats and other watercraft (e.g., canoes, kayaks and paddleboards, etc.)Food trucks and mobile kitchens
- Luxury vehicles and premium accessories
- Maintenance equipment (e.g., snow removal vehicles, farm equipment, water and sewage trucks, etc.)
- Snowmobiles

The FNCFS Program will not fund vehicles that are not required for providing FNCFS Program services or that are for personal use or as incentives, such as vehicles for use by managers, directors, board members, human resources workers, financial assistants, Chiefs and council members.

Note: An existing or previously approved claim does not guarantee that a new funding request for the same or similar expense will be approved.

Using unexpended FNCFS funds for vehicles

Unexpended funds can be used to purchase vehicles only if the purchase(s) are outlined within a recipient's unexpended funding plan submitted to and approved by ISC. The planned use must align with the criteria outlined in this bulletin, the FNCFS Information Bulletin 2025-001-E on the management of unexpended funds (see Table 1: Reallocation and restrictions) and its addendum.

As part of ISC's funding request review, ISC will verify whether the recipient has unexpended funds that could be applied to the purchase. If this is the case, ISC officials will evaluate the request and work with the recipient to fund the purchase as part of a revised unexpended funding plan. As per FNCFS Information Bulletin 2025-001-E, **a 2021 CHRT 41 request is required when unexpended FNCFS funds are reallocated to support vehicle purchases** in addition to the ISC-approved unexpended funding plan.

If you have questions about this bulletin or its implementation, please contact your ISC regional office or chrt41-tcdp41@sac-isc.gc.ca.

First Nations Child and Family Services Program 2021 CHRT 41 Capital Request Checklist: Vehicle Purchase		
ISC FNCFS Required Documents/Information	☑	**Comment(s)** (please provide details if not applicable)
Plans • Fleet vehicles must be planned, acquired, operated, maintained, and divested to support FNCFS Program delivery to children and families ordinarily resident on reserve or in the Yukon. • Clear identification of the program/service/activity or staff that will utilize the vehicle(s) for funded CFS program delivery. ***Vehicles should be considered fleet vehicles for shared use, not assigned to individual staff members.*** • Clear explanation of why the vehicle is required and how it supports the delivery of funded FNCFS programming. This should include a rationalization of the fleet size, an explanation of why the specific type of vehicle being requested is the most efficient type, and assurance that vehicles will be exclusively for service delivery, not personal use. • If the request is for the replacement of a vehicle, a clear justification for replacement.	☐	
Notification requirement • For **First Nations** requesting funding: A letter of support signed by Chief(s) supporting vehicle acquisition • For **FNCFS agencies** requesting funding: Email from FNCFS agency to community(ies) served notifying them of request, **applicable only where the vehicle(s) will be stored on reserve**	☐	

Vehicle quotes
• At least 2 quotes for vehicles (including make/model, seating capacity, and warranty)
• Demonstrate value for money by obtaining quotes from multiple dealerships/vendors to ensure the most economical choice
• Additional fees, such as:
  ○ Vehicle registration/plates fees
  ○ Delivery costs
  ○ Other dealer fees
	☐	

Insurance quote	☐	
Winter tires Purchase cost paid on actuals if applicable.	☐	
Estimated operations and maintenance (O&M) per year	☐	
Vehicle replacement policies Vehicle replacement policies must include the following details: • Clear process for replacement based on assessment of physical condition of vehicle(s) being replaced,	☐	

First Nations Child and Family Services Program 2021 CHRT 41 Capital Request Checklist: Vehicle Purchase		
ISC FNCFS Required Documents/Information	☑	**Comment(s)** (please provide details if not applicable)
evaluation of financial and operational criteria (including whether current and future operational needs can be met by the existing fleet), and environmental and accessibility considerations • Clear processes for replacement, including criteria such as kilometers, years of use, or a combination of both • Disposal procedures for vehicles (e.g., sale, donation, repurposing), including capturing vehicle value and using revenue from sales to support O&M for other fleet vehicles *Note that requestors must submit their vehicle replacement policy to ISC as part of their funding request. Where the requestor does not have such a policy, their funding request will be considered and ISC will flow funding (if approved) in advance of ISC receiving a replacement policy. In the absence of a replacement policy, an inventory of vehicles used in FNCFS program provision must be included in as part of the plan submitted to ISC and the requestor must also put a replacement policy in place within six months of approval of its funding request.*		
Notes:		

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM INFORMATION BULLETIN FNCFS 2025-011-E

Post-Majority Support Services: Eligibility and Assessment of Direct and Indirect Costs

Sent to all regions excluding Ontario

September 22, 2025

This bulletin provides guidance to clarify eligibility related to post-majority support services funding under the First Nations Child and Family Services (FNCFS) Program and is applicable in all provinces and in the Yukon, with the exception of Ontario. The information in this bulletin is consistent with the FNCFS Terms and Conditions and the 2022 Canadian Human Rights Tribunal (CHRT) Order 8.

This guidance is intended to be read alongside the FNCFS Program's terms and conditions and prior FNCFS program guidance documents, including the Post-Majority Support Services Toolkit (dated March 2023) and FNCFS Information Bulletins, such as those regarding the definition of ordinarily resident on reserve (2025-005-E) and the management of unexpended funding (2025-001-E and its addendum). These documents are available through your ISC regional office.

Eligibility of youth and young adults

First Nation youth and young adults **must meet the care status, residency and age criteria** to be eligible for FNCFS post-majority support services:

1. **Care status**
   - Are currently in care and approaching the age of majority, or
   - Were in care on the day they reached the age of majority, or
   - Exercised a voluntary care provision and left care prior to the age of majority.
2. **Residency**
   - Were ordinarily resident on reserve or in the Yukon at the time of being taken into care, or
   - Are now ordinarily resident on reserve or in the Yukon.
3. **Age**
   - Are under 26 years of age, or
   - Are under the age of eligibility for post-majority services set by applicable provincial/Yukon legislation—whichever is greater.

For the purposes of the FNCFS Program, a child or youth is considered "**in care**" when a child and family services provider or agency has arranged for them to live outside their home or family of origin, in either formal or informal care. This includes, but is not limited to, customary care, extended society care, guardianship, custody, alternate care, kinship care, and adoption.

Note: First Nations youth and young adults do not need to meet the criteria for post-care programs in their province or territory in order to be eligible for federal FNCFS post-majority support services funding.

Eligibility of activities and expenditures

To be considered eligible, funding requests must meet two main criteria:

1. All activities and expenditures align with the scope, purpose and objectives for post-majority support services as set out in the FNCFS Program's terms and conditions, **and**
2. All activities and expenditures are supported by funding requests with a clear description, cost breakdown and written justification that demonstrate how each activity or expenditure contributes to the required supports for an eligible individual to successfully transition from care (direct services), or support the delivery of services to a population of eligible youth/young adults in this transition (indirect services e.g. operational costs).

Each item must be justified based on the specific context of the funding request, explaining how it contributes meaningfully to the necessary supports for an individual or to a service provider's core responsibilities. Some of the ways direct and indirect post-majority support service requests can be justified are outlined below.

Direct services, including activities or expenditures that support an eligible First Nation youth/young adult, may be justified by:

- showing that the activity or expense is necessary to support the youth or young adult in accessing the resources they need, and that it directly responds to a documented barrier in their path toward a successful transition to adulthood. This includes clearly identifying how the support addresses specific barriers—such as housing instability, lack of employment readiness, limited access to education, or other transitional needs—and demonstrating that the support or resource is essential for overcoming that barrier.
- identifying that required activities or expenses are aligned with a transition plan, developed jointly between a post-majority support service provider and the youth or young adult. The plan should outline the individual's expected goals and outcomes, the steps needed to achieve them, and how each activity or expense will support the successful transition to adulthood. This information can be summarized in the funding request.
- the funding request demonstrates that due diligence has been taken by the service provider to show that post-majority support services funding is required to address the unique and necessary supports of the youth or young adult. Post-majority support services funding may be required in particular cases where funding fills critical gaps not met by existing services or programs and where the funding would enable young people to access essential supports that would otherwise remain out of reach.

Indirect services, including operational activities or expenditures that support the development and delivery of post-majority support services programming, may be justified by demonstrating:

- The reasonableness of the request based on proportion of staff to the size of the service delivery population (youth and young adults eligible for post-majority support services who are ordinarily resident on reserve and in the Yukon).
- The scalability or sustainability of the requested services over time given forecasted service populations (i.e. number of eligible youth ageing out of care).
- The operational need, which may include service delivery audits, prior evaluations, gap analyses, etc.

For both **direct** and **indirect** services:

- The requested funding must be based on costs which are required for service delivery, based on need and aligned with regional and local costs of goods and services.

- In line with the Policy on Transfer Payments, Departmental guidance and FNCFS operational bulletins, ISC will consider the application of existing unexpended FNCFS Program funds from other service areas before new funding is provided. FNCFS Information Bulletin 2025-001-E and its addendum on the management of unexpended funding provides more information.
- ISC may request additional documentation if the funding request, rationale, and justification of activities and expenditures does not sufficiently demonstrate how each of the requested items are necessary to achieving the requirements of the service provider or the supports to the youth or young adult.

An activity or expenditure that is approved in one case may not be approved for another. Each request is assessed based on the unique needs and the justification provided. Similarly, an approval of a prior funding request does **not guarantee** future approvals for similar expenses.

Examples and guidance

Direct Services		
Service Area	**Examples**	**Eligibility Guidance**
Learning, Education & Professional Development	Welding course, CPR certification, career coaching, regalia making	Eligible when support is needed to achieve education/training/skills development goals where the activity is part of an individualized career or life plan and addresses identified barriers to learning or employment.
Financial Support	Purchase of basic needs, including groceries, household expenses, clothing, personal care and hygiene items	Eligible when support is needed to achieve financial stability and independence, and the individual is experiencing difficulty due to financial barriers. This may include one-time funding to address financial need (e.g., to meet basic needs) and/or support to facilitate planned transition to a sustainable financial position beyond FNCFS-funded provision (i.e. time-limited support while longer-term social assistance is accessed).
Safe, Stable Housing	Rent, damage deposit, moving expenses	Eligible when support is needed to address challenges securing suitable housing due to financial or other barriers. May include one-time funding (e.g., household setup), with consideration of reasonable costs based on local housing context.
Physical, Mental & Social Wellbeing	Counselling, mental health and addictions support, physical activity fees	Eligible when support is needed to access activities that promote physical, mental, or social well-being.
(Re)connection to Land, Culture, Language & Community	Family mediation & counselling, visits, land-based cultural programs, ceremony, cultural and peer supports	Eligible when support is needed for cultural programs, ceremonies, or land-based wellness to strengthen cultural identity, healing, and connection to family, community, and traditional lands. Eligible when it supports cultural identity, healing, or community connection.

Indirect Services		
Service Area	**Examples**	**Eligibility Guidance**
Indirect Service Costs	Staff salaries (post-majority navigators, supportive/life skill coaches, case managers), office rent, supplies, utilities, staff transportation (mileage),	Eligible when costs are necessary to support the effective delivery, management, and oversight of services. Staff salaries qualify if directly tied to program and service delivery, coordination, or management. Travel is eligible when necessary for these functions. Costs must be reasonable,

Indirect Services		
Service Area	**Examples**	**Eligibility Guidance**
	Honoraria for Elders and Knowledge Keepers	justified, and supported by comparable salary ranges and rates from similar programs or organizations.

Exceptional activities and expenditures

Some costs that are **typically not eligible** for funding through the FNCFS Program may be considered on a **case-by-case basis** if justified by complex or unique needs. All exceptional costs must be **pre-approved** with written approval by ISC. These costs include:

Category	Examples / Notes
Major Appliances (e.g. Washer, Dryer, Fridge, Stove, etc.)	The purchase of major appliances are generally ineligible. Exceptions are limited to situations where the purchase of major appliances are justified by complex or unique needs.
Pet / Animal Related Costs	Costs related to pets or animals are generally ineligible. Exceptions are limited to situations where costs related to a pet or animal are justified by complex or unique needs.
Televisions / Major Electronics	The purchase of televisions or major electronics are generally ineligible. Exceptions are limited to situations where the purchase of major electronics are justified by complex or unique needs.
International Travel as Direct or Indirect	Travel outside Canada is generally ineligible. Exceptions may be made under exceptional circumstances.
Medical, Dental, Vision Care	Eligible only in cases where alternative services and support is unavailable, and proof of medical endorsement is provided by a medical professional.

Ineligible activities and expenditures

Some direct and indirect costs are not generally eligible for funding under post-majority support services:

Category	Examples / Notes
Personal legal fees	Legal fees for criminal cases or other private legal matters involving an individual are not eligible.
Capital asset purchases or leases	Car or mortgage payments, and maintenance of existing assets, such as vehicle maintenance or payments relating to the lease or purchase of an asset, are not eligible.
Personal debt payments	Repayment of loans, fines, credit cards, or other personal debts are not eligible.
Gifts and incentives	Gifts and incentives, whether as part of direct or indirect services, are not eligible.

If you have questions about this bulletin or its implementation, please contact your ISC regional office.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS 2025-013-E

Guidance on 2018 CHRT 4 Claims

October 31, 2025

This bulletin provides updated guidance and a revised form for submitting claims under the 2018 Canadian Human Rights Tribunal (CHRT) 4 Order effective for all new claims as of October 31, 2025. This bulletin should be read in conjunction with the First Nations Child and Family Services (FNCFS) Transitional Terms and Conditions and prior FNCFS Program guidance documents, such as the recent bulletin regarding the management of unexpended funding. These documents are available through your Indigenous Services Canada (ISC) regional office.

This guidance applies outside of Ontario and British Columbia. Ontario and British Columbia-specific guidance is being issued to recipients in Ontario and British Columbia concurrently.

Key changes effective October 31, 2025:

- All recipients submitting a new claim for reimbursement or advance payment request under 2018 CHRT 4 for intake and investigations, building repairs, legal fees, child service purchases, and small agency operational costs must use the updated 2018 CHRT 4 Actual Cost Claim Form, including a new FNCFS 2018 CHRT 4 Actual Cost Claim Checklist.
- When a recipient's available Program funding is insufficient to meet the actual costs of maintenance and care or least-disruptive measures, additional funding will be processed as 2018 CHRT 4 child service purchase costs (see Annex A for child service purchase definition and section 6 of the updated claims form). Recipients are required to demonstrate that additional funding is required, including through up-to-date maintenance reporting. Please contact your regional office to confirm process and required documentation prior to submitting a child service purchase claim.

Revised claim form and claim checklist

The updated form is designed to streamline the review process and minimize unnecessary delays caused by requests for additional information. It is intended to improve ISC's ability to process claims more efficiently, and to render decisions more quickly while supporting recipients in demonstrating how their submissions align with the 2018 CHRT 4 Order and the FNCFS Transitional Terms and Conditions. Key additions include:

- **Cover Page**
  - Declaration of any FNCFS unexpended funds from previous years alongside FNCFS funding received to date within the fiscal year.
  - Reporting on the number of eligible children (see Annex A for definition of on-reserve or ordinarily resident on reserve) supported by the claim.
  - Amount of unexpended funds to be applied to the claim.
- **Definitions**
  - Inclusion of important definitions to be considered in completing claims.
- **Checklist**
  - Incorporation of a claim checklist as part of the form.

- **Sections 3A-Section 7**
  - Clear definitions for each eligible cost category.
  - Job/activity descriptions confirming alignment with cost categories and program terms and conditions.
  - Detailed cost breakdown for eligibility validation.
  - A list of supporting documents required to substantiate costs, if needed.

To avoid processing delays, all funding requests must include:

- a completed **claim checklist** (reimbursement or advance), included in the updated form;
- all checklist requirements met; including
- up-to-date maintenance reporting showing actual expenditures for all maintenance funding requests under Section 6: Child Service Purchase.

ISC will not review incomplete claims. Claims submitted without a completed checklist or with missing elements will be returned to the recipient with a letter summarizing the missing information. ISC will only begin reviewing a claim once completeness has been confirmed. An acknowledgment email will be sent once the submission is deemed complete.

ISC claim assessment

ISC will assess each claim using the claim checklist within the updated form to ensure completeness. Claims deemed complete will then be reviewed to confirm eligibility. ISC may request additional information or clarification, as needed, to advance the claim for processing.

Generally, ISC considers the following when assessing claims to determine eligibility:

- **FNCFS Program and 2018 CHRT 4 Order alignment:** Activities and expenditures must be aligned with the FNCFS Transitional Terms and Conditions, all relevant FNCFS Information Bulletins and the 2018 CHRT 4 Order.
- **Operational context:** ISC considers an agency's size and the number of children and population served, operational plans, and total funding already provided (including in prior fiscal years) to determine whether requests are aligned with and proportionate to an agency's service needs. Additional justifications to demonstrate any changes in activities, the amount of funding requested, or unique operating circumstances are also considered.
- **Demonstrated need:** ISC considers how the funding requested supports the demonstrated needs of eligible children, youth and families within the FNCFS transitional terms and conditions.
- **Reasonableness of activities and costs:** Activities and costs must be practical and justified and generally recognized as normal, necessary and essential for the provision of services based on the goals and objectives of the FNCFS Program, the 2018 CHRT 4 Order and an agency's operations.
- **Geographical and legal context:** Factors such as location, remoteness and provincial/territorial legislation will be considered, as well as applicable federal legislation, including *An Act respecting First Nations, Inuit and Métis children, youth and families*. Justification is required when costs exceed normative standards.
- **Comparability:** To ensure equity, performance and policy effectiveness across Canada, ISC may assess whether the costs are comparable to claims submitted and approved by other agencies in the region and elsewhere, and whether cost variations are reasonable and supported. Justification is required when costs exceed normative standards.

- **Agency capacity:** ISC will consider the recipient's ability to deliver the FNCFS Program and services, including overall operations, management of grants and contributions and General Assessments (GAs).
- **Timeliness:** All activities and expenditures must fall within the eligible fiscal year and submission deadlines.
- **Consistency with past claims:** While prior approvals may inform assessments, they do not guarantee approval of similar future claims.
- **Supporting documentation:** Where needed to confirm eligibility, all claims must include appropriate and verifiable documentation (e.g., invoices, contracts, timesheets, maintenance reports, needs assessments)

Right to appeal

Should recipients wish to dispute a funding decision, they have the right to appeal within ninety (90) days. Contact your ISC regional office or sefpn-fncfs@sac-isc.gc.ca for forms.

For any questions or further clarification, please contact your ISC regional office or sefpn-fncfs@sac-isc.gc.ca.

ANNEX A: Definitions regarding eligibility of 2018 CHRT 4 Costs

ANNEX A: Definitions regarding eligibility of 2018 CHRT 4 Costs

Ordinarily resident on reserve: Refers to the residency status of an adult who resides on reserve at least 50% of the calendar year and who does not maintain a primary residence elsewhere, or:

- is temporarily residing off reserve while registered either full-time or part-time in an educational institution or a training program and who would otherwise reside on reserve; or
- is temporarily residing off reserve in order to obtain health or social services for which there are no reasonably comparable services on reserve and who, but for the need to receive said services, would reside on reserve; or
- is temporarily residing off reserve due to a natural disaster.

The residency of a child is derived from the residency of the child's parent or guardian. The residency of a child who comes into the care of a mandated child welfare agency is derived from the residency of the child's parent or primary caregiver at the time the child is taken into care.

For the purpose of this definition, a reserve includes:

- a reserve, as defined in s. 2 (1) of the Indian Act, R.S.C., 1985, c. I-5;
- lands set aside in Yukon as per Cabinet Directive (Circular No. 27) entitled Procedure for Reserving Land in the Yukon and Northwest Territories (1955);
- lands formerly defined as a reserve, or lands set aside which now form part of modern treaty settlement lands; and
- Crown land which is recognized or deemed by Canada as settlement lands of a First Nation.

For more information, please refer to information bulletin **FNCFS/SEFPN 2025-005-E** (May 2025), available from your ISC regional office.

Building Repairs: Minor repairs and upgrades to bring buildings into compliance with building and fire code standards to meet health and safety standards and to ensure the continuity of FNCFS Program delivery.

Examples of costs: fire alarm installations/repairs, wheelchair ramps, building remediation (e.g. mold removal, water damage), security systems and equipment, heating/cooling system repairs, first aid kits, leasehold improvements etc.

Note: Major capital projects or new construction are not covered under this category.

Child Service Purchase include:

1. Maintenance and care costs and **actual costs required for a child/children in care**, and,
2. Actual costs of goods and services required as a **least disruptive measure** for a child/children not in care as a result of a child maltreatment assessment or investigation, as defined in section 5.1 of the FNCFS Program terms and conditions.

All child service purchase claims must be attributable to a specific child and must be delivered in accordance with applicable legislation, service standards, and the FNCFS Program terms and conditions.

Intake and investigations: Includes the actual incurred costs associated with:

- **Intake:** Receiving and assessing a report/referral about a child who may be in need of protection.
- **Investigations:** Assessments and actions taken to determine if a child has experienced maltreatment and/or is at risk of maltreatment, and what protective or supportive services are required, including ensuring supports are in place that mitigate the risk of child maltreatment or harm while protective file remains open and child is not in care.

The costs may be claimed as either non-salary or salary as follows:

- **Intake and investigation – non-salary:** Actual operation costs (excluding salaries) to provide intake and investigation services in response to suspected or known harm or risk of harm to a child.

  Example costs: Mandatory training for intake and investigations, travel, and recruitment costs.

- **Intake and investigations – salaries and benefits:** Actual salary expenses, including benefits as per employment contracts, for child welfare/social workers and other staff delivering intake and investigation services related to suspected or known harm or risk of harm to a child.

  Examples costs: Salaries and benefits (pension, maternity leave), on-call, standby, overtime, and remoteness allowances and supervisor and management salary costs directly tied to intake and investigation.

  Note: Where a position is dedicated to additional activities outside of Intake and Investigation, a proration should be applied to ensure only the salaries and benefits that directly support Intake and Investigation are included for reimbursement.

Legal fees: Actual costs associated with an open/ongoing child protection matter/case and where costs are directly tied to the agency's mandate under provincial/ territorial child welfare legislation.

Examples of costs: Court-related costs (e.g., lawyer fees, witness fees, court filing fees), legal costs related to supervision orders, protection orders, or adoption proceedings, official documents (e.g., birth certificates, notarization), adoption-related legal costs, repatriation and travel costs associated with child and family service legal proceedings, other legal services required to maintain operational/legal compliance with the agency's mandate.

Note: Legal fees related to children already in care are reimbursed separately under the Maintenance and Care reimbursement process (actuals). Only legal costs directly tied to child and family services within the agency's mandate are eligible.

Small agency costs: A delegated agency is considered a "small agency" when it serves an on reserve population of less than 1,000 who are aged 0-18 (using data from the Indian Registration System). Through 2018 CHRT 4, the FNCFS Program will fund eligible agency child protection operations costs for small agencies on actual costs in line with the FNCFS Program Terms and Conditions and CHRT orders.

Note: Only those agencies that have received official confirmation of their small agency status from ISC are able to access claims on actuals for full operations.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS 2025-015-E

Guidance on 2018 CHRT 4 Costs in British Columbia

October 31, 2025

This bulletin provides guidance on eligibility for First Nations Child and Family Services (FNCFS) Program expenditures under the 2018 Canadian Human Rights Tribunal (CHRT) 4 Order in the context of FNCFS Program delivery in British Columbia.

This bulletin should be read in conjunction with the First Nations Child and Family Services (FNCFS) Transitional Terms and Conditions and prior FNCFS Program guidance documents, such as the bulletin regarding the management of unexpended funding. These documents are available through your Indigenous Services Canada (ISC) regional office.

Eligible 2018 CHRT 4 expenditures

Under the 2018 CHRT 4 order, agencies may claim delegated child and family services costs based on the actual cost incurred, including expenditures for intake and investigations, building repairs, legal fees, child service purchases, as well as small agency operational costs (Annex A provides national 2018 CHRT 4 cost category definitions).

As of fiscal year 2025-2026, all FNCFS agencies in the British Columbia region meet the definition of small agencies, and therefore all eligible operational expenses are funded based on actual costs. The FNCFS Program in British Columbia administers funding for all categories of operational funding, with the exception of child service purchases, through the annual business planning process. Costs related to child service purchases, care and maintenance, continue to be reimbursed based on actual expenditures.

ISC considerations for the eligibility of operational costs under 2018 CHRT 4

The following clarifications are intended to streamline the plan review process and support recipients in demonstrating how their submitted plans align with the 2018 CHRT 4 Order and the FNCFS Transitional Terms and Conditions. ISC may request additional information or clarification, as needed, to process the payment and approve year end reporting requirements, including Audited Financial Statements and Unexpended Funding Plans.

Generally, ISC considers the following when assessing operational costs as included in agency plans to determine planned expenditure eligibility:

- **FNCFS Program and 2018 CHRT 4 Order alignment:** Activities and expenditures must be aligned with the FNCFS Transitional Terms and Conditions, all relevant FNCFS Information Bulletins and the 2018 CHRT 4 Order.
- **Operational context:** ISC considers an agency's size and the number of children and population served, operational plans, and total funding already provided (including in prior fiscal years) to determine whether requests are aligned with and proportionate to an agency's service needs. Additional justifications to demonstrate any changes in activities, the amount of funding requested, or unique operating circumstances are also considered.

- **Demonstrated need:** ISC considers how the funding requested supports the demonstrated needs of eligible children, youth and families within the FNCFS transitional terms and conditions.
- **Reasonableness of activities and costs:** Activities and costs must be practical and justified and generally recognized as normal, necessary and essential for the provision of services based on the goals and objectives of the FNCFS Program, the 2018 CHRT 4 Order and an agency's operations.
- **Geographical and legal context:** Factors such as location, remoteness and provincial/territorial legislation will be considered, as well as applicable federal legislation, including *An Act respecting First Nations, Inuit and Métis children, youth and families*. Justification is required when costs exceed normative standards.
- **Comparability:** To ensure equity, performance and policy effectiveness across Canada, ISC may assess whether the costs are comparable to claims or planned expenses submitted and approved by other agencies in the region and elsewhere, and whether cost variations are reasonable and supported. Justification is required when costs exceed normative standards.
- **Agency capacity:** ISC will consider the recipient's ability to deliver the FNCFS Program and services, including overall operations, management of grants and contributions and General Assessments (GAs).
- **Timeliness:** All activities and expenditures must fall within the eligible fiscal year and submission deadlines.
- **Consistency with past claims:** While prior approvals may inform assessments, they do not guarantee approval of similar future claims.
- **Supporting documentation:** Where needed to confirm eligibility, all expenditures must be occupied by appropriate and verifiable documentation (e.g., invoices, contracts, timesheets, maintenance reports, needs assessments).

Right to appeal

Should recipients wish to dispute a funding decision, they have the right to appeal within ninety (90) days. Contact the British Columbia regional office or sefpn-fncfs@sac-isc.gc.ca for forms.

For any questions or further clarification, please contact the British Columbia regional office or sefpn-fncfs@sac-isc.gc.ca.

ANNEX A: Definitions regarding eligibility of 2018 CHRT 4 Costs

ANNEX A: Definitions regarding eligibility of 2018 CHRT 4 Costs

Ordinarily resident on reserve: Refers to the residency status of an adult who resides on reserve at least 50% of the calendar year and who does not maintain a primary residence elsewhere, or:

- is temporarily residing off reserve while registered either full-time or part-time in an educational institution or a training program and who would otherwise reside on reserve; or
- is temporarily residing off reserve in order to obtain health or social services for which there are no reasonably comparable services on reserve and who, but for the need to receive said services, would reside on reserve; or
- is temporarily residing off reserve due to a natural disaster.

The residency of a child is derived from the residency of the child's parent or guardian. The residency of a child who comes into the care of a mandated child welfare agency is derived from the residency of the child's parent or primary caregiver at the time the child is taken into care.

For the purpose of this definition, a reserve includes:

- a reserve, as defined in s. 2 (1) of the Indian Act, R.S.C., 1985, c. I-5;
- lands set aside in Yukon as per Cabinet Directive (Circular No. 27) entitled Procedure for Reserving Land in the Yukon and Northwest Territories (1955);
- lands formerly defined as a reserve, or lands set aside which now form part of modern treaty settlement lands; and
- Crown land which is recognized or deemed by Canada as settlement lands of a First Nation.

For more information, please refer to information bulletin **FNCFS/SEFPN 2025-005-E** (May 2025), available from your ISC regional office.

Operational cost definitions include:

Building Repairs: Minor repairs and upgrades to bring buildings into compliance with building and fire code standards to meet health and safety standards and to ensure the continuity of FNCFS Program delivery.

Examples of costs: fire alarm installations/repairs, wheelchair ramps, building remediation (e.g. mold removal, water damage), security systems and equipment, heating/cooling system repairs, first aid kits, leasehold improvements etc.

Note: Major capital projects or new construction are not covered under this category.

Child Service Purchase include:

1. Maintenance and care costs and **actual costs required for a child/children in care**, and,
2. Actual costs of goods and services required as a **least disruptive measure** for a child/children not in care as a result of a child maltreatment assessment or investigation, as defined in section 5.1 of the FNCFS Program terms and conditions.

All child service purchase claims must be attributable to a specific child and must be delivered in accordance with applicable legislation, service standards, and the FNCFS Program terms and conditions.

Intake and investigations: Includes the actual incurred costs associated with:

- **Intake:** Receiving and assessing a report/referral about a child who may be in need of protection.
- **Investigations:** Assessments and actions taken to determine if a child has experienced maltreatment and/or is at risk of maltreatment, and what protective or supportive services are required, including ensuring supports are in place that mitigate the risk of child maltreatment or harm while protective file remains open and child is not in care.

The costs may be claimed as either non-salary or salary as follows:

- **Intake and investigation – non-salary:** Actual operation costs (excluding salaries) to provide intake and investigation services in response to suspected or known harm or risk of harm to a child.

  Example costs: Mandatory training for intake and investigations, travel, and recruitment costs.

- **Intake and investigations – salaries and benefits:** Actual salary expenses, including benefits as per employment contracts, for child welfare/social workers and other staff delivering intake and investigation services related to suspected or known harm or risk of harm to a child.

  Examples costs: Salaries and benefits (pension, maternity leave), on-call, standby, overtime, and remoteness allowances and supervisor and management salary costs directly tied to intake and investigation.

  Note: Where a position is dedicated to additional activities outside of Intake and Investigation, a proration should be applied to ensure only the salaries and benefits that directly support Intake and Investigation are included for reimbursement.

Legal fees: Actual costs associated with an open/ongoing child protection matter/case and where costs are directly tied to the agency's mandate under provincial/ territorial child welfare legislation.

Examples of costs: Court-related costs (e.g., lawyer fees, witness fees, court filing fees), legal costs related to supervision orders, protection orders, or adoption proceedings, official documents (e.g., birth certificates, notarization), adoption-related legal costs, repatriation and travel costs associated with child and family service legal proceedings, other legal services required to maintain operational/legal compliance with the agency's mandate.

Note: Legal fees related to children already in care are reimbursed separately under the Maintenance and Care reimbursement process (actuals). Only legal costs directly tied to child and family services within the agency's mandate are eligible.

Small agency costs: A delegated agency is considered a "small agency" when it serves an on reserve population of less than 1,000 who are aged 0-18 (using data from the Indian Registration System). Through 2018 CHRT 4, the FNCFS Program will fund eligible agency child protection operations costs for small agencies on actual costs in line with the FNCFS Program Terms and Conditions and CHRT orders.

Note: Only those agencies that have received official confirmation of their small agency status from ISC are able to access claims on actuals for full operations.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM

2025 EXTERNAL BULLETINS E-BINDER

Ontario Only

November 20, 2025

Table of Contents

First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario.....1

Guidance on Post-Majority Support Service Claims Process
in advance of Ontario Final Agreement.....3

First Nation Representative Services in Ontario Off-reserve Funding for 2025-2026.....5

ADDENDUM - Requests to Authorize and Direct Funding to a Service Provider and Advance Claims for First Nations Representative Services (Off Reserve) in Ontario.....6

Guidance on 2018 CHRT 4 Claims in Ontario.....9

ADDENDUM - Requests to Authorize and Direct Funding to a Service Provider and
Advance Claims for First Nations Representative Services (Off Reserve) in Ontario.....10

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN 2025-007-E

First Nation Requests to Authorize and Direct Funding to a Service Provider in Ontario

August 1, 2025

This bulletin outlines how First Nations can authorize Indigenous Services Canada (ISC) to provide funding for prevention services, First Nation Representative services (FNRS), and post-majority support services to a child and family services provider.

Authorizing a service provider to directly receive funding

Under the First Nations Child and Family Services (FNCFS) Program, a First Nation can choose to directly provide prevention services, FNRS and post-majority support services, or authorize another service provider to deliver these services to their on-reserve community members on the First Nation's behalf.

- **Prevention and FNRS**: a First Nation can request that ISC direct any portion of the First Nation's funding to a different service provider by submitting an official decision document that aligns with their governance structure and customs, such as a Band Council Resolution (BCR).
- **Post-majority support services**: a First Nation can authorize another service provider to submit funding claims to serve their community members using a BCR or other official decision document. If a First Nation authorizes a post-majority support services provider to submit funding claims for their community, the First Nation must state whether they intend to deliver post-majority support services in addition to their authorized provider. If so, the First Nation's BCR or decision document must describe how they will work with their authorized service provider to ensure there is no duplication of services. If an authorized service provider and the First Nation both submit funding claims and requests for post-majority support services funding, the claims will be reviewed together to ensure the funding and service delivery coverage works in a complementary way.

Annual deadline to direct funding

BCRs or decision documents that direct funding to an authorized service provider in any given fiscal year beginning April 1st, must state who will access FNCFS funding to deliver services and be **submitted by September 30th of the preceding calendar year** (e.g. a BCR with direction for the 2026-2027 fiscal year must be submitted by September 30, 2025). This ensures timely distribution of funds at the beginning of the fiscal year.

Due to the nature of the funding distribution cycle, this direction submitted to ISC will apply for a **minimum of one full fiscal year** and will remain in effect until the First Nation provides updated instructions, again adhering to the September 30 deadline.

Transition between service providers

If a First Nation decides to change service providers, ISC will collaborate with all affected providers to develop transition plans. Planning must start before ISC can allocate funding to the new service provider, and will:

- clarify roles and responsibilities related to services;

- address the handling of any unexpended (unspent) funds; and
- establish communication strategies to support smooth and uninterrupted service delivery.

Redistribution of funding

In addition to requesting that ISC direct funding to another service provider, under the Program's terms and conditions, recipients can themselves redistribute funding they have received from ISC to another service provider. However:

- Redistribution of funding requires a written agreement between the recipient and the party to which they would be providing the funding.
- The **original funding recipient remains accountable** for how the funding is used, including unexpended funds.
- Recipients must ensure compliance with the Program's terms and conditions, including **any associated reporting**. Outstanding reporting may delay or impact future payments.

Please refer to your contribution agreement for more information and speak to an ISC regional representative for support where needed.

Ontario-specific considerations for prevention services funding

If the Final Agreement on Long-Term Reform of the FNCFS Program in Ontario (Ontario Final Agreement) is approved by the Canadian Human Rights Tribunal and takes effect by **April 1, 2026**, First Nations in Ontario will be able to redirect prevention services funding during fiscal year 2026-27 as outlined below:

- First Nations in Ontario will have until **September 30, 2025** to request that ISC direct any portion of the First Nation's prevention services funding **for the first half of the 2026-27 fiscal year** to a different service provider by submitting an official decision document, such as a BCR.
- First Nations in Ontario will then have until **April 1, 2026** to submit written notice to ISC directing the allocation of prevention services funding **for the second half of the 2026-27 fiscal year.**

If a First Nation's prevention services funding allocation decision that is submitted by **September 30, 2025** indicates that the allocation decision for the first half of the 2026-27 fiscal year is to apply to the second half of 2026-27 as well, ISC will allocate funding according to the allocation decision in the second half of the 2026-27 fiscal year, regardless of the Ontario Final Agreement taking effect.

Additional information

A BCR template is attached to support First Nations, but it is not mandatory to use it. For questions or further support regarding this process, please contact: sefpn-fncfs@sac-isc.gc.ca.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN-2025-09-E

Guidance on Post-Majority Support Service Claims Process in advance of Ontario Final Agreement
First Nations Child and Family Services Program – Ontario

August 13 2025

Purpose:

This bulletin provides guidance on post-majority support services funding as part of the First Nations Child and Family Services (FNCFS) Program in Ontario in advance of the implementation of the Final Agreement on Long-term Reform of the FNCFS Program in Ontario (the Ontario Final Agreement or OFA).

Post-Majority Support Services Funding:

- ISC will continue to fund the actual costs of eligible post-majority support services until the OFA comes into effect in accordance with 2022 CHRT 8 and the FNCFS Transitional Terms and Conditions: Contributions to provide children, youth, young adults, families and communities with prevention and protection services.
- The Canadian Human Rights Tribunal (CHRT) has ordered Canada to fund First Nations and authorized service providers (including FNCFS Agencies) based on the actual costs of post-majority support services to support youth in care approaching the age of majority and young adults formerly in care.
- Once the OFA comes into effect, funding for post-majority support services **will shift to an allocation-based funding model** with funding delivered directly to First Nations rather than FNCFS Agencies. As detailed below, First Nations will be able to direct ISC to provide their allocation to FNCFS Agencies.

Preparation for Implementation of the OFA:

- ISC is asking recipients to submit their anticipated costs for post-majority support services for the 2025-2026 fiscal year in a plan (submitted as an advance claim or request) rather than reimbursement, wherever possible. Recipients should minimize requests for reimbursement of costs after they are incurred. Recipients will need to note in their plan any unexpended funding from the previous fiscal years that can be applied to the plan or provide confirmation that there is no unspent FNCFS Program funding that can be applied to the plan, as outlined in the April addendum to the February 2025 Information Bulletin on the management of unexpended funds.
- **As soon as the OFA comes into effect (even if that date is within 2025–2026),** First Nations and authorized service providers (including FNCFS Agencies) will no longer have access to funding based on actual costs for post-majority support services (including direct and indirect services). The deadline for the submission of all claims for reimbursement of 2025-2026 post-majority support services expenditures will be **the date the OFA comes into effect**.
- First Nations and FNCFS Agencies are strongly encouraged to collaborate on their 2025–2026 service delivery plans in order to coordinate transition to the OFA's approach of providing post-majority support services funding exclusively to First Nations.

- Under the OFA, First Nations will continue to be able to designate an alternative service provider to deliver post-majority support services, fully or partially. To direct ISC to allocate some or all of its post-majority support services funding to service providers for a given fiscal year, a First Nation must submit a Band Council Resolution or other official decision document related to post-majority support services funding and service provision by September 30th of the preceding calendar year. For more information, please refer to the **Bulletin on Band Council Resolutions directing funding to an authorized service provider in Ontario (August 2025)**.
- Collaboration among multiple providers in the same area will help to prevent gaps and ensure coordinated delivery.
- ISC staff will work closely with First Nations and FNCFS Agencies to support a sustainable transition to the OFA funding model for post-majority support services funding. Provincial funding to FNCFS agencies, including funding to support youth aging out of care, will not be affected by the OFA.
- ISC will be reviewing requests for post-majority support services funding received between April 1, 2025 and the date the OFA comes into effect, with specific attention to whether the expenses claimed would be greater than the funding that would be allocated to the requester under the OFA funding model. ISC will continue to approve requests based on actual expenses and advise First Nations and FNCFS Agencies of anticipated challenges to ensure programming remains stable and to help prevent any gaps during the transition to the new funding model.
- Until the OFA comes into effect, ISC will review and approve post-majority support services requests from FNCFS Agencies as they are received. Funding approvals, however, will be limited to no more than three months of advance funding. This approach ensures that funding supports a smooth transition to the OFA once it comes into effect. For any questions or further clarification, please contact the Ontario Regional Office: creancesdeschrt-chrtclaims@sac-isc.gc.ca or the FNCFS generic inbox at Headquarters: sefpn-fncfs@sac-isc.gc.ca.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS 2025-012-E

First Nation Representative Services in Ontario Off-reserve Funding for 2025-2026

September 26, 2025

This bulletin provides guidance on accessing funding for off-reserve First Nation Representative services (FNRS) in Ontario, including information on the funding request process, key deadlines and eligibility requirements.

Background

Under the Agreement Respecting Funding for First Nation Representative Services Off-Reserve in Ontario, signed by Canada, the Chiefs of Ontario (COO), and Nishnawbe Aski Nation (NAN), Canada will provide funding for FNRS to support First Nations children and families residing off-reserve until **March 31, 2027**.

COO, NAN, and Canada will jointly engage the Government of Ontario to explore long-term funding solutions for these services.

Advance claims process

Indigenous Services Canada (ISC) is moving to an advance claims process for FNRS in Ontario. It will accept claims for reimbursement of past expenses only if those expenses were incurred on or before **November 15, 2025**. Any expenses incurred after that date cannot be submitted for reimbursement. Instead, such expenses must be claimed in advance and pre-approved by ISC before they are incurred.

Claim deadlines

Expense Period	Claim Type	Submission Deadline
Apr. 1, 2025 – Nov.15, 2025	Reimbursement	Submit by **March 31, 2026**
Nov. 16, 2025 – Mar. 31, 2026	Advance Claim	Submit by **October 31, 2025**
Apr. 1, 2026 – Mar. 31, 2027	Advance Claim	Advance claims will be required. To avoid funding gaps, recipients are encouraged to submit their claims by December 31, 2025, prior to the April 1 start of the 2026-27 fiscal year.

Claim Process

1. Complete the **FNCFS Claim Form for FNRS Off-Reserve in Ontario** (attached), which outlines eligible activities.
2. Email your completed form to: creancesdescht-chrtclaims@sac-isc

ISC will assess fully completed claims within 21 calendar days. Incomplete forms will be returned to the recipient with instructions on what missing information is required to resubmit.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN 2025-016-E

ADDENDUM - Requests to Authorize and Direct Funding to a Service Provider and Advance Claims for First Nations Representative Services (Off Reserve) in Ontario

October 31, 2025

This information bulletin provides updates to the August 1, 2025, bulletin on the authorization and direction of funds for service providers (**FNCFS/SEFPN 2025-007-E**) and the September 26, 2025, bulletin regarding advance claims for First Nation Representative Services (FNRS) off reserve (**FNCFS/SEFPN 2025-0012-E**). It includes updated deadlines for Ontario only.

Annual Deadline to Direct Funding to a Service Provider

Under the First Nations Child and Family Services Program, a First Nation can choose to directly provide prevention services, FNRS and post-majority support services, or authorize another service provider to deliver these services to their on-reserve community members on the First Nation's behalf.

For the 2025–2026 fiscal year only, the annual deadline of September 30, 2025, for submitting Band Council Resolutions or other official decision documents to authorize or direct funding to a service provider is extended **to November 15, 2025**, for all Ontario recipients.

This extension is exceptional and applies **only for this fiscal year**. All other requirements, including submission content and process, remain unchanged.

Advance Claims for First Nations Representative Services Off Reserve

The original deadline to submit an advance claim has been extended to **November 15, 2025,** for all Ontario recipients **for the 2025–2026 fiscal year only**.

Expense Period	Claim Type	Original Submission Deadline	Updated Submission Deadline
Apr. 1, 2025 – Nov.15, 2025	Reimbursement	Mar. 31, 2026	Mar. 31, 2026 (unchanged)
Nov. 16, 2025 – Mar. 31, 2026	Advance Claim	Oct. 31, 2025	**Nov. 15, 2025**
Apr. 1, 2026 – Mar. 31, 2027	Advance Claim	Dec. 31, 2025 (encouraged)	Dec. 31, 2025 (unchanged)

Recipients should update their planning and submissions to reflect these revised deadlines to ensure timely funding and continuity of services. All other information in the previous bulletins remains current and valid.

If you have questions about this update or the previously listed bulletins, please contact the Ontario ISC regional office or email creancesdeschrt-chrtclaims@sac-isc.gc.ca for FNRS off reserve claims.

ISC may request additional documentation to support its assessment. ISC will not approve a claim in full or in part until it has received complete documentation on the claim.

If a request is denied or only partially approved, ISC will provide a rationale and instructions for appeal and/or suggest alternative funding sources.

Funding decisions will be communicated via written letter delivered through e-mail.

To request additional funding, **a recipient who has already received off-reserve FNRS funding** must:

- show that **at least 75% of previous off-reserve FNRS claims funding has been spent**, and;
- include a plan for how the **remaining 25% will be used**.

Eligibility and claims assessment

Eligible activities include, but are not limited to:

- Acting as the main liaison, on behalf of families or communities, between First Nations, child and family services agencies, or the Government of Ontario, based on the child's best interests (as defined by the First Nation). This includes interventions that reduce risks and build protective factors, as well as activities that support the child's safety, and the child's connection to community and culture, family preservation, reunification, or permanency planning.
- Supporting discussions, planning, or coordinating and advocacy when a child and family have involvement with child and family services, including Indigenous dispute resolution approaches and court proceedings.
- Ensuring that the cultural needs of a child are being addressed, which includes participating in the development of a child and family's plan of care.
- Collaborating in service planning and delivery with other child and family service providers.
- Serving as a point of contact, responding to notices and fulfilling the responsibilities of a First Nation Representative as set out under federal and provincial legislation and as laid out in *An Act respecting First Nations, Inuit and Métis children, youth and families.*

Note: Administrative fees must be detailed as expenses rather than presented as a percentage. All costs must be itemized.

Exceptional costs

Some costs that fall outside typical FNRS funding parameters may be considered on an exceptional basis if justified due to complex or unique needs. Such costs include:

- **Vehicles for First Nation Representatives off-reserve:** While transportation is an eligible cost under FNRS, vehicle purchase(s) must have ISC pre-approval and comply with ISC's policies and guidelines, including the First Nations Child and Family Services and Jordan's Principle Capital Delivery Guide and FNCFS vehicle purchase policies, available through the ISC contact e-mail listed below.
- **International travel:** International travel costs will only be considered with written pre-approval by ISC for specific travel requirements prior to costs being incurred.

Additional criteria specific to FNRS off-reserve are included in the claim form. Note that a previously approved claim does not guarantee approval for future requests.

Assessment considerations include:

- Whether the costs support the eligible activities;
- Whether the costs are **reasonable**, based on their necessity for delivering eligible services and whether the amounts are typical and justified given the service delivery context;
- Whether the request substantively duplicates existing funded services or services funded by Jordan's Principle or Choose Life.

Reporting Requirements

Funding provided through contribution agreements must follow standard financial management, accountability and reporting practices outlined in the contribution agreement. Recipients must complete and submit **DCI 4548549** to report on the use of FNRS off-reserve funding. Reporting deadlines are specified in the contribution agreement. ISC may delay funding where a recipient has outstanding reports.

Contact

For any questions or further clarification, please contact your Ontario region FNCFS team at creancesdeschrt-chrtclaims@sac-isc.gc.ca.

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS 2025-014-E

Guidance on 2018 CHRT 4 Claims in Ontario

October 31, 2025

This bulletin provides updated guidance and a revised form for submitting claims under the 2018 Canadian Human Rights Tribunal (CHRT) 4 Order effective for all new claims as of October 31, 2025 and until the Ontario Final Agreement (OFA) is ratified. Until the OFA comes into effect, ISC will continue to fund actual costs for these categories in accordance with the 2018 CHRT 4 Order. This bulletin should be read in conjunction with the First Nations Child and Family Services (FNCFS) Transitional Terms and Conditions and prior FNCFS Program guidance documents, such as the recent bulletin regarding the management of unexpended funding. These documents are available through your Indigenous Services Canada (ISC) Ontario regional office.

Key changes effective October 31, 2025:

- All recipients submitting a new claim for reimbursement or advance payment request under 2018 CHRT 4 for intake and investigations, building repairs, legal fees, and small agency operational costs must use the updated 2018 CHRT 4 Actual Cost Claims in Ontario Form, including a new FNCFS 2018 CHRT 4 Actual Cost Claims in Ontario Checklist.

Revised claim form and claim checklist

The updated form is designed to streamline the review process and minimize unnecessary delays caused by requests for additional information. It is intended to improve ISC's ability to process claims more efficiently, and to render decisions more quickly while supporting recipients in demonstrating how their submissions align with the 2018 CHRT 4 Order and the FNCFS Transitional Terms and Conditions. Key additions include:

- **Cover Page**
  - Declaration of any FNCFS unexpended funds from previous years alongside FNCFS funding received to date within the fiscal year.
  - Reporting on the number of eligible children (see Annex A for definition of on-reserve or ordinarily resident on reserve) supported by the claim.
  - Amount of unexpended funds to be applied to the claim.
- **Definitions**
  - Inclusion of important definitions to be considered in completing claims.
- **Checklist**
  - Incorporation of a claim checklist as part of the form.
- **Sections 3A-Section 7**
  - Clear definitions for each eligible cost category.
  - Job/activity descriptions confirming alignment with cost categories and Program terms and conditions.
  - Detailed cost breakdown for eligibility validation.
  - A list of supporting documents required to substantiate costs, if needed.

To avoid processing delays, all funding requests must include a completed **claim checklist** (reimbursement or advance), included in the updated form and all checklist requirements met. **ISC will not review incomplete claims.** Claims submitted without a completed checklist or with

FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM
INFORMATION BULLETIN
FNCFS/SEFPN 2025-016-E

ADDENDUM - Requests to Authorize and Direct Funding to a Service Provider and Advance Claims for First Nations Representative Services (Off Reserve) in Ontario

October 31, 2025

This information bulletin provides updates to the August 1, 2025, bulletin on the authorization and direction of funds for service providers (**FNCFS/SEFPN 2025-007-E**) and the September 26, 2025, bulletin regarding advance claims for First Nation Representative Services (FNRS) off reserve (**FNCFS/SEFPN 2025-0012-E**). It includes updated deadlines for Ontario only.

Annual Deadline to Direct Funding to a Service Provider

Under the First Nations Child and Family Services Program, a First Nation can choose to directly provide prevention services, FNRS and post-majority support services, or authorize another service provider to deliver these services to their on-reserve community members on the First Nation's behalf.

For the 2025–2026 fiscal year only, the annual deadline of September 30, 2025, for submitting Band Council Resolutions or other official decision documents to authorize or direct funding to a service provider is extended **to November 15, 2025**, for all Ontario recipients.

This extension is exceptional and applies **only for this fiscal year**. All other requirements, including submission content and process, remain unchanged.

Advance Claims for First Nations Representative Services Off Reserve

The original deadline to submit an advance claim has been extended to **November 15, 2025,** for all Ontario recipients **for the 2025–2026 fiscal year only**.

Expense Period	Claim Type	Original Submission Deadline	Updated Submission Deadline
Apr. 1, 2025 – Nov.15, 2025	Reimbursement	Mar. 31, 2026	Mar. 31, 2026 (unchanged)
Nov. 16, 2025 – Mar. 31, 2026	Advance Claim	Oct. 31, 2025	**Nov. 15, 2025**
Apr. 1, 2026 – Mar. 31, 2027	Advance Claim	Dec. 31, 2025 (encouraged)	Dec. 31, 2025 (unchanged)

Recipients should update their planning and submissions to reflect these revised deadlines to ensure timely funding and continuity of services. All other information in the previous bulletins remains current and valid.

If you have questions about this update or the previously listed bulletins, please contact the Ontario ISC regional office or email creancesdeschrt-chrtclaims@sac-isc.gc.ca for FNRS off reserve claims.

missing elements will be returned to the recipient with a letter summarizing the missing information. ISC will only begin reviewing a claim once completeness has been confirmed. An acknowledgment email will be sent once the submission is deemed complete.

ISC claim assessment

ISC will assess each claim using the claim checklist within the updated form to ensure completeness. Claims deemed complete will then be reviewed to confirm eligibility. ISC may request additional information or clarification, as needed, to advance the claim for processing.

Generally, ISC considers the following when assessing claims to determine eligibility:

- **FNCFS Program and 2018 CHRT 4 Order alignment:** Activities and expenditures must be aligned with the FNCFS Transitional Terms and Conditions, all relevant FNCFS Information Bulletins and the 2018 CHRT 4 Order.
- **Operational context:** ISC considers an agency's size and the number of children and population served, operational plans, and total funding already provided (including in prior fiscal years) to determine whether requests are aligned with and proportionate to an agency's service needs. Additional justifications to demonstrate any changes in activities, the amount of funding requested, or unique operating circumstances are also considered.
- **Demonstrated need:** ISC considers how the funding requested supports the demonstrated needs of eligible children, youth and families within the FNCFS transitional terms and conditions.
- **Reasonableness of activities and costs:** Activities and costs must be practical and justified and generally recognized as normal, necessary and essential for the provision of services based on the goals and objectives of the FNCFS Program, the 2018 CHRT 4 Order and an agency's operations.
- **Geographical and legal context:** Factors such as location, remoteness and provincial/territorial legislation will be considered, as well as applicable federal legislation, including *An Act respecting First Nations, Inuit and Métis children, youth and families*. Justification is required when costs exceed normative standards.
- **Comparability:** To ensure equity, performance and policy effectiveness across Canada, ISC may assess whether the costs are comparable to claims submitted and approved by other agencies in the region and elsewhere, and whether cost variations are reasonable and supported. Justification is required when costs exceed normative standards.
- **Agency capacity:** ISC will consider the recipient's ability to deliver the FNCFS Program and services, including overall operations, management of grants and contributions and General Assessments (GAs).
- **Timeliness:** All activities and expenditures must fall within the eligible fiscal year and submission deadlines.
- **Consistency with past claims:** While prior approvals may inform assessments, they do not guarantee approval of similar future claims.
- **Supporting documentation:** Where needed to confirm eligibility, all claims must include appropriate and verifiable documentation (e.g., invoices, contracts, timesheets, needs assessments).

Right to appeal

Should recipients wish to dispute a funding decision, they have the right to appeal a decision within ninety (90) days. Contact the Ontario Regional office: creancesdeschrt-chrtclaims@sac-isc.gc.caor sefpn-fncfs@sac-isc.gc.ca for forms.

For any questions or further clarification, please contact the Ontario Regional office: creancesdeschrt-chrtclaims@sac-isc.gc.caor sefpn-fncfs@sac-isc.gc.ca.

ANNEX A: Definitions regarding eligibility of 2018 CHRT 4 Costs

ANNEX A: Definitions regarding eligibility of 2018 CHRT 4 Costs

Ordinarily resident on reserve: Refers to the residency status of an adult who resides on reserve at least 50% of the calendar year and who does not maintain a primary residence elsewhere, or:

- is temporarily residing off reserve while registered either full-time or part-time in an educational institution or a training program and who would otherwise reside on reserve; or
- is temporarily residing off reserve in order to obtain health or social services for which there are no reasonably comparable services on reserve and who, but for the need to receive said services, would reside on reserve; or
- is temporarily residing off reserve due to a natural disaster.

The residency of a child is derived from the residency of the child's parent or guardian. The residency of a child who comes into the care of a mandated child welfare agency is derived from the residency of the child's parent or primary caregiver at the time the child is taken into care.

For the purpose of this definition, a reserve includes:

- a reserve, as defined in s. 2 (1) of the Indian Act, R.S.C., 1985, c. I-5;
- lands set aside in Yukon as per Cabinet Directive (Circular No. 27) entitled Procedure for Reserving Land in the Yukon and Northwest Territories (1955);
- lands formerly defined as a reserve, or lands set aside which now form part of modern treaty settlement lands; and
- Crown land which is recognized or deemed by Canada as settlement lands of a First Nation.

For more information, please refer to information bulletin **FNCFS/SEFPN 2025-005-E** (May 2025), available from your ISC regional office.

Operational cost definitions include:

Building Repairs: Minor repairs and upgrades to bring buildings into compliance with building and fire code standards to meet health and safety standards and to ensure the continuity of FNCFS Program delivery.

Examples of costs: fire alarm installations/repairs, wheelchair ramps, building remediation (e.g. mold removal, water damage), security systems and equipment, heating/cooling system repairs, first aid kits, leasehold improvements etc.

Note: Major capital projects or new construction are not covered under this category.

Intake and investigations: Includes the actual incurred costs associated with:

- **Intake:** Receiving and assessing a report/referral about a child who may be in need of protection.
- **Investigations:** Assessments and actions taken to determine if a child has experienced maltreatment and/or is at risk of maltreatment, and what protective or

supportive services are required, including ensuring supports are in place that mitigate the risk of child maltreatment or harm while protective file remains open and child is not in care.

The costs may be claimed as either non-salary or salary as follows:

- **Intake and investigation – non-salary:** Actual operation costs (excluding salaries) to provide intake and investigation services in response to suspected or known harm or risk of harm to a child.

  Example costs: Mandatory training for intake and investigations, travel, and recruitment costs.

- **Intake and investigations – salaries and benefits:** Actual salary expenses, including benefits as per employment contracts, for child welfare/social workers and other staff delivering intake and investigation services related to suspected or known harm or risk of harm to a child.

  Example costs: Salaries and benefits (pension, maternity leave), on-call, standby, overtime, and remoteness allowances and supervisor and management salary costs directly tied to intake and investigation.

  Note: Where a position is dedicated to additional activities outside of Intake and Investigation, a proration should be applied to ensure only the salaries and benefits that directly support Intake and Investigation are included for reimbursement.

Legal fees: Actual costs associated with an open/ongoing child protection matter/case and where costs are directly tied to the agency's mandate under provincial/ territorial child welfare legislation.

Examples of costs: Court-related costs (e.g., lawyer fees, witness fees, court filing fees), legal costs related to supervision orders, protection orders, or adoption proceedings, official documents (e.g., birth certificates, notarization), adoption-related legal costs, repatriation and travel costs associated with child and family service legal proceedings, other legal services required to maintain operational/legal compliance with the agency's mandate.

Note: Legal fees related to children already in care are reimbursed separately through the 1965 Agreement. Therefore only legal costs directly tied to child and family services within the agency's operations are eligible via 2018 CHRT 4 claims on actuals.

Small agency costs: A delegated agency is considered a "small agency" when it serves an on reserve population of less than 1,000 who are aged 0-18 (using data from the Indian Registration System). Through 2018 CHRT 4, the FNCFS Program will fund eligible agency child protection operations costs for small agencies on actual costs in line with the FNCFS Program Terms and Conditions and CHRT orders.

Note: Only those agencies that have received official confirmation of their small agency status from ISC are able to access claims on actuals for full operations.

PARTICIPANT FEEDBACK FORM

Purpose:
To provide feedback on content or topics presented by ISC during the event.

Event Date: _____

Event Title: _____

Question 1. With what type of organization are you affiliated (select one)?

- ❑ First Nation
- ❑ First Nation Service Provider
- ❑ Agency
- ❑ Indigenous organization
- ❑ Provincial/Territorial government
- ❑ Other (specify) _____

Question 2. After this session, do you feel better informed of Child and Family services possibilities and/or roles and responsibilities and/or delivery requirements? *(circle what best describes your feeling)*

No, not at all	No, very little	Somewhat	Yes, very much	Yes, extremely
1	2	3	4	5

Question 3. What information (e.g., topics, tools, materials) has been the most useful for you during the session?

Question 4. What would you do to improve the session?

Question 5. What topics would you like to see covered in a future session?

Question 6. Do you have any additional comments and/or suggestions regarding this event?

DRAFT

FNCFS Program Reporting and Planning Requirements under the Ontario Final Agreement

Presentation at COO Virtual Information Session
October 17th, 2025

Prepared by
Planning & Performance Measurement Division
Strategic and Fiscal Coordination Branch

Indigenous Services Canada | Services aux Autochtones Canada

Canada

Purpose of the Presentation

- The purpose of this presentation is to share information on changes to the reporting and planning changes that will apply to FNCFS Program recipients once the Ontario Final Agreement (OFA) comes into Effect.

Context

- The changes described in this presentation are conditional on the OFA coming into effect.
- The OFA will come into effect on the "Effective Date," which is defined as the latest of several possible legal milestones – most notably, 60 days after the Canadian Human Rights Tribunal issues an order approving the OFA and ending its jurisdiction over the related complaint. If a judicial review or stay is sought, the Effective Date would be delayed further.

Current Reporting Requirements

- For fiscal year 2025-2026, FNCFS is using the following data collection instruments (DCIs) as reporting requirements for recipients based on the recipient:
  - *First Nations Child and Family Services Activity Report* (DCI #1278249)
  - *CFS Maintenance Report* (DCI #455917)
  - *Activities and Expenditures report* (DCI #4548549)
  - *Capital Project Report* (DCI #460671)
  - *FNCFS Annual Final Report* (DCI #1208367)
  - *Community Infrastructure and Housing Annual Report* (DCI #41701)
- DCIs are required according to the corresponding funding stream(s) as outlined in Annex A.
- FNCFS DCIs are publicly available on the ISC Reporting Guide https://www.sac-isc.gc.ca/eng/1573764124180/1573764143080. DCIs include instructions and definitions.
- ISC is currently developing program reporting guidance to provide further support on how to navigate the different OFA Data Collection Instruments (DCIs). This will be shared as soon as possible.

Reporting and Planning Requirements under the OFA

- Under the OFA, Recipients will:

1) complete the current FNCFS DCIs listed on slide 4 and submit them to ISC.

2) complete new plans.

  - *First Nations Child and Family Services Multi-Year Plan* (PAW# 1296953)
  - *First Nations Child and Family Services (FNCFS) Child and Community Wellbeing Plan* (PAW# 1296545)

Please note that the new plans are the only major reporting change in the information that First Nations and FNCFS Agencies will send to ISC.

Note: FNCFS Program proposals, applications and work plans (PAW) are publicly available on the ISC proposals, applications, work plans webpage (https://www.sac-isc.gc.ca/eng/1571829044381/1571829074923)

FIRST NATION CHILD AND FAMILY SERVICES ACTIVITY REPORT – DCI

(Currently in use for FY 2025-26)

General Information	• The *First Nations Child and Family Services Activity Report* is a national Data Collection Instrument (DCI) introduced by Indigenous Services Canada (ISC) for use beginning in the 2025–2026 fiscal year. It is to be completed by funding recipients across Canada to report on activities under the First Nations Child and Family Services (FNCFS) Program. • This DCI was specifically designed to support the performance measurement framework for the FNCFS Program. It aligns with the indicators and outcomes identified for national use, as outlined in Appendix 2: Performance Measurement Indicators and Outcomes Chart of the OFA.
Implementation timeline	Annual reporting must be completed by 120 days, following the end of the fiscal year being reported.
Format	First Nations Child and Family Services Activity Report (DCI #1278249)

FNCFS FIRST NATION MULTI-YEAR PLAN

General Information	• Under the OFA, each First Nation will be required to submit a Multi-Year Plan to ISC • The plan must cover the period until March 31, 2029, with annual updates as necessary. • The plan must describe the First Nation's planned use of FNCFS Program funding (excluding capital projects), including related service activities and implementation details. • ISC is working with COO and NAN on the development of a guide to support First Nations in the development of the Multi-Year Plan.
Plan Requirements (Plans must include)	• Overview of key child and family well-being, service, and strategic priorities for the planning period • Information about the First Nation's planned initiatives/activities relating to the below, including the estimated time frame for each activity/initiative: Prevention, First Nation Representative Services, Post-Majority Support Services • Multi-year financial forecast (2026-27 to 2028–2029), including planned expenditures for: Prevention, First Nation Representative Services, Post-Majority Support Services, Household Supports, Information Technology Results • Unexpended Funding Plan (if applicable)
Implementation timeline	• First Nations expected to submit the completed plan to ISC within 6 months of the effective date of the OFA.
Format	• An updated PAW for fiscal year 25-26 will be available on ISC's Proposals, applications, and work plans webpage to be used and submitted by FNCSF Agencies. • For reference only, a template plan is included at Appendix 5 of the Ontario Final Agreement, linked here.

FNCFS CHILD AND COMMUNITY WELLBEING PLAN

General Information	• Under the OFA, each FNCFS Agency will be required to submit an FNCFS *Child and Community Wellbeing Plan (CCWP)*. • The plan must cover the period until March 31, 2029, with annual updates as necessary. • The plan **must** be co-developed by each FNCFS Agency with its affiliated First Nations. • FNCFS Agencies **must** co-develop the plans with First Nations to ensure that First Nations needs and priorities are reflected in the Agencies service delivery plan. • Slide 10 provides additional information on **Guidelines for FNCFS Agencies seeking First Nation consent to the Agency's Child and Community Well-Being Plan**
Plan Requirements (Plans must include)	• Planned activities and expenditures for Baseline Funding, Emergency Funding, Prevention Funding (if applicable). • Multi-year financial forecasts, including plans for any unexpended funds. • Performance targets set by affiliated First Nations and plans to achieve them. • Risk management strategies. • Provisions for regular reporting to affiliated First Nations, including annual data on youth eligible for post-majority services. • Mechanisms for information sharing to support First Nations in service delivery. • Recognition of First Nations' roles in delivering First Nation Representative Services and post-majority support services. • An integrated approach to prevention services, clarifying roles between the FNCFS Agency and First Nations to ensure holistic, wraparound support. • Consideration of complementary roles between the FNCFS Agency and First Nations in delivering services under the Reformed FNCFS Program.

FNCFS CHILD AND COMMUNITY WELLBEING PLAN

Community Wellness Indicators	• The plan will also be used to record the FNCFS Agency's and its affiliated First Nations' goals and targets with respect to Community Wellness Indicators as defined in para. 113 of the OFA (on which FNCFS Agencies are required to report to its affiliated First Nations) plus any additional wellbeing indicators co-developed by the FNCFS Agency and its affiliated First Nations. • Definitions and process related to data collection for the Community Wellness Indicators which will be collected directly by the Data Secretariat are currently under way and will be communicated as soon as possible.
Implementation Timeline	• FNCFS Agencies expected to submit the completed plan to ISC within 6 months of the effective date of the OFA.
Format	• An updated PAW for fiscal year 25-26 will be available on ISC's proposals, applications, and work plans webpage to be used and submitted by FNCSF Agencies. • For reference only, a template plan is included at Appendix 5 of the Ontario Final Agreement, linked here.

FNCFS CHILD AND COMMUNITY WELLBEING PLAN: Guidelines for Agencies Seeking First Nation Consent

Under paragraph 108 of the Ontario Final Agreement (OFA), FNCFS Agencies are required to co-develop a Child and Community Well-being Plan with their affiliated First Nations. Under paragraph 111, FNCFS Agencies are required to fund the co-development of this plan, including providing opportunities for the meaningful participation of its affiliated First Nations in the co-development process. ISC will leave it to FNCFS Agencies to connect with its affiliated First Nations to determine the most appropriate process for them to complete the plan. It is anticipated that, in most instances, FNCFS Agencies and their affiliated First Nations will co-develop their plans without issue. In some cases, however, FNCFS Agencies may face difficulty securing the participation or agreement of all their affiliated First Nations.

To ensure that FNCFS Agencies are able to submit their Child and Community Well-being Plans by no later than six (6) months after the OFA's Effective Date, ISC issues the following guidance:

No response by one First Nation:

Where an FNCFS Agency has contacted a First Nation three (3x) to participate in co-development of its child and community well-being plan and the First Nation has not responded, ISC will deem that the FNCFS Agency has made reasonable efforts to consult with the First Nation on the plan and will accept the FNCFS Agency's plan. The FNCFS Agency will provide to ISC a brief description of its reasonable efforts to seek the First Nation's participation in the co-development process.

Refusal by First Nation to sign:

Where one or more First Nation declines to participate or participates in co-development of an FNCFS Agency's plan but refuses to sign the plan, ISC will accept the plan if a majority of the FNCFS's Agency's affiliated First Nations have signed the plan. The FNCFS Agency will provide to ISC a brief description of its reasonable efforts to seek the support of the First Nation(s) that withheld signature.

Refusal by half or more First Nations to sign:

Where half or more of an FNCFS Agency's affiliated First Nations refuse to sign the FNCFS Agency's plan, ISC will not accept the plan. The FNCFS Agency will have to adjust its plan until it can secure the agreement of a majority of its affiliated First Nations.

Planning and reporting work currently being co-develop with COO and NAN

✓Developing proper processes and mechanisms/ tools are in place for FNCFS Agency's:

- FNCFS Agency annual reporting to its affiliated First Nations and to the Ontario FNCFS Data Secretariat (s.115)
- Agency collection of performance data and reporting on indicators (s.115)
- Compliance measures regarding data collection and reporting on indicators is implemented as planned (funding agreements) (s.118)
- FNCFS Agency reporting to its affiliated First Nations on their Child and Community Wellbeing Plans (s.111)

✓ Currently developing methods for ISC to report to the Ontario Reform Implementation Committee on FNCFS Agency's compliance with their funding agreements

Questions for Reflection in Getting Ready for Planning

- What are the biggest factors impacting children and families in your community?
- Where are the opportunities for First Nations and its affiliated agency to work together?
- What are your expectations of your FNCFS agency when a child or a family has been identified as being at risk of child maltreatment?
- How do you expect your agency to interact with your community?
- What performance indicators would support you in developing targeted programming?
- How do you measure program success?

Annex A – Data Collection Instruments by funding stream

Funding Stream	Data Collection Instruments
Maintenance / Care	CFS Maintenance Report (DCI # 455917) & First Nations Child and Family Services Activity Report (DCI #1278249)
Operations (i.e. Protection)	FNCFS Annual Final Report (DCI #1208367)
Prevention	First Nations Child and Family Services Activity Report (DCI #1278249)
Post-Majority Support Services	First Nations Child and Family Services Activity Report (DCI #1278249)
First Nations Representative Services	Activities and Expenditures report (DCI #4548549)
Capital (FNCFS & FNRS)	Capital Project Report (DCI #460671) & Activities and Expenditures report (DCI #4548549)
Others	Activities and Expenditures report (DCI #4548549)
Funding Strategies (Operations/CFS Poverty/CFS Emergency)	FNCFS Annual Final Report (DCI #1208367)
Housing	Community Infrastructure and Housing Annual Report (DCI #41701)

For questions, comments or more information, please contact:

Danick Vallée-Blanchard: Danick.vallee-blanchard@sac-isc.gc.ca
Randine Akapew : randine.akapew@sac-isc.gc.ca

First Nations Child and Family Services (FNCFS) Program Capital Funding

Ontario Final Agreement

November 14, 2025



Indigenous Services Canada
Services aux Autochtones Canada

Canada

Purpose

To provide a brief overview of the **implementation of the FNCFS capital commitment under** the Final Agreement on Long-Term Reform of the FNCFS Program in Ontario (**the Ontario Final Agreement or OFA**)

Current FNCFS Capital Process: 2021 CHRT 41

- As a result of 2021 CHRT 41, Canada began funding the full cost of the planning, purchase and construction of capital assets to support the delivery of the FNCFS Program and Jordan's Principle
- 2021 CHRT 41 capital project requests are assessed by FNCFS Program teams within Indigenous Services Canada's regional offices
- 2021 CHRT 41 capital requests are assessed using the same technical standards as under the Capital Facilities and Maintenance Program (CFMP)
- 2021 CHRT 41 capital project requests are currently funded at actual costs and must support the delivery of at least one of the FNCFS Program funding streams:
  - Protection
  - Prevention
  - Post-Majority Support Services
  - First Nation Representative Services

FNCFS Capital Commitment in the OFA

- On February 26, 2025, Chiefs of Ontario (COO), Nishnawbe Aski Nation (NAN) and Canada signed the OFA

- In the OFA, Canada committed a total of **$455 million** for FNCFS capital assets that support the delivery of the reformed FNCFS Program's funded services and activities, to be administered over the term of the OFA (tentatively April 1, 2026 to March 31, 2034)
- FNCFS capital project requests under the OFA will follow a community planning approach
- OFA FNCFS capital funding is intended to support:
  - needs assessments and feasibility studies
  - the purchase and construction of capital assets
  - the repair and renovation of existing buildings
  - the operations and maintenance costs of owned assets

- Note: $455 million represents Ontario's share of the national capital funding pot negotiated in the rejected draft national Final Settlement Agreement

Transition from CHRT 41 to OFA Capital Process

- First Nations and FNCFS Agencies will continue to have access to FNCFS capital funding under 2021 CHRT 41 until the date the OFA comes into effect
- As of the date the OFA comes into effect, the 2021 CHRT 41 FNCFS capital process will be **immediately replaced in Ontario by the OFA Capital Process**

Applicable Approval Process for FNCFS Capital Requests

- For FNCFS capital proposals submitted before the effective date of the OFA, ISC will apply the 2021 CHRT 41 approval process to determine if the proposal will be funded
- For all capital proposals submitted after the effective date of the OFA, ISC will apply the OFA Capital Process to determine if, and when the proposal will be funded

- For capital projects **where design funding was approved under the 2021 CHRT 41 approval process**, subsequent proposals for construction funding will not be subject to the full OFA Capital Process. These proposals will not require the submission of a plan

Note: After the OFA comes into effect, Jordan's Principle capital will continue to operate under the existing 2021 CHRT 41 process

OFA Capital Eligibility

- Eligible recipients remain First Nations and FNCFS Agencies in Ontario
  - First Nations in Ontario who have concluded a self-government agreement are eligible as long as they are delivering services and receive funding under the FNCFS Program

- It remains, that eligible assets must support the delivery of at least one of prevention services, protection services, First Nation Representative Services, and Post-Majority Support Services (including vehicles and housing for staff in very limited circumstances)

- It remains, that recipients can **purchase or construct off-reserve property** where there is no suitable property available on reserve for construction OR where an off-reserve asset is more accessible for First Nations children, youth, and families ordinarily resident on reserve to receive services

OFA Capital Eligibility, cont.

- **Multi-purpose assets** (i.e., assets supporting the delivery of FNCFS-funded services and activities along with unrelated activities) will continue to be proportionally funded. OFA FNCFS capital funding is only available to support the portion of a multi-purpose asset that is intended to support FNCFS-funded services and activities

- Eligible expenses include (see forthcoming OFA Capital Implementation Guide for complete list):
  - ✓ needs assessments and feasibility studies
  - ✓ purchase, new construction, renovation, and replacement of capital assets
  - ✓ insurance for assets
  - ✓ project administration costs as outlined in the OFA Capital Implementation Guide
  - ✓ professional fees
  - ✓ operations and maintenance costs (buildings and vehicles)

OFA Capital Implementation Guide

- Canada, COO, and NAN are working together to create an **OFA Capital Implementation Guide**

- The **OFA Capital Implementation Guide** will detail the OFA capital process, including:
  - how First Nations and FNCFS Agencies can submit capital funding requests
  - the approval and administration process for capital projects
  - eligibility criteria for activities, assets, and expenses
  - the stages of the project lifecycle
  - reporting requirements
  - appeals process/dispute resolution

- The **OFA Capital Implementation Guide** will be available in Winter 2025-26

Capital Project Lifecycle

- Each project that qualifies for FNCFS capital funding under the OFA will be subject to a stage-based project review process

- The FNCFS capital project life-cycle includes the following **six separate stages**:
  1. Planning stage
  2. Feasibility study stage – including feasibility and other pre-design surveys/studies
  3. Design stage
  4. Procurement and construction/acquisition, and commissioning stage;
  5. Operations and maintenance stage
  6. Decommissioning stage

- FNCFS capital funding requests for **straightforward/simple projects** may not need to go through all the stages above

1. Planning Stage

- ISC will administer OFA FNCFS capital funding based on project proposals

- **First Nations** will submit a First Nation Infrastructure Investment Plan (FNIIP):
  - Under the OFA, First Nations will identify their priority FNCFS capital needs each year by creating or updating their community-level FNIIP, with support from the ISC regional office
  - Fiscal year 2026-27 will serve as a transition into the new process. First Nations will be requested to submit a stand-alone FNIIP (date to be determined and communicated in advance) and based on guidance and tools to be share in the near future
  - Beginning in fiscal year 2027-28, the FNCFS portion of each community's FNIIP will be submitted in the fall of each year as a distinct tab in existing FNIIPs

- **FNCFS Agencies** will submit an Agency Infrastructure Investment Plan (AIIP):
  - Under the OFA, FNCFS agencies in Ontario will identify their priority FNCFS capital needs each year by creating or updating an AIIP, with support from the ISC regional office
  - Beginning in fiscal year 2027-28, the AIIP will be annexed to agencies' Child and Community Well-Being Plans (a new planning requirement for FNCFS agencies under the OFA which is due within six months of the OFA coming into effect) with updates to the AIIP submitted to ISC in the fall of each year
  - Fiscal year 2026-27 will serve as a transition into the new process
  - FNCFS Agencies will be asked to submit a stand-alone AIIP containing their priority FNCFS capital requests to ISC at a date to be determined and communicated in advance, for use, if and when the OFA comes into effect

Project Ranking

- Once the plans are received, ISC will evaluate all eligible FNCFS capital requests using a Priority Ranking Framework (PRF) – a tool that helps ensure OFA FNCFS capital funding is directed to the highest priorities using a consistent process

- The framework uses a weighted scoring system to assess proposals against several standardized criteria:
  - For renovations:
    - the condition of the current building
    - if the building meets safety standards and building codes
  - For new builds:
    - whether existing space can meet service needs
    - how far the nearest suitable facility is from the community
  - For both:
    - if the community has received construction funding before
    - how many of the FNCFS Program's funding components will be delivered (for First Nations) or how many First Nations will be served (for FNCFS Agencies)
    - how much of the space will be dedicated to FNCFS service delivery
    - whether essential infrastructure like water, power, and roads is in place
    - whether the request comes from a First Nation
    - if the request comes from an FNCFS Agency, whether a land designation is secured or in progress

Project Ranking, cont.

- ISC will prepare an initial ranking report that identifies the projects that ranked highest through application of the PRF
- The **Ontario Reform Implementation Committee (ORIC)** will examine the initial ranked list of projects and provide feedback to ISC, including any concerns or observations regarding the prioritization of projects
- Projects that rank high enough and can be funded within the yearly funding envelope will proceed to the next step

<u>Projects that do not rank within the funding envelope for the current year:</u>

- ISC will notify the recipient that their project was not selected for funding in the current fiscal year
- Projects not selected for funding in a given fiscal year will remain in the FNIIP/AIIP (unless revised the subsequent year during the FNIIP/AIIP update) and will be part of the prioritization process the next year
- Recipients may request additional information from ISC about how their project was scored/ranked
- If a First Nation or FNCFS Agency disagrees with the scoring/ranking of a project, they may pursue a **Claimant Dispute under the OFA's dispute resolution process**

2. Feasibility Stage

- When a project is selected for funding through the Priority Ranking Framework, the recipient will be invited to submit a feasibility study
  - The recipient must submit a funding application for the feasibility phase. This phase identifies what infrastructure and resources are needed to deliver programs and services. The study usually looks at: the services currently being offered, staffing requirements, the type and amount of infrastructure or capital needed, and the availability and condition of existing assets
- The feasibility study must include detailed information such as project description, rationale, implementation plan, cost estimates, cash flow projections, environmental assessment, land survey, and risk mitigation measures
- Its purpose is to demonstrate the viability, sustainability, and value-for-money of the project before significant resources are committed
- ISC reviews the feasibility study submitted to confirm technical options and cost analysis
- ISC then approves the project for funding, allowing it to go forward to the design stage

3. Design Stage

- After the feasibility study is finalized, the recipient prepares and submits a Project Approval Request (PAR) with support from ISC
  - The PAR includes the feasibility study, cost estimates, risk assessments, project schedules, and supporting documentation

- Once ISC endorses the PAR, design stage funding is provided through an amendment to the requestor's funding agreement and design activities can proceed
- During the design stage, the recipient develops the option selected from the feasibility study and prepares complete design documents with sufficient detail for tendering, including a Class "A" cost estimate
- ISC endorses the final design documents and then the project can proceed to the procurement and construction/acquisition stage

4. Procurement and Construction/ Acquisition Stage

- Following project approval, the recipient's project design team moves forward with the tendering and construction phases
- Funding is released in steps according to a pre-determined payment schedule based on agreed progress milestones through an amendment of the recipient's funding agreement
  - A separate funding application **will not be required** for each phase. Instead, project approval occurs at the outset, and ISC will support the full life cycle from start to finish, subject to funding availability. Under the OFA, capital projects will be approved for funding once, after which they will not be re-assessed using the PRF
  - ISC officials with infrastructure experience can provide ongoing support as needed, and a stage-based review process will be applied – for example, ISC will conduct a technical review of the feasibility study and design before approving the construction phase
- Once an asset is constructed, the recipient submits closure documents to ISC
- After project completion, the asset enters a one-year warranty period during which the contractor must address any deficiencies identified by the design team or recipient, in coordination with the recipient and ISC as needed
- ISC reviews all documents before making the last payment, and inspections are scheduled within three years to check asset condition

5. Operations and Maintenance Stage

- The preservation of the functional integrity of OFA-funded capital assets is a priority

- All assets should be:
  - Maintained to achieve their full design life, including regular inspections, preventative maintenance, and repairs when required
  - Operated to ensure their proper day-to-day functioning and service delivery outcomes as intended, with due regard to the health and safety of the community and the environment

- When the asset is in place and operational, the FNCFS Program will provide funding for operations and maintenance for the duration of the OFA

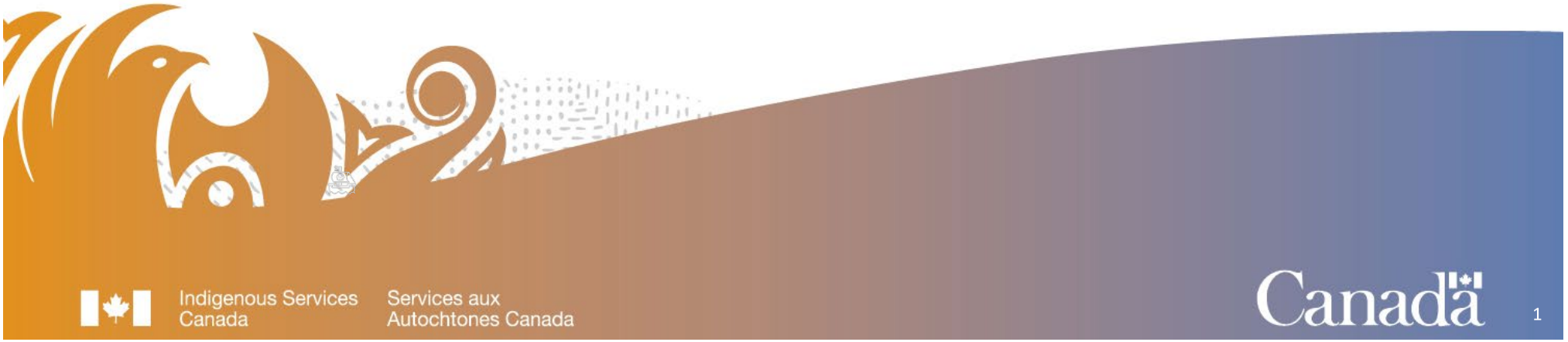
- ISC covers **100%** of operation and maintenance costs of approved FNCFS capital assets using a formula that factors in the base and variable unit costs of the asset, its size or quantity, the nearest city-centre cost index, and a remoteness adjustment (using the approach to remoteness in the OFA)

Contact Information

- For more information about the implementation of the **OFA's FNCFS capital commitment or the OFA Capital Process**, you can contact: immobilisation-edon-onfa-capital@sac-isc.gc.ca

Reformed First Nations Child and Family Services Program Under the Ontario Final Agreement

Presentation at NAN Virtual Information Session
November 27, 2025



Purpose of the Presentation

The purpose of this presentation is to lay the foundation to prepare for the January 13-15, 2026, in-person planning and reporting session in Thunder Bay.

The presentation provides an overview of the following:

- Planning and Reporting Requirements
- First Nation Multi-Year Plan
- First Nation Infrastructure Investment Plan
- Child and Community Wellbeing Plan
- FNCFS Agency Infrastructure Investment Plan
- Preparing for Planning and Reporting Under the Reformed FNCFS Funding Approach
- Next Steps
- Questions to think about to prepare for the January Information Session.

Planning and Reporting Requirements

Further to the Information Sessions on Planning and Reporting on October 17 and Capital on November 14, service delivery planning and reporting is a mandatory component of the Reformed FNCFS Program under the Ontario Final Agreement.

Mandatory Plans:

Service Delivery Plans:

1. First Nations Child and Family Services Multi-Year Plan (PAW# 1296953) (First Nations)
2. First Nations Child and Family Services (FNCFS) Child and Community Wellbeing Plan (PAW# 1296545) – (FNCFS Agencies in collaboration with the First Nations they serve)

Capital Plans:

Capital will move from the CHRT 41 approval process to a planning process requiring:

3. First Nation Infrastructure Investment Plan ("FNIIP")
4. Agency Infrastructure Investment Plan ("AIIP") This is an annex the Child and Community Wellbeing Plan.

It is important to ensure that you are aware and have referenced the reporting requirements:

- FNCFS DCIs are publicly available on the ISC Reporting Guide https://www.sac-isc.gc.ca/eng/1573764124180/1573764143080. DCIs include instructions and definitions

See Annex A for Sections of the OFA Related to Planning and Reporting

FNCFS First Nation Multi-Year Plan

- Under the Reformed FNCFS Program, each First Nation will be required to submit a Multi-Year Plan ("MYP") to ISC that describes the First Nation's planned use of FNCFS Program funding, including related service activities and implementation details (excluding capital, which will be addressed in the First Nation Infrastructure Investment Plan).

- First Nations are required to submit the completed plan to ISC within 6 months of the effective date of the OFA.

- Refer to the First Nation MYP template provided in the package handout.

First Nation Infrastructure Investment Plan

- First Nations must outline their capital needs in a First Nation Infrastructure Investment Plan ("FNIIP"), a long-standing planning tool, that should be updated annually.

- Fiscal year 2026-27 will serve as a transition into the new process. First Nations will be requested to submit a stand-alone FNIIP (date to be determined and communicated in advance) based on guidance and tools to be shared in the near future.

- Beginning in fiscal year 2027-28, the FNCFS portion of each community's FNIIP will be submitted in the fall of each year as a distinct tab in existing FNIIPs.

- FNIIP tools are forthcoming, including: a guidance document on how to complete these; a sample FNIIP; templates; and an instructional video.

FNCFS Child and Community Wellbeing Plan

- Under the Reformed FNCFS Program, FNCFS Agencies will be required to submit a single Child and Community Well-Being Plan ("CCWP").

- The CCWP will be used to plan the FNCFS Agency's and its affiliated First Nation(s)' goals and targets with respect to Community Wellness Indicators as defined in para. 113 of the OFA (on which FNCFS Agencies are required to report to its affiliated First Nations) plus any additional wellbeing indicators co-developed by the FNCFS Agency and its affiliated First Nations.

- FNCFS Agencies are expected to submit the completed plan to ISC within 6 months of the effective date of the OFA.

- Agencies are required to:
  - Co-develop a CCWP with their affiliated First Nation(s)
  - Fund the co-development of the CCWP, including opportunities for meaningful participation of its affiliated First Nations in the co-development process.

  - Refer to the Mock CCWP template provided in the package handout.

Refer to Annex B for guidelines on FNCFS Agencies seeking First Nation consent on their CCWP.

FNCFS Agency Infrastructure Investment Plan

- FNCFS Agencies must outline their capital needs in an Agency Infrastructure Investment Plan ("AIIP"), annexed to their CCWP.

- Fiscal year 2026-27 will serve as a transition into the new process. FNCFS Agencies will be asked to submit their AAIIP (date to be determined and communicated in advance) based on guidance and tools to be shared in the near future.

- AIIP tools are forthcoming, including: a guidance document on how to complete these; a sample AIIP; templates; and an instructional video.

- Please note that FNCFS Agencies will be required to collaborate with their affiliated First Nation(s) on the development of the AIIPs.

Preparing for Planning and Reporting Under the Reformed FNCFS Funding Approach

It is anticipated that First Nations will take on several new or expanded roles and responsibilities under the Reformed FNCFS Program related to:

- **Prevention;**
- **First Nation Representative Services; and,**
- **Post-Majority Support Services.**

Including:

- Becoming the default service provider; and,
- Designing and developing the community's own service delivery plans.

First Nations and FNCFS Agencies are encouraged to begin:

- Engaging to discuss service delivery plans under the OFA.
- Understanding the FNCFS Agency's legal service mandate, especially where it is a delegated service provider, to understand its obligations to deliver services in the least disruptive manner.
- Developing and Defining new roles and responsibilities where service delivery is being taken.
- Coordinating throughout the transition process.

For a full list of considerations, see the corresponding Information Sheet

Preparing for Planning and Reporting Under the Reformed FNCFS Funding Approach Cont'd

Funding for **capital** assets that support the implementation of the Reformed FNCFS Program under the new planning approach which will require that:

- All capital needs be outlined in First Nations' and FNCFS Agencies' respective FNIIPs and AIIPs
- ISC will evaluate all eligible FNCFS capital requests identified in the FNIIPs and AIIPs using a co-developed OFA Priority Ranking Framework (PRF) – a tool that helps ensure OFA FNCFS capital funding is directed to the highest priorities using a consistent process.
- Each Infrastructure Plan needs to align with the services outlined in the corresponding service delivery plans.

First Nations and FNCFS Agencies are encouraged to identify:

- immediate capital needs in line with their service delivery plan
- community preparedness to operate and manage a potential new asset
- capital assets that are currently available to the First Nation or Agency for FNCFS service delivery

- **An OFA Capital Implementation Guide is currently being developed and will be shared once completed.**

For a full list of considerations, see the Capital Information Sheet

Next Steps

To prepare for the January Planning and Reporting Session, First Nations and FNCFS Agencies are encouraged to think about their respective MYPs/FNIIPs and CCWPs/AIIPs:

First Nation MYP:	FNCFS Agency CCWP:
➢overview of specific initiatives and activities detailed in Prevention and/or First Nation Representative Services, and/or Post-Majority Support Services. ➢key child and family well-being priorities ➢service priorities for the planning period ➢strategic priorities for the planning period	➢vision, priority, key operational and service initiatives; ➢service needs on which the agency will focus during the planning period; ➢governance structure, full-time staff qualifications, salary grid; ➢linkages and alignment with First Nations' service initiatives; ➢potential risks identified; ➢strategies to manage financial, operational, governance or other risks; ➢budget considerations and usage.

Questions for Reflection

- Who will be delivering the service(s) under the Reformed FNCFS Program?
- If applicable, what will the transition of service delivery for Post-majority Support Services, and/or Prevention, and/or FNRS look like (i.e., transition timelines, information sharing, leveraging existing tools and resources, ensuring no gap in services)?
- How can the continuity of relationships and trust be maintained during the transition with your FNCFS Service Provider and the children and families that you serve?
- How will the required planning and reporting be prioritized, and where necessary, be completed collaboratively between First Nations and FNCFS Agencies?
- What structures or working groups might help oversee the transition and monitor its effectiveness?

- **See Information Sheets for overview of how program elements will shift under the OFA and a list of questions to consider in advance of the January session.**
- **See Annex C for overview and purpose of the planning and reporting documentation.**

Contact Information

For questions, comments or more information, please contact:

Indigenous Services Canada	Chiefs of Ontario/ Nishnawbe Aski Nation
• Lexie Halls, *A/Director for Ontario Region, ISC* • lexie.halls@sac-isc.gc.ca • Roberto Hernandez, *A/Program Manager for Ontario Region, ISC* • roberto.hernandezorellana@sac-isc.gc.ca • Julie Orth, *Senior Director, Child and Family Services and Learning Sector, ISC* • Julie.Orth@sac-isc.gc.ca • Program implementation, *ISC* • CFSON-SEFON@sac-isc.gc.ca	• Finn Simard, Director of Social Services, COO • Finn.simard@coo.org • Nichole Kinzel, Director of Social Services Strategic Advancement, NAN • nkinzel@nan.ca • Generic NAN OFA Inbox • ofainfo@nan.ca

Annex A: Sections of the OFA Related to Planning and Reporting

Planning:

- Part XIII – AGENCY ACCOUNTABILITY TO FIRST NATIONS IN RELATION TO THE REFORMED FNCFS PROGRAM (paragraph 108 to 119)
- Appendix 4: First Nations Planning Template
- Appendix 5: Agency Accountability Co-Development Planning Template
- Capital: PART V – THE REFORMED FNCFS FUNDING APPROACH: INITIAL FUNDING PERIOD (B. Allocation, (e)

Reporting:

- Appendix 2: Performance Measurement Indicators and Outcomes Chart (FNCFS Program Indicators)
- Part XIII – Agency Accountability to First Nations in Relation to the Reformed FNCFS Program (Community-Wellness reporting paragraph 113 to 117)

Annex B: Guidelines for FNCFS Agencies Seeking First Nation Consent on Planning

No response by one First Nation:

- FNCFS Agency has contacted a First Nation three (3x) to participate in co-development of its CCWP and the First Nation has not responded, ISC will deem that the FNCFS Agency has made reasonable efforts to consult with the First Nation on the plan and will accept the FNCFS Agency's plan. The FNCFS Agency will provide to ISC a brief description of its reasonable efforts to seek the First Nation's participation in the co-development process.

Refusal by First Nation to sign:

- One or more First Nation declines to participate or participates in co-development of an FNCFS Agency's plan but refuses to sign the plan, ISC will accept the plan if a majority of the FNCFS's Agency's affiliated First Nations have signed the plan. The FNCFS Agency will provide to ISC a brief description of its reasonable efforts to seek the support of the First Nation(s) that withheld signature.

Refusal by half or more First Nations to sign:

- Where half or more of an FNCFS Agency's affiliated First Nations refuse to sign the FNCFS Agency's plan, ISC will not accept the plan. The FNCFS Agency will have to adjust its plan until it can secure the agreement of a majority of its affiliated First Nations.

Annex C: Overview of Documentation

- Included in your handout package:

Document	Description	Purpose
FNCFS PAW 1296545 (CCWP) Instructions	Guidance on each data field of the CCWP template	Support Agencies filling the CCWP Mock-up
FNCFS PAW 1296545 (CCWP) template	Child and Community Well-Being Plan	Mandatory plan under the OFA
FNCFS PAW 129653 (MYP) Instructions	Guidance on each data field of the MYP template	Support for First Nations in filling out the MYP template
FNCFS PAW 129653 (MYP) template	First Nation Multi-Year Plan	Mandatory plan under the OFA
Planning & Reporting OFA Presentation	Summary of Planning and reporting obligations under the OFA.	Inform agencies and First Nations on the OFA
Draft Reporting Toolkit	Guidance on the different reporting considerations under the FNCFS program.	Inform and provide guidance and tools to First Nations, First Nation Child and Family Services (FNCFS) Agencies, and FNCFS Services Providers on FNCFS Program Reporting.
Information Sheets	Summary of how each component will transition from its current approach to its implementation under the OFA	
Reformed FNCFS Program Terms and Conditions	A copy of the Reformed FNCFS Program Terms and Conditions	

FNCFS Program Reporting and Planning Requirements under the Ontario Final Agreement

Presentation at COO Virtual Information Session
October 17th, 2025

Prepared by
Planning & Performance Measurement Division
Strategic and Fiscal Coordination Branch

Indigenous Services Canada | Services aux Autochtones Canada

Canada

Purpose of the Presentation

- The purpose of this presentation is to share information on changes to the reporting and planning changes that will apply to FNCFS Program recipients once the Ontario Final Agreement (OFA) comes into Effect.

Context

- The changes described in this presentation are conditional on the OFA coming into effect.
- The OFA will come into effect on the "Effective Date," which is defined as the latest of several possible legal milestones – most notably, 60 days after the Canadian Human Rights Tribunal issues an order approving the OFA and ending its jurisdiction over the related complaint. If a judicial review or stay is sought, the Effective Date would be delayed further.

Current Reporting Requirements

- For fiscal year 2025-2026, FNCFS is using the following data collection instruments (DCIs) as reporting requirements for recipients based on the recipient:
  - *First Nations Child and Family Services Activity Report* (DCI #1278249)
  - *CFS Maintenance Report* (DCI #455917)
  - *Activities and Expenditures report* (DCI #4548549)
  - *Capital Project Report* (DCI #460671)
  - *FNCFS Annual Final Report* (DCI #1208367)
  - *Community Infrastructure and Housing Annual Report* (DCI #41701)
- DCIs are required according to the corresponding funding stream(s) as outlined in Annex A.
- FNCFS DCIs are publicly available on the ISC Reporting Guide https://www.sac-isc.gc.ca/eng/1573764124180/1573764143080. DCIs include instructions and definitions.
- ISC is currently developing program reporting guidance to provide further support on how to navigate the different OFA Data Collection Instruments (DCIs). This will be shared as soon as possible.

Reporting and Planning Requirements under the OFA

- Under the OFA, Recipients will:

1) complete the current FNCFS DCIs listed on slide 4 and submit them to ISC.

2) complete new plans.

  - *First Nations Child and Family Services Multi-Year Plan* (PAW# 1296953)
  - *First Nations Child and Family Services (FNCFS) Child and Community Wellbeing Plan* (PAW# 1296545)

Please note that the new plans are the only major reporting change in the information that First Nations and FNCFS Agencies will send to ISC.

Note: FNCFS Program proposals, applications and work plans (PAW) are publicly available on the ISC proposals, applications, work plans webpage (https://www.sac-isc.gc.ca/eng/1571829044381/1571829074923)

FIRST NATION CHILD AND FAMILY SERVICES ACTIVITY REPORT – DCI

(Currently in use for FY 2025-26)

General Information	• The *First Nations Child and Family Services Activity Report* is a national Data Collection Instrument (DCI) introduced by Indigenous Services Canada (ISC) for use beginning in the 2025–2026 fiscal year. It is to be completed by funding recipients across Canada to report on activities under the First Nations Child and Family Services (FNCFS) Program. • This DCI was specifically designed to support the performance measurement framework for the FNCFS Program. It aligns with the indicators and outcomes identified for national use, as outlined in Appendix 2: Performance Measurement Indicators and Outcomes Chart of the OFA.
Implementation timeline	Annual reporting must be completed by 120 days, following the end of the fiscal year being reported.
Format	First Nations Child and Family Services Activity Report (DCI #1278249)

FNCFS FIRST NATION MULTI-YEAR PLAN

General Information	• Under the OFA, each First Nation will be required to submit a Multi-Year Plan to ISC • The plan must cover the period until March 31, 2029, with annual updates as necessary. • The plan must describe the First Nation's planned use of FNCFS Program funding (excluding capital projects), including related service activities and implementation details. • ISC is working with COO and NAN on the development of a guide to support First Nations in the development of the Multi-Year Plan.
Plan Requirements (Plans must include)	• Overview of key child and family well-being, service, and strategic priorities for the planning period • Information about the First Nation's planned initiatives/activities relating to the below, including the estimated time frame for each activity/initiative: Prevention, First Nation Representative Services, Post-Majority Support Services • Multi-year financial forecast (2026-27 to 2028–2029), including planned expenditures for: Prevention, First Nation Representative Services, Post-Majority Support Services, Household Supports, Information Technology Results • Unexpended Funding Plan (if applicable)
Implementation timeline	• First Nations expected to submit the completed plan to ISC within 6 months of the effective date of the OFA.
Format	• An updated PAW for fiscal year 25-26 will be available on ISC's Proposals, applications, and work plans webpage to be used and submitted by FNCSF Agencies. • For reference only, a template plan is included at Appendix 5 of the Ontario Final Agreement, linked here.

FNCFS CHILD AND COMMUNITY WELLBEING PLAN

General Information	• Under the OFA, each FNCFS Agency will be required to submit an FNCFS *Child and Community Wellbeing Plan (CCWP)*. • The plan must cover the period until March 31, 2029, with annual updates as necessary. • The plan **must** be co-developed by each FNCFS Agency with its affiliated First Nations. • FNCFS Agencies **must** co-develop the plans with First Nations to ensure that First Nations needs and priorities are reflected in the Agencies service delivery plan. • Slide 10 provides additional information on **Guidelines for FNCFS Agencies seeking First Nation consent to the Agency's Child and Community Well-Being Plan**
Plan Requirements (Plans must include)	• Planned activities and expenditures for Baseline Funding, Emergency Funding, Prevention Funding (if applicable). • Multi-year financial forecasts, including plans for any unexpended funds. • Performance targets set by affiliated First Nations and plans to achieve them. • Risk management strategies. • Provisions for regular reporting to affiliated First Nations, including annual data on youth eligible for post-majority services. • Mechanisms for information sharing to support First Nations in service delivery. • Recognition of First Nations' roles in delivering First Nation Representative Services and post-majority support services. • An integrated approach to prevention services, clarifying roles between the FNCFS Agency and First Nations to ensure holistic, wraparound support. • Consideration of complementary roles between the FNCFS Agency and First Nations in delivering services under the Reformed FNCFS Program.

FNCFS CHILD AND COMMUNITY WELLBEING PLAN

Community Wellness Indicators	• The plan will also be used to record the FNCFS Agency's and its affiliated First Nations' goals and targets with respect to Community Wellness Indicators as defined in para. 113 of the OFA (on which FNCFS Agencies are required to report to its affiliated First Nations) plus any additional wellbeing indicators co-developed by the FNCFS Agency and its affiliated First Nations. • Definitions and process related to data collection for the Community Wellness Indicators which will be collected directly by the Data Secretariat are currently under way and will be communicated as soon as possible.
Implementation Timeline	• FNCFS Agencies expected to submit the completed plan to ISC within 6 months of the effective date of the OFA.
Format	• An updated PAW for fiscal year 25-26 will be available on ISC's proposals, applications, and work plans webpage to be used and submitted by FNCSF Agencies. • For reference only, a template plan is included at Appendix 5 of the Ontario Final Agreement, linked here.

FNCFS CHILD AND COMMUNITY WELLBEING PLAN: Guidelines for Agencies Seeking First Nation Consent

Under paragraph 108 of the Ontario Final Agreement (OFA), FNCFS Agencies are required to co-develop a Child and Community Well-being Plan with their affiliated First Nations. Under paragraph 111, FNCFS Agencies are required to fund the co-development of this plan, including providing opportunities for the meaningful participation of its affiliated First Nations in the co-development process. ISC will leave it to FNCFS Agencies to connect with its affiliated First Nations to determine the most appropriate process for them to complete the plan. It is anticipated that, in most instances, FNCFS Agencies and their affiliated First Nations will co-develop their plans without issue. In some cases, however, FNCFS Agencies may face difficulty securing the participation or agreement of all their affiliated First Nations.

To ensure that FNCFS Agencies are able to submit their Child and Community Well-being Plans by no later than six (6) months after the OFA's Effective Date, ISC issues the following guidance:

No response by one First Nation:

Where an FNCFS Agency has contacted a First Nation three (3x) to participate in co-development of its child and community well-being plan and the First Nation has not responded, ISC will deem that the FNCFS Agency has made reasonable efforts to consult with the First Nation on the plan and will accept the FNCFS Agency's plan. The FNCFS Agency will provide to ISC a brief description of its reasonable efforts to seek the First Nation's participation in the co-development process.

Refusal by First Nation to sign:

Where one or more First Nation declines to participate or participates in co-development of an FNCFS Agency's plan but refuses to sign the plan, ISC will accept the plan if a majority of the FNCFS's Agency's affiliated First Nations have signed the plan. The FNCFS Agency will provide to ISC a brief description of its reasonable efforts to seek the support of the First Nation(s) that withheld signature.

Refusal by half or more First Nations to sign:

Where half or more of an FNCFS Agency's affiliated First Nations refuse to sign the FNCFS Agency's plan, ISC will not accept the plan. The FNCFS Agency will have to adjust its plan until it can secure the agreement of a majority of its affiliated First Nations.

Planning and reporting work currently being co-develop with COO and NAN

- ✓Developing proper processes and mechanisms/ tools are in place for FNCFS Agency's:
  - FNCFS Agency annual reporting to its affiliated First Nations and to the Ontario FNCFS Data Secretariat (s.115)
  - Agency collection of performance data and reporting on indicators (s.115)
  - Compliance measures regarding data collection and reporting on indicators is implemented as planned (funding agreements) (s.118)
  - FNCFS Agency reporting to its affiliated First Nations on their Child and Community Wellbeing Plans (s.111)

- ✓ Currently developing methods for ISC to report to the Ontario Reform Implementation Committee on FNCFS Agency's compliance with their funding agreements

Questions for Reflection in Getting Ready for Planning

- What are the biggest factors impacting children and families in your community?
- Where are the opportunities for First Nations and its affiliated agency to work together?
- What are your expectations of your FNCFS agency when a child or a family has been identified as being at risk of child maltreatment?
- How do you expect your agency to interact with your community?
- What performance indicators would support you in developing targeted programming?
- How do you measure program success?

Annex A – Data Collection Instruments by funding stream

Funding Stream	Data Collection Instruments
Maintenance / Care	CFS Maintenance Report (DCI # 455917) & First Nations Child and Family Services Activity Report (DCI #1278249)
Operations (i.e. Protection)	FNCFS Annual Final Report (DCI #1208367)
Prevention	First Nations Child and Family Services Activity Report (DCI #1278249)
Post-Majority Support Services	First Nations Child and Family Services Activity Report (DCI #1278249)
First Nations Representative Services	Activities and Expenditures report (DCI #4548549)
Capital (FNCFS & FNRS)	Capital Project Report (DCI #460671) & Activities and Expenditures report (DCI #4548549)
Others	Activities and Expenditures report (DCI #4548549)
Funding Strategies (Operations/CFS Poverty/CFS Emergency)	FNCFS Annual Final Report (DCI #1208367)
Housing	Community Infrastructure and Housing Annual Report (DCI #41701)

For questions, comments or more information, please contact:

Danick Vallée-Blanchard: Danick.vallee-blanchard@sac-isc.gc.ca
Randine Akapew : randine.akapew@sac-isc.gc.ca

First Nations Child and Family Services (FNCFS) Program Capital Funding

Ontario Final Agreement

November 14, 2025



Indigenous Services Canada
Services aux Autochtones Canada

Canada

Purpose

To provide a brief overview of the **implementation of the FNCFS capital commitment under** the Final Agreement on Long-Term Reform of the FNCFS Program in Ontario (**the Ontario Final Agreement or OFA**)

Current FNCFS Capital Process: 2021 CHRT 41

- As a result of 2021 CHRT 41, Canada began funding the full cost of the planning, purchase and construction of capital assets to support the delivery of the FNCFS Program and Jordan's Principle
- 2021 CHRT 41 capital project requests are assessed by FNCFS Program teams within Indigenous Services Canada's regional offices
- 2021 CHRT 41 capital requests are assessed using the same technical standards as under the Capital Facilities and Maintenance Program (CFMP)
- 2021 CHRT 41 capital project requests are currently funded at actual costs and must support the delivery of at least one of the FNCFS Program funding streams:
  - Protection
  - Prevention
  - Post-Majority Support Services
  - First Nation Representative Services

FNCFS Capital Commitment in the OFA

- On February 26, 2025, Chiefs of Ontario (COO), Nishnawbe Aski Nation (NAN) and Canada signed the OFA

- In the OFA, Canada committed a total of **$455 million** for FNCFS capital assets that support the delivery of the reformed FNCFS Program's funded services and activities, to be administered over the term of the OFA (tentatively April 1, 2026 to March 31, 2034)
- FNCFS capital project requests under the OFA will follow a community planning approach
- OFA FNCFS capital funding is intended to support:
  - needs assessments and feasibility studies
  - the purchase and construction of capital assets
  - the repair and renovation of existing buildings
  - the operations and maintenance costs of owned assets

- Note: $455 million represents Ontario's share of the national capital funding pot negotiated in the rejected draft national Final Settlement Agreement

Transition from CHRT 41 to OFA Capital Process

- First Nations and FNCFS Agencies will continue to have access to FNCFS capital funding under 2021 CHRT 41 until the date the OFA comes into effect
- As of the date the OFA comes into effect, the 2021 CHRT 41 FNCFS capital process will be **immediately replaced in Ontario by the OFA Capital Process**

Applicable Approval Process for FNCFS Capital Requests

- For FNCFS capital proposals submitted before the effective date of the OFA, ISC will apply the 2021 CHRT 41 approval process to determine if the proposal will be funded
- For all capital proposals submitted after the effective date of the OFA, ISC will apply the OFA Capital Process to determine if, and when the proposal will be funded

- For capital projects **where design funding was approved under the 2021 CHRT 41 approval process**, subsequent proposals for construction funding will not be subject to the full OFA Capital Process. These proposals will not require the submission of a plan

Note: After the OFA comes into effect, Jordan's Principle capital will continue to operate under the existing 2021 CHRT 41 process

OFA Capital Eligibility

- Eligible recipients remain First Nations and FNCFS Agencies in Ontario
  - First Nations in Ontario who have concluded a self-government agreement are eligible as long as they are delivering services and receive funding under the FNCFS Program

- It remains, that eligible assets must support the delivery of at least one of prevention services, protection services, First Nation Representative Services, and Post-Majority Support Services (including vehicles and housing for staff in very limited circumstances)

- It remains, that recipients can **purchase or construct off-reserve property** where there is no suitable property available on reserve for construction OR where an off-reserve asset is more accessible for First Nations children, youth, and families ordinarily resident on reserve to receive services

OFA Capital Eligibility, cont.

- **Multi-purpose assets** (i.e., assets supporting the delivery of FNCFS-funded services and activities along with unrelated activities) will continue to be proportionally funded. OFA FNCFS capital funding is only available to support the portion of a multi-purpose asset that is intended to support FNCFS-funded services and activities

- Eligible expenses include (see forthcoming OFA Capital Implementation Guide for complete list):
  - ✓ needs assessments and feasibility studies
  - ✓ purchase, new construction, renovation, and replacement of capital assets
  - ✓ insurance for assets
  - ✓ project administration costs as outlined in the OFA Capital Implementation Guide
  - ✓ professional fees
  - ✓ operations and maintenance costs (buildings and vehicles)

OFA Capital Implementation Guide

- Canada, COO, and NAN are working together to create an **OFA Capital Implementation Guide**

- The **OFA Capital Implementation Guide** will detail the OFA capital process, including:
  - how First Nations and FNCFS Agencies can submit capital funding requests
  - the approval and administration process for capital projects
  - eligibility criteria for activities, assets, and expenses
  - the stages of the project lifecycle
  - reporting requirements
  - appeals process/dispute resolution

- The **OFA Capital Implementation Guide** will be available in Winter 2025-26

Capital Project Lifecycle

- Each project that qualifies for FNCFS capital funding under the OFA will be subject to a stage-based project review process

- The FNCFS capital project life-cycle includes the following **six separate stages**:
  1. Planning stage
  2. Feasibility study stage – including feasibility and other pre-design surveys/studies
  3. Design stage
  4. Procurement and construction/acquisition, and commissioning stage;
  5. Operations and maintenance stage
  6. Decommissioning stage

- FNCFS capital funding requests for **straightforward/simple projects** may not need to go through all the stages above

1. Planning Stage

- ISC will administer OFA FNCFS capital funding based on project proposals

- **First Nations** will submit a First Nation Infrastructure Investment Plan (FNIIP):
  - Under the OFA, First Nations will identify their priority FNCFS capital needs each year by creating or updating their community-level FNIIP, with support from the ISC regional office
  - Fiscal year 2026-27 will serve as a transition into the new process. First Nations will be requested to submit a stand-alone FNIIP (date to be determined and communicated in advance) and based on guidance and tools to be share in the near future
  - Beginning in fiscal year 2027-28, the FNCFS portion of each community's FNIIP will be submitted in the fall of each year as a distinct tab in existing FNIIPs

- **FNCFS Agencies** will submit an Agency Infrastructure Investment Plan (AIIP):
  - Under the OFA, FNCFS agencies in Ontario will identify their priority FNCFS capital needs each year by creating or updating an AIIP, with support from the ISC regional office
  - Beginning in fiscal year 2027-28, the AIIP will be annexed to agencies' Child and Community Well-Being Plans (a new planning requirement for FNCFS agencies under the OFA which is due within six months of the OFA coming into effect) with updates to the AIIP submitted to ISC in the fall of each year
  - Fiscal year 2026-27 will serve as a transition into the new process
  - FNCFS Agencies will be asked to submit a stand-alone AIIP containing their priority FNCFS capital requests to ISC at a date to be determined and communicated in advance, for use, if and when the OFA comes into effect

Project Ranking

- Once the plans are received, ISC will evaluate all eligible FNCFS capital requests using a Priority Ranking Framework (PRF) – a tool that helps ensure OFA FNCFS capital funding is directed to the highest priorities using a consistent process

- The framework uses a weighted scoring system to assess proposals against several standardized criteria:
  - For renovations:
    - the condition of the current building
    - if the building meets safety standards and building codes
  - For new builds:
    - whether existing space can meet service needs
    - how far the nearest suitable facility is from the community
  - For both:
    - if the community has received construction funding before
    - how many of the FNCFS Program's funding components will be delivered (for First Nations) or how many First Nations will be served (for FNCFS Agencies)
    - how much of the space will be dedicated to FNCFS service delivery
    - whether essential infrastructure like water, power, and roads is in place
    - whether the request comes from a First Nation
    - if the request comes from an FNCFS Agency, whether a land designation is secured or in progress

Project Ranking, cont.

- ISC will prepare an initial ranking report that identifies the projects that ranked highest through application of the PRF
- The **Ontario Reform Implementation Committee (ORIC)** will examine the initial ranked list of projects and provide feedback to ISC, including any concerns or observations regarding the prioritization of projects
- Projects that rank high enough and can be funded within the yearly funding envelope will proceed to the next step

<u>Projects that do not rank within the funding envelope for the current year:</u>

- ISC will notify the recipient that their project was not selected for funding in the current fiscal year
- Projects not selected for funding in a given fiscal year will remain in the FNIIP/AIIP (unless revised the subsequent year during the FNIIP/AIIP update) and will be part of the prioritization process the next year
- Recipients may request additional information from ISC about how their project was scored/ranked
- If a First Nation or FNCFS Agency disagrees with the scoring/ranking of a project, they may pursue a **Claimant Dispute under the OFA's dispute resolution process**

2. Feasibility Stage

- When a project is selected for funding through the Priority Ranking Framework, the recipient will be invited to submit a feasibility study
  - The recipient must submit a funding application for the feasibility phase. This phase identifies what infrastructure and resources are needed to deliver programs and services. The study usually looks at: the services currently being offered, staffing requirements, the type and amount of infrastructure or capital needed, and the availability and condition of existing assets
- The feasibility study must include detailed information such as project description, rationale, implementation plan, cost estimates, cash flow projections, environmental assessment, land survey, and risk mitigation measures
- Its purpose is to demonstrate the viability, sustainability, and value-for-money of the project before significant resources are committed
- ISC reviews the feasibility study submitted to confirm technical options and cost analysis
- ISC then approves the project for funding, allowing it to go forward to the design stage

3. Design Stage

- After the feasibility study is finalized, the recipient prepares and submits a Project Approval Request (PAR) with support from ISC
  - The PAR includes the feasibility study, cost estimates, risk assessments, project schedules, and supporting documentation

- Once ISC endorses the PAR, design stage funding is provided through an amendment to the requestor's funding agreement and design activities can proceed
- During the design stage, the recipient develops the option selected from the feasibility study and prepares complete design documents with sufficient detail for tendering, including a Class "A" cost estimate
- ISC endorses the final design documents and then the project can proceed to the procurement and construction/acquisition stage

4. Procurement and Construction/ Acquisition Stage

- Following project approval, the recipient's project design team moves forward with the tendering and construction phases
- Funding is released in steps according to a pre-determined payment schedule based on agreed progress milestones through an amendment of the recipient's funding agreement
  - A separate funding application **will not be required** for each phase. Instead, project approval occurs at the outset, and ISC will support the full life cycle from start to finish, subject to funding availability. Under the OFA, capital projects will be approved for funding once, after which they will not be re-assessed using the PRF
  - ISC officials with infrastructure experience can provide ongoing support as needed, and a stage-based review process will be applied – for example, ISC will conduct a technical review of the feasibility study and design before approving the construction phase
- Once an asset is constructed, the recipient submits closure documents to ISC
- After project completion, the asset enters a one-year warranty period during which the contractor must address any deficiencies identified by the design team or recipient, in coordination with the recipient and ISC as needed
- ISC reviews all documents before making the last payment, and inspections are scheduled within three years to check asset condition

5. Operations and Maintenance Stage

- The preservation of the functional integrity of OFA-funded capital assets is a priority

- All assets should be:
  - Maintained to achieve their full design life, including regular inspections, preventative maintenance, and repairs when required
  - Operated to ensure their proper day-to-day functioning and service delivery outcomes as intended, with due regard to the health and safety of the community and the environment

- When the asset is in place and operational, the FNCFS Program will provide funding for operations and maintenance for the duration of the OFA

- ISC covers **100%** of operation and maintenance costs of approved FNCFS capital assets using a formula that factors in the base and variable unit costs of the asset, its size or quantity, the nearest city-centre cost index, and a remoteness adjustment (using the approach to remoteness in the OFA)

Contact Information

- For more information about the implementation of the **OFA's FNCFS capital commitment or the OFA Capital Process**, you can contact: immobilisation-edon-onfa-capital@sac-isc.gc.ca

Using the FNCFS Agreement: A Practical Guide

NAN Information Session

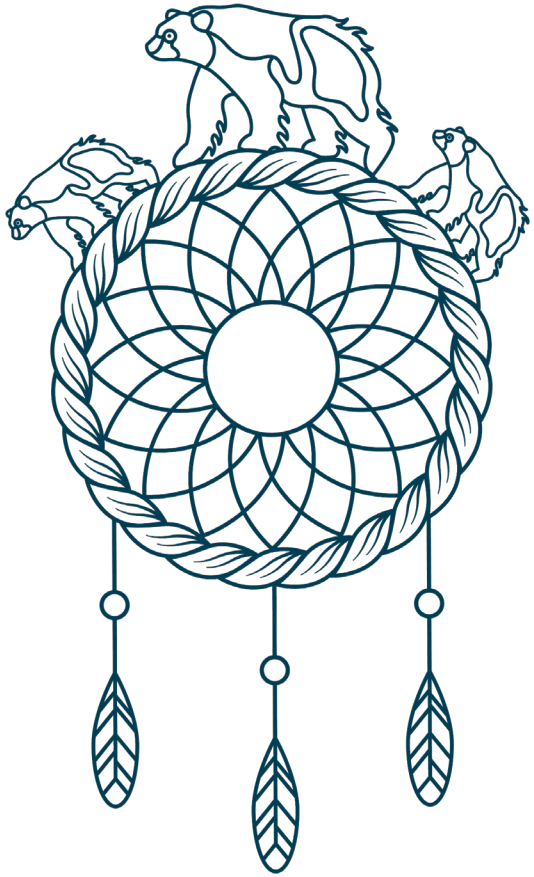
September 2025



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Overview

- History of forming the Ontario Final Agreement
- Purpose of this Presentation
- Summary of the OFA
- Your Core Responsibilities
- Funding Categories (Appendix 1 & A.6)
- Planning Tools
- Funding Rules
- Adjustments to Funding & Special Funding Rules
- How to Resolve Disputes (Part XIX)
- How the Program will be Assessed



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

How We Got Here: Timeline Since July 2024



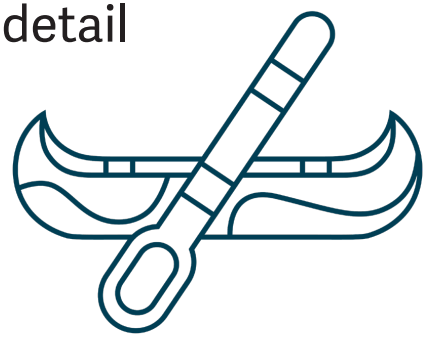
- July 2024 → Draft National Agreement reached
- October 2024 → National Agreement rejected
- November 2024 → Ontario-specific agreement mandated
- December 2024 → Canada announced negotiation mandate for Ontario
- January 2025 → Draft Ontario Final Agreement reached
- February 2025 → Ontario Chiefs Ratify OFA
- March 2025 to Present → OFA Submitted to CHRT for Approval (currently awaiting a hearing date)

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Purpose of this Presentation

This is a quick guide to help you:

- Understand what the Ontario Final Agreement (OFA) is about
- Find out what funding is available and how you can use it
- Know what plans you need to prepare
- Easily locate key sections in the OFA when you need more detail



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Summary of The Ontario Final Agreement



- **The OFA is an Agreement for increased and differently structured funding to the First Nations Child and Family Services Program**
- **Total Funding**: $8.5 billion over 9 fiscal years (2025-2034)
- **What the funding can be used for**:
  - Paying salaries and employee benefits;
  - Costs to support hiring, training, or staff development;
  - Hiring consultants and professionals (both fees and honoraria); and
  - Insurance and legal costs.

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Effective Date – What you need to do under the OFA

- Funding Condition: The Ontario Final Agreement is **conditional** on Tribunal Approval with a target date of March 31, 2026.
- Tribunal Approvall: Effective Date will be **60 days** post-approval.
- If we do not have Tribunal approval by March 31, 2026, there are funding implications for 2025-26.
- Timeline of funding is subject to change pending appeals/judicial reviews.



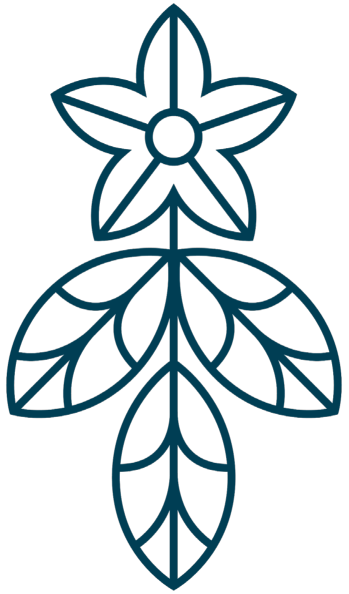
Your Core Responsibilities as a First Nation

1. **Create the required plans:**
   - A **Child and Community Wellbeing Plan** (long-term, created together with agencies)
   - A **First Nation Planning Template** (see Appendix 4)
   - An **Agency Accountability Co-Development Plan** (see Appendix 5)
2. **Use the funding properly** — follow the rules set out in the Agreement
3. **Meet all reporting and accountability requirements**
4. **Understand the dispute process** — know what to do if there's a disagreement

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Funding Categories (Appendix 1 & A.6)

- Baseline Funding – Core operations
- Prevention Services – Flexible, culturally based prevention
- First Nation Representative Services – Advocacy and liaison
- Post-Majority Support – Support for youth aging out of care
- Household Supports – Based on population and low-income measure
- Emergency Funding – Shared between First Nations and Agencies
- Information Technology – 6% Baseline
- Results Funding – 5% Baseline
- Remoteness Adjustments – Funding uplift for eligible communities



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Planning Tools

- The planning tools in the Agreement are designed to guide how First Nations and Agencies structure, document, and report their work under the new funding model.
- **First Nations Planning Template** – Guides community-level planning (Appendix 4)
- **Agency Planning Template** – Ensures collaboration with First Nations (Appendix 5)
- **Performance Measurement indicators** – Tracks outcomes (Appendix 2)



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Basic Funding Rules

- Communities **can reallocate** funding between categories except capital (requires plan approval)
- Agency funding for prevention may not be reallocated to protection except to fund least disruptive measures.
- **Unspent funds** can be carried forward if:
  - Used for the same purpose,
  - Included in your annual report plan, and
  - Spent before agreement expiry



Funding Adjustments & Special Funding Rules

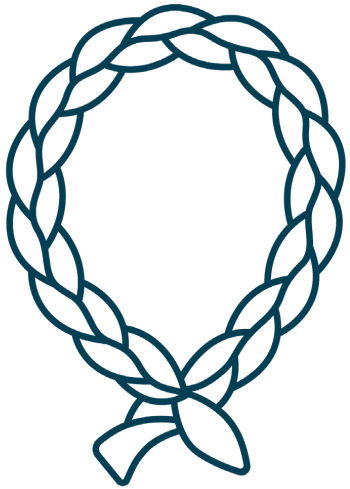
- Funding under the Final Agreement will automatically be adjusted each year for inflation and population growth to ensure resources keep pace with changing needs.
  - **Inflation:** Automatic annual adjustment (never negative).
  - **Population changes:** Yearly adjustment using the Indian Registry System (IRS) data. (never negative)
- In addition, eligible communities receive remoteness adjustments to reflect the higher costs of delivering services in remote areas.
  - **Remoteness:** Adjusted by the RQAF methodology.

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

How to Resolve Disputes (Part XIX)

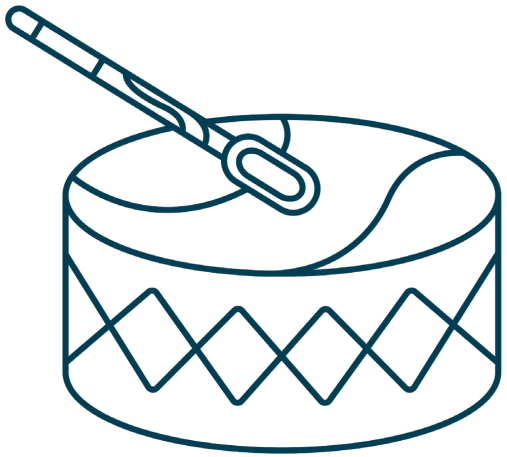
All disputes are resolved through binding arbitration (the decision is final and must be followed)

- **Two Types of Disputes:**
  - **Parties' Disputes** (Between Canada, COO, and NAN)
  - **Claimant Disputes** (Brought by a First Nation or Agency about funding levels or how programs are being delivered)
- **Timelines:**
  - A **Notice to Arbitrate** must be sent within **60 days** of the issue
  - The other party must respond within **30 days**
- **Support:**
  - Duty counsel will help file disputes for free, and an arbitrator can order First nation or agency legal fees to be paid by Canada



How to Resolve Disputes (Part XIX) Cont'd

- **Rules:**
  - Disputes will be resolved by private arbitration under flexible rules set by an Alternative Dispute Resolution body
- **Cultural Officer:**
  - The role of a "cultural" officer is to serve as someone who can speak to a claimant and recommend to the arbitrator how to make the procedure more culturally appropriate
- **Costs:**
  - Canada pays for all arbitration costs



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Program Assessments

- Program Assessments review the overall Reformed FNCFS Program to ensure it is effective, sufficient, and non-discriminatory.
- Program Assessments are **not** evaluations of individual First Nations' plans.
- **Initial Assessment** by 2028; **Second** by 2033
- Led by an independent evaluator chosen by COO.



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Where to Look in the Agreement

- Looking for information about:
  - **Funding Charts**? See Appendix **1**
  - **Performance Indicators**? See Appendix **2**
  - **Planning Templates**? See Appendix **4 & 5**
  - **Contribution Funding Agreements**? See Appendix **6**
  - **Remoteness Formula**? See Appendix **10**
  - **Dispute Resolution**? See **Part XIX**



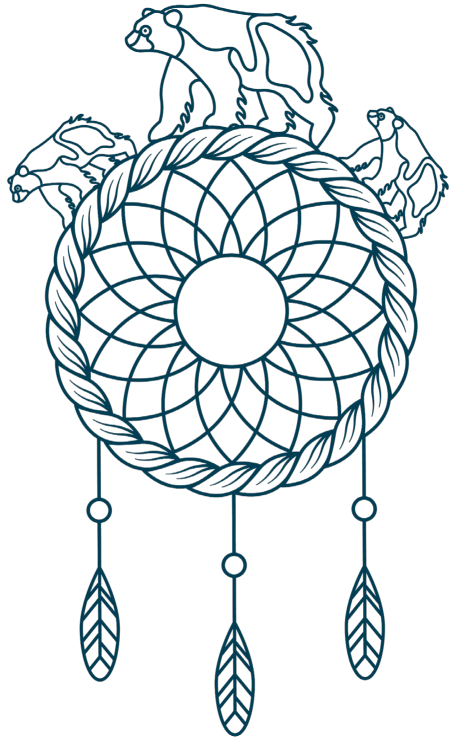
Action Checklist

1. **Confirm your funding** – Review your allocations (**Appendix 1**)
2. **Plan at the community level** – Complete the First Nations Planning Template (**Appendix 4**)
3. **Plan at the agency level** – Agencies complete the Accountability Plan (**Appendix 5**)
4. **Develop services roadmap** – Prepare a Child & Community Well-Being Plan (**Part V(C)**)
5. **Know how to resolve disputes** – Learn the Dispute Resolution process (**Part XIX**)
6. **Track and report results** – Use Performance Indicators (**Appendix 2**)
7. **Plan for infrastructure** – Submit Capital proposals (**Appendix 11**)
8. **Check for special adjustments** – Apply Remoteness Adjustments if eligible (**Appendix 10**)

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Contact Information
Ontario Final Settlement Agreement

ofainfo@nan.ca



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Information Session Two:
Final Agreement on Long-Term Reform of the FNCFS Program in Ontario

What is the Intent of the OFA?

Presented by:
Nichole Kinzel,
Director of Social Services Strategic Advancement

Date: October 2, 2025



Agenda

- Background and Context of the Ontario Final Agreement Approval Process
- Intentions of the Ontario Final Agreement
- Collaboration
- Responsibilities

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Nishnawbe
Aski Nation

Background and Context of the Ontario Final Agreement Approval Process

- On February 25 and 26, 2025, NAN and COO Chiefs approved the Ontario Final Agreement ("OFA") on Long-Term Reform of the First Nation Child & Family Services (FNCFS) Program
- The Reformed FNCFS program in Ontario prioritizes the allocation of funding to First Nations to support the development, planning, investing, and delivering services based on First Nation needs, circumstances, and priorities.
- Once approved by the Canadian Human Rights Tribunal ("CHRT"), this agreement will come into effect on April 1, 2026, until March 31, 2034.



Nishnawbe
Aski Nation

What is the OFA?

- The OFA is Ontario's regional expression of the national FNCFS reform, adapting the national framework to Ontario's realities.
- The OFA commits $8.5 billion over nine (9) years to reform the FNCFS program in Ontario.
- The OFA is tailored to reflect Ontario-specific rules and transition.
- This regional approach stems from the rejected National Agreement by Chiefs in Assembly (Calgary, 2024).



Image: Feb 26, 2025, SCA on the OFA

Intentions of the OFA

- The OFA's central goal is to ensure substantive equality for First nations children, meaning that services are not only equal in funding but also equitable in outcome, culturally appropriate, and responsive to the distinct circumstances of First Nations communities.
- The OFA also emphasizes First Nations' inherent jurisdiction through culturally grounded services and putting control back in the hands of the community.
- The OFA commits to secure, flexible funding that accounts for the higher costs of what it means to live and provide services in a remote community.
- The OFA includes funding for various areas, including: capital; prevention; First Nation representative services; post-majority support; and incorporates funding for more than just protection.



Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ



The Collaboration Process

- The OFA negotiation involved First Nations Political Territorial Organizations and Canada, laying the foundation for a negotiation process grounded in political legitimacy.

- Both Chiefs of Ontario and Nishnawbe Aski Nation were key regional partners throughout the entire OFA negotiation process. NAN's cultural customs, processes, and traditions were abided by and respected throughout.

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Nishnawbe
Aski Nation

Responsibilities and Intentions of the Agreement

The OFA uses inclusive terms, including:

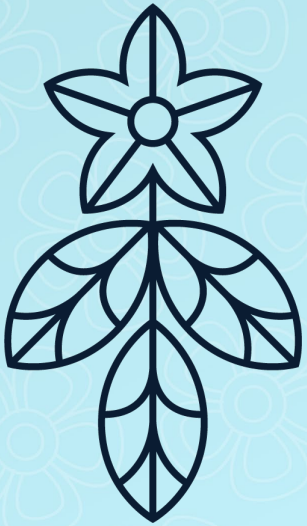
- Engagement
- Co-development
- Respect for jurisdiction

This broad language allows for First Nations to interpret and expand their programs and authority as they see fit.



Laying the Groundwork for Jurisdiction

- The OFA recognizes First Nations' inherent jurisdiction as an underlying principle, including:
  - That First Nations should have authority over its Child and Family services as part of the larger discussion surrounding self-determination; and
  - Alignment with Bill C-92 principles.
- The OFA creates pathways for First Nations to exercise their jurisdiction by establishing funding and supports for communities that wish to transition protection services from provincial or affiliated agencies to new or existing First Nation-led FNCFS Agencies, including start-up and transition funding.



Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

A Shift in Canada's Approach – Needs-Based and Flexible Funding

- Flexible funding: First Nations and FNCFS agencies are permitted to reallocate funds across categories (except prevention to protection unless to fund least disruptive measures) and carry forward unused funds.
- The OFA also ensures that baseline funding will be adjusted to account for population growth and inflation.
- Funding will also be extended beyond solely child protection and will account for capital, IT, household supports, emergency funding, and results.



Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Healing the Relationship

- The OFA is the outcome of sustained legal advocacy and pressure that turned compensation and tribunal rulings into structural reform
- This reform (i.e., the OFA) is a large-scale financial commitment
    - OFA is backed by $8.5 billion
    - Institutional infrastructure for oversight and reform
- The Dispute Resolution Process fosters healing between Canada and the Parties by replacing adversarial conflict with a culturally grounded, collaborative forum that emphasizes respect, accountability, and reconciliation.



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Continuing the Call to Action

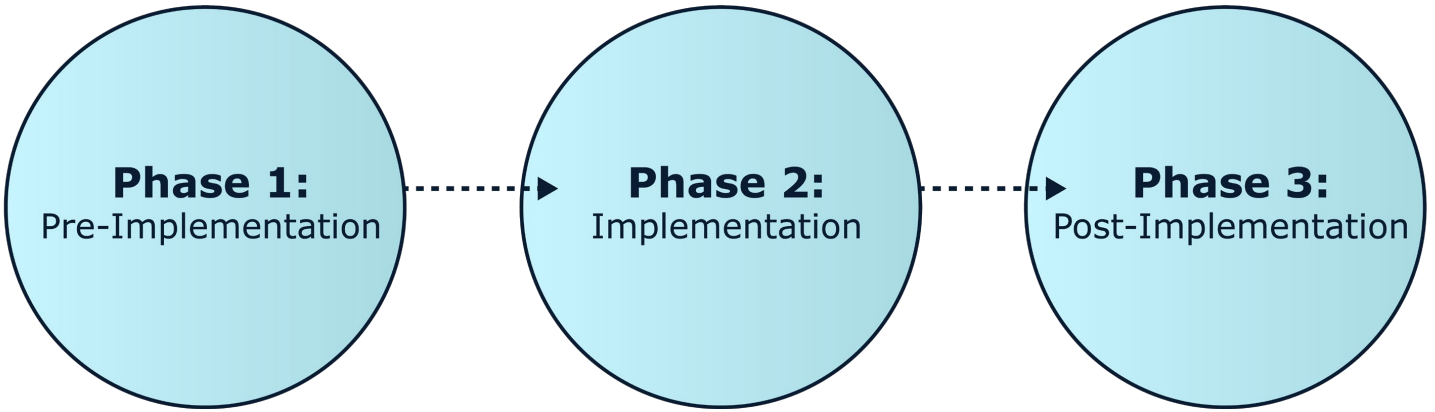
- Historic Progress has been secured
  - The OFA marks a significant milestone in FNCFS reform and sets a new baseline for Child and Family Services in Ontario
- A foundation for further change
  - The agreement is not the final word but something to be built upon lay the foundation for continued reform

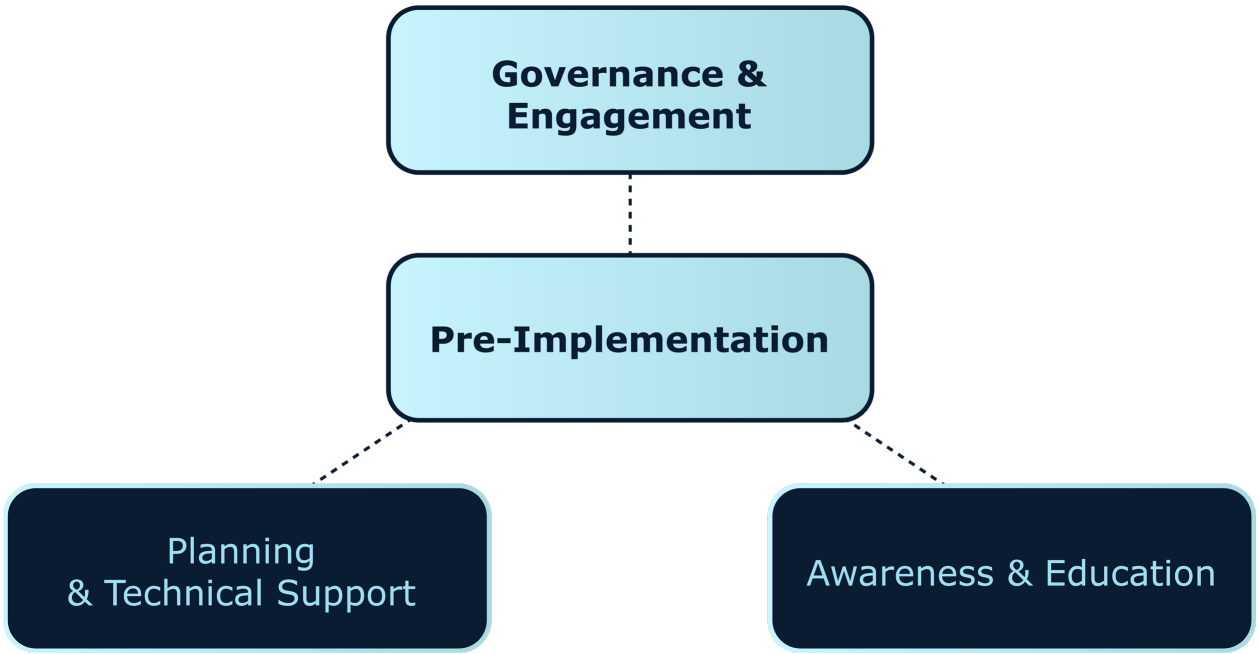


Nishnawbe
Aski Nation

NAN's Implementation Plan

- Support self-determination and jurisdiction over child and family services.
- Ensure communities are prepared to implement, maintain, and sustainably carry out the terms of the OFA.
- Strengthen culturally grounded, community-based service delivery.





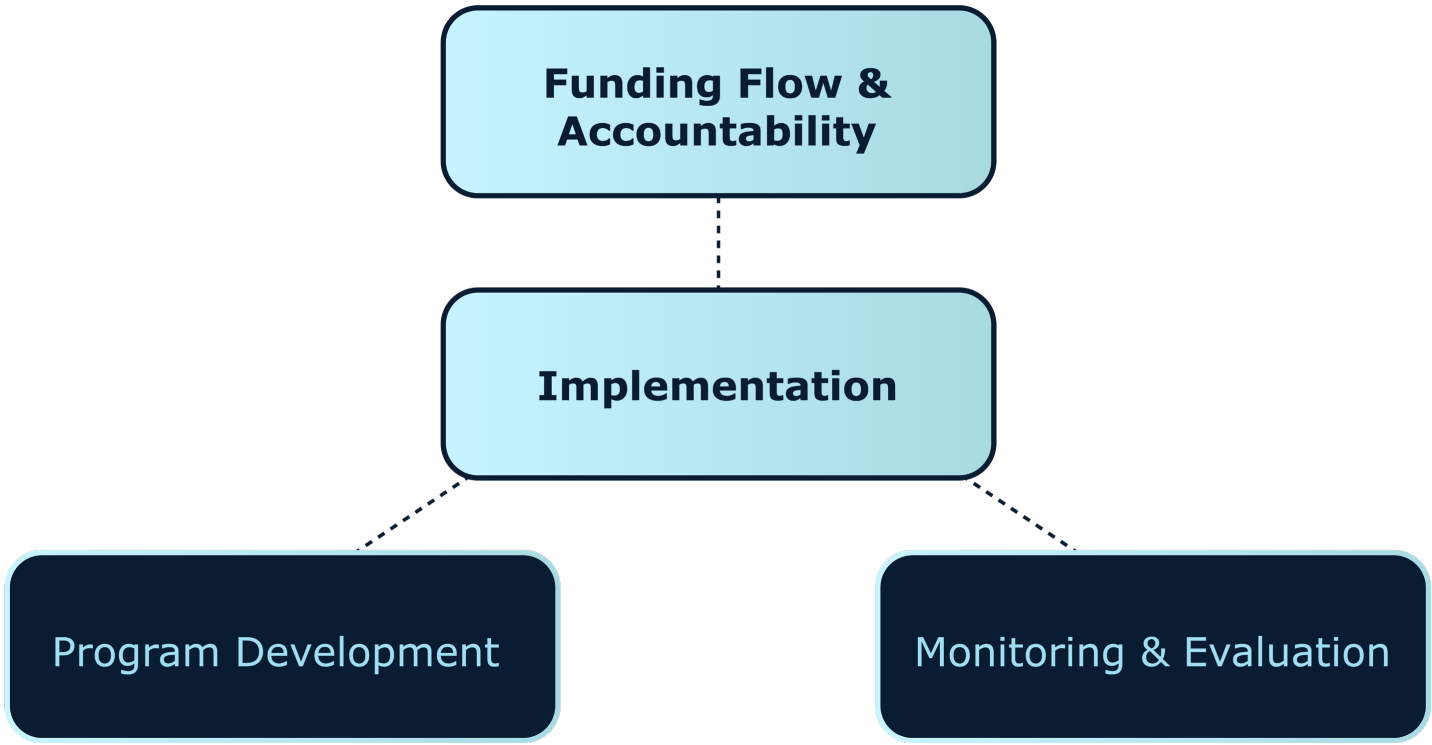
NAN OFA Information Session

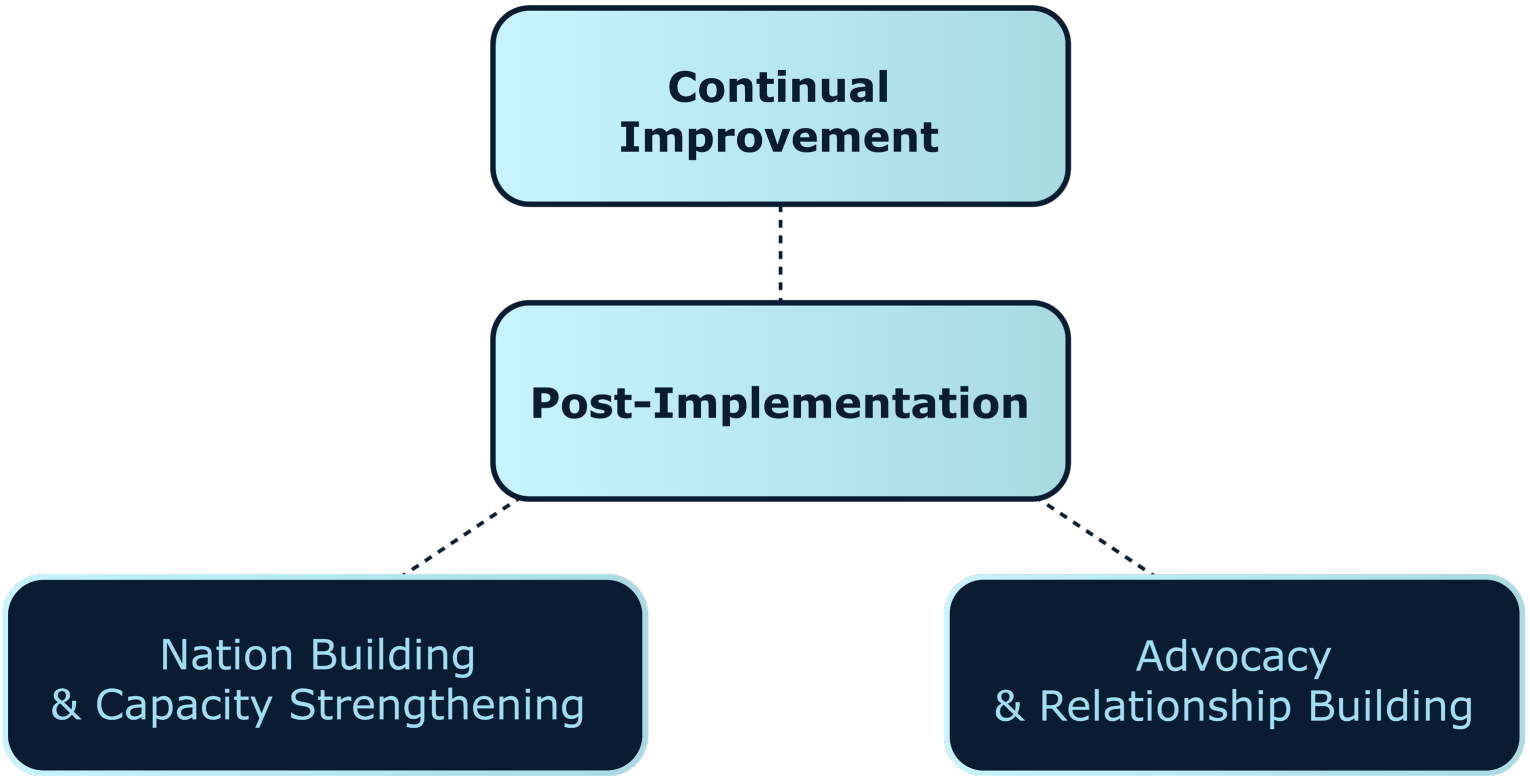
1. September 8, 2025
2. October 2, 2025
3. November 26
4. January 14

COO and NAN OFA Information Session

1. October 17, 2025

Contact ofainfo@nan.ca for more information.


Funding Flow & Accountability
Implementation
Program Development
Monitoring & Evaluation


Continual Improvement
Post-Implementation
Nation Building & Capacity Strengthening
Advocacy & Relationship Building



Questions?

Contact information
ofainfo@nan.ca

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Information Session Three:

Final Agreement on Long-Term Reform of the FNCFS Program in Ontario

An Introduction to the Child Community Well-being Plan

Presented by:
Nichole Kinzel,
Director of Social Services Strategic Advancement

Date: November 27, 2025

Agenda

- What is the Ontario Final Agreement
- Intentions of the Ontario Final Agreement
- Ontario Final Agreement Timeline
- What if the Ontario Final Agreement is Not Approved by April 1
- Responsibilities within the Ontario Final Agreement
- Introduction to the Child and Community Wellbeing Plan
- Questions to Consider before NAN's In-Person Presentation
- Future Events

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Nishnawbe
Aski Nation

What is the Ontario Final Agreement ("OFA")?

- The Ontario Final Agreement is a new funding and accountability framework that sets out how child and family services for First Nations in Ontario will be funded, delivered, and overseen going forward.
- The OFA commits $8.5 billion over nine (9) years to reform the First Nations Child and Family Services (FNCFS) program in Ontario.
- The Ontario Final Agreement is designed specifically for how services work in Ontario, and it includes a step-by-step transition period to move from the old system to the new one.



Image: Feb 26, 2025, SCA on the OFA

Intentions of the OFA

The OFA’s central goal is to ensure substantive equality for First Nation's children, meaning that services are not only equal in funding but also equitable in outcome, culturally appropriate, and responsive to the distinct circumstances of First Nations communities in Ontario.

The OFA also emphasizes the inherent jurisdiction of First Nations by supporting culturally grounded services and putting control back in the hands of the community.

The OFA commits to secure and flexible funding that accounts for the higher costs of living and providing services in a remote community.

The OFA provides funding for a range of First Nations priorities such as capital, prevention, First Nation representative services, post-majority support service. This ensures that funding is not limited to protection only.



Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

OFA Timeline

- Currently with the CHRT
  - Hearing Dates:
    - December 10-12, 2025
    - December 15-17, 2025
    - February 26-27, 2026
  - The goal remains for an April 1, 2025 Effective Date

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ



What if the OFA is Not Approved by April 1?

- If the OFA is not approved by April 1, 2026, the Final Agreement automatically adjusts funding amounts and timing (see Appendix 12), usually reducing the early-year dollars and shifting implementation dates.
- ISC will continue to reimburse actual costs for operations & maintenance, First Nation Representative Services, capital (approved under CHRT 41), and post-majority support services up to the Agreement's Effective Date or specific claim deadlines (so Agencies and First Nations should submit eligible 2025-26 claims on time and plan to use ISC's carry-forward/unexpended-funding mechanisms).

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

What if the OFA is not approved by April 1? – Where to Look in the Agreement

- Appendix 12: Modifications if the Effective Date is after March 31, 2026. Appendix 12 describes how funding columns, dates, and amounts will be modified, and confirms no retroactive funding before the Effective Date for funding that is to be provided on/after the Effective Date.
- Part V / Transition section (paragraphs 50–56 and 54 in particular): This section explains what ISC will reimburse in fiscal 2025–26, deadlines, the move to Baseline Funding as of April 1, 2026, and treatment of post-majority and prevention funding.

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

What if the OFA is not approved by April 1? – Where to Look in the Agreement (cont'd)

- Appendix A / A.8 (Effective Date & transitional language): This section confirms ISC will continue meeting its obligations up to March 31, 2026, and up to the Effective Date for post-majority claims.
- Paragraphs 50–52: These paragraphs identify aspects of carry-forward, transfers between First Nations and Agencies, and amendment of agreements to allow for the expenditure of unexpended funds.

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Nishnawbe
Aski Nation

Responsibilities within the OFA

Once the OFA comes into effect, communities and agencies will need to work together within their child and family services to design and plan for the spending of the reform funding. This planning will include the following:

- Child and Community Wellbeing Plan (6 months after the effective date)
- First Nation Child and Family Services Multi-Year Plan (6 months after the effective date)
- Multi-Year Financial Forecast (6 months after the effective date)
- First Nation Infrastructure Investment Plan ("FNIIP") (6 months after the effective date)
- Agency Infrastructure Investment Plan ("AIIP") (6 months after the effective date)
- Priority Ranking Frameworks (date TBD)



Laying the Groundwork for the Child and Community Wellbeing Plans ("CCWBP")

- The Child and Community Wellbeing Plan can be found on pages 45-47 of the OFA, paragraphs 110-113. The CCWBP is an accountability mechanism that holds FNCFS Agencies accountable to their affiliated Community.
- The CCWBP must be submitted no later than six months following the Effective Date, and extend until March 31, 2029, subject to annual updates, as necessary.
- The development of the CCWBP is intended to be funded by Agencies through their funding agreements.
- NAN's In-person gathering:
  - January 13-15, 2026, at the Valhalla in Thunder Bay, Ontario
  - Aim: Bringing together Chiefs, proxies, technicians, and agencies to develop their CCWBP.

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Definitions to Think About to Understand the Needs of the CCWBP Better

Baseline, Emergency, and Prevention Funding



Baseline:

- A funding component described on pages 16-17 of the OFA, and at paragraph 18

Emergency:

- A funding component that support responses to unanticipated circumstances affecting or related to the provision of the Reformed FNCFS Program and described on page 17 of the OFA paragraph 21

Prevention:

- A funding component to ensure families and their communities are supported in the provision of holistic wrap-around services, and described on page 18, paragraph 23-24
- Page 25, paragraph 44 (D)
- Page 31, paragraph 54 (D)

Risk Management Strategies

- A key aspect of the Child and Community Wellbeing Plans. Child and Community Wellbeing Plans are described on page 45-47 of the OFA paragraph 108-112.

Nishnawbe Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Questions to Consider Before the In-Person Session

- What kind of accountability do you require from your agency?
- Define what regular reporting means to your community. How would you expect regular reporting to transpire between your community and agency?
- How would you like your agency to report on service delivery?
- What planned activities would you like regarding baseline, emergency, and prevention funding?
- How can your agency affirm and respect your community's Prevention, Post-Majority Support Services, and First Nation Representative Service needs?
- How would you like to work together with your agency to ensure your community is supported?
- How can your community and agency work together to provide the best care to families?



Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

Future Events

- January 13-15th NAN In-person Gathering
- COO NAN Virtual January 30, 2025
- COO In-Person Gathering January 28-29 in Sudbury, Ontario, for Northern Ontario Communities and Agencies
- COO February 17-18 Toronto Agencies and First Nations





Questions?

Contact information
ofainfo@nan.ca

Nishnawbe
Aski Nation
ᐊᓂᔑᓇᐯ ᐊᐢᑭ ᐅᑭᒪᐧᐃᐣ

First Nation Representative Services information

This is an overview of First Nation Representative Services, also referred to as Band Representative Services.

On this page

- About
- First Nation Representative's role
- Principles

About

First Nation Representative Services (sometimes referred to as Band Representative Services in Ontario) support First Nations when children, youth, young adults, and families from their community are involved or at risk of involvement with the child and family services system. First Nation Representative Services is critically important to First Nations and in ensuring that the rights of First Nations children and youth are respected within the child and family services system.

In 2018 the Canadian Human Rights Tribunal (First Nations Child & Family Caring Society of Canada et al. v Canada, 2018 CHRT 4) ordered Canada to fund the actual cost of Band Representative Services for First Nations in Ontario.

On April 1, 2022, ISC began providing funding for First Nation Representative Services to First Nations in all provinces and in the Yukon to support children, youth, and families that are ordinarily resident on reserve or in Yukon.

First Nation Representative's role

First Nation Representative Services will be First Nations-defined and may include engaging with child and family services providers and participating in child and family service matters as set out in provincial, territorial and federal child and family services laws.

First Nation Representative Services activities include, but are not limited to:

- serving as the main contact between a First Nation and child and family services providers
- exercising the rights and responsibilities of the First Nation under provincial, territorial and federal child and family services laws
- ensuring that child and family services providers address the real needs of First Nations children, youth, and families, including needs tied to culture, land and geography, and the effects of historical and contemporary disadvantage;
- building and maintaining meaningful cultural, family, and community connections for First Nations children, youth, and families involved with the child and family services system
- facilitating the repatriation and/or reunification of children and youth in care with their family and First Nation(s)
- supporting First Nations children, youth and families involved or at risk of involvement with the child and family services system outside of their home communities, including working across different regions and jurisdictions

- supporting First Nations youth and young adults with post-majority support services
- participating in child and family services administrative and court proceedings
- accessing legal resources to represent the First Nation's interests in child and family services administrative and court proceedings
- receiving and responding to notices under provincial, territorial and federal child and family services laws
- helping families access prevention supports
- supporting customary care, kinship care and alternative care arrangements
- providing or arranging for alternative dispute resolution (e.g., circle processes and Indigenous approaches)
- monitoring agreements with child and family services providers pertaining to individual children, youth, and families
- participating in the development and monitoring of service plans with child and family services providers, for example:
    - child, youth, or family care plans
    - safety planning
    - permanency planning
    - after care plans
    - youth transition/post-majority care plans
- developing and monitoring protocols or service agreements with child and family services providers

Principles

- The holistic well-being of First Nations children, youth and families creates the foundation for healthy First Nations communities and future generations.

- First Nations should be involved in the planning and provision of services to and decisions respecting their children, youth and families, including by receiving notice in advance of a child and family services provider taking any significant measure in relation to a First Nations child or youth.
- First Nation Representatives work to:
    - uphold and strengthen the rights of the First Nation in provincial, territorial and federal child and family services laws
    - help ensure First Nations children, youth, and families can meaningfully exercise their rights under provincial, territorial and federal child and family services laws
    - prioritize preventive care, including prenatal and postnatal preventive care
    - promote substantive equality for First Nations children and youth
    - promote and support family unity
    - connect First Nations children, youth, and families with the lands, languages, cultures, practices, customs, traditions, ceremonies and knowledge of their community

Prevention services for First Nations, authorized service providers, and delegated First Nation agencies

The First Nations Child and Family Services Program includes funding for prevention services and activities to support First Nations children, youth, young adults, families, and communities

On this page:

- Background
- What prevention is
- Objective and principles
- Who is eligible
- How prevention funding can be used
- Resources
- Contact us

Background

On April 1, 2022, Canada started implementing a series of immediate measures that would begin the process of reforming the First Nations Child and Family Services (FNCFS) Program. One of these measures is a per capita allocation of funding for prevention services: $2,500 per registered First

Nation person resident on reserves and in the Yukon, based on the total registered population of a First Nation drawn from the Indian Registry System.

This new prevention funding replaces orders from the Canadian Human Rights Tribunal (CHRT) for the reimbursement at actual costs incurred for prevention (i.e., 2018 CHRT 4 and 2021 CHRT 12).

Funding is also available to support capital assets as they relate to the delivery of prevention services. For more information, please visit Capital Assets Guide Chapter 1: First Nations Child and Family Services

What prevention is

Prevention funding provided under the FNCFS Program is part of a continuum of care based on the needs of the First Nations children, youth, young adults and families.

First Nations determine the prevention services needed, based on their community's unique needs, circumstances and lived realities. First Nations can also determine which service provider will deliver these services.

Prevention services support the safety and well-being of First Nation children, youth, young adults, families and communities in a manner that is culturally appropriate, in their best interests, and in accordance with substantive equality.

Prevention activities related to child and family services aim to address community, family, and child risk factors. These prevention activities aim to build resilience, hope and a sense of optimism among children, families, and First Nations.

Objective and principles

Prevention and early intervention activities are critical to supporting the holistic and positive outcomes of First Nations children, youth, young adults, families and communities. They are the cornerstone of long-term reform of the FNCFS Program.

First Nations are strongly encouraged to continue working collaboratively with delegated First Nations agencies to provide holistic supports and services to First Nation children, youth, young adults, families and communities.

Increased investment in prevention and early intervention is critical to reforming the FNCFS Program. Stabilized prevention funding recognizes the critical role communities play in child safety and community well-being.

Who is eligible

- First Nations
- FNCFS delegated agencies
- FNCFS service providers authorized by a First Nation

How prevention funding can be used

Prevention funding:

- supports culturally relevant, community-based programs and services
- honours intergenerational cultural caring approaches
- aims to address the structural factors that place children, youth and families at risk of involvement with child and family services

Funding for prevention services can include direct and indirect services:

- **Direct services:** activities and services that ensure First Nations children, youth, young adults families and communities are supported

- **Indirect services:** costs or activities related to operational activities that support the development and delivery of prevention services or programming

Both direct and indirect services can be reflected in primary, secondary and tertiary prevention programming.

Primary prevention (community-centered prevention)

Primary prevention is meant to educate and provide services to the community that promote family wellness and prevent harm and child maltreatment.

Examples of activities include:

- classes, workshops and outreach to improve family preservation
- well-being, cultural and recreational activities
- crisis or help line services

Secondary prevention (family-centered prevention)

These services are intended to address families who are at higher risk of experiencing child maltreatment. Secondary prevention aims to:

- promote reunification and repatriation
- prevent separating a child or youth from their family wherever possible
- ensure supports are in place that enable the family to thrive.

Examples of activities include:

- group interventions or supports
- home visit programs for parents
- parent mentoring
- parenting skills programs
- family counselling, guidance and assessment
- addictions treatment for parents

Tertiary prevention (individual-centered prevention)

These services are intended to provide immediate safety and well-being interventions based on the child's best interest.

Tertiary prevention aims to:

- promote reunification and repatriation
- prevent separating a child or young person from their family, wherever possible
- ensure supports are in place that enable the family to thrive

Examples of activities include:

- immediate crisis interventions
- activities to build self-esteem and healing
- domestic violence interventions
- intensive family preservation services
- addictions treatment for parents and youth

For more information on primary, secondary and tertiary activities and services, consult the FNCFS Transitional Terms and Conditions: Contributions to provide children, youth, young adults, families and communities, with prevention and protection services.

Resources

First Nations individuals seeking immediate emotional support can contact:

- **Hope for Wellness Help Line**
  Call toll-free: 1-855-242-3310
  Chat online — Hope for Wellness Helpline

Kids Help Phone

- Call toll free: 1-800-668-6868 and press 3 to reach a professional counsellor
  - Text: "FIRST NATIONS" to 686868 (youth) or 741741 (adults) to reach a trained volunteer crisis responder
- **Urgent Help – Kids Help Phone**
  - Continued supports for First Nations youth and young adults leaving care
  - Resources Around Me (local supports across Canada)
  - Supports for First Nations, Inuit and Métis youth
- Access to resources online

Contact us

- By email: sefpn-fncfs@sac-isc.gc.ca
- ISC regional offices

Related links

- First Nations Child and Family Services Program
- Jordan's Principle

Post-majority support services for First Nations youth and young adults

This is an overview of the implementation of post-majority support services as part of the immediate measures starting April 1, 2022, towards a larger reform of the First Nations Child and Family Services (FNCFS) Program.

On this page

- About post-majority support services
- Objective
- Principles
- How to access funding
- Funded costs
- Post-Majority Support Services Toolkit and Regional Resource List

About post-majority support services

Post-majority support services assist youth aging out of care and young adults formerly in care across all provinces and in the Yukon, from the age of majority up to and including the age of 25.

Starting April 1, 2022, First Nations authorized service providers can submit claims for the reimbursement of costs related to these services to Indigenous Services Canada (ISC) through the existing FNCFS claims process until March 31, 2023, or until the fully reformed program is implemented.

ISC will develop a post-majority support services toolkit to provide awareness of the expanded post-majority support services in the FNCFS Program.

The toolkit will:

- be shared with service providers and First Nations
- provide youth and young adults with the information about:
  - the program
  - services
  - additional resources that could further promote holistic positive outcomes
- be distributed through the FNCFS networks
- include a link to subscribe to a mailing list

Post-majority support services is an immediate measure which will support the evolution toward a fully reformed program. Post-majority support services will transition according to the reformed funding methodology, program service scope and mandate.

- Post-majority support services expenditures are paid under the category of care and maintenance costs, and includes distinct needs-based services specifically targeted to youth and young adults.

Objective

By focusing on the basic principles of the service and providing flexibility to service providers to design services while implementing post-majority support, services can be developed and delivered in a manner that:

- puts the needs of First Nations youth aging out of care and young adults formerly in care at the centre
- is more accessible and timely
- minimizes administrative burden

ISC will take a youth and young adult-centred and reconciliation-first approach in receiving and processing requests from FNCFS providers and First Nations for post-majority support services.

Post-majority support services aim to support the safety and well-being of First Nations youth and young adults in a way that is:

- culturally appropriate
- in their self-identified best interest
- provided on the basis of substantive equality

The goal of post-majority support services is 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 youth and young adults.

Supports could include help with:

- housing
- food
- employment and financial security
- mental health, wellness, and addiction supports
- healthy relationships

Principles

- The culturally-based safety and wellbeing of First Nations youth aging out of care and young adults formerly in care is paramount
- First Nations youth aging out of care and young adults formerly in care are to be holistically supported in (re)connecting meaningfully with their family, as well as, have access to supports that promote reunification and/or repatriation
- First Nations youth aging out of care and young adults formerly in care are to have:

    - culturally appropriate services and supports that meet their needs and the standard of substantive equality
    - stability and connection in areas of housing, employment, education, mental health, and wellbeing
    - access to financial support
    - the opportunity to remain connected and actively engaged in their communities, language, and culture
    - holistic support with an approach that recognizes historical and contemporary disadvantage and contextual and cultural differences
    - access to supports that promote safety, security, and stability to develop necessary life skills

Post-majority support services are youth-and-young-adult-centered and needs based:

- to support thriving First Nations youth and young adults during their transition to independence, their self-identified best interests, including their physical, emotional, cultural, relational, and psychological safety, security, and wellbeing are paramount considerations
- in supporting First Nations young adults formerly in care, unique supports may be required because of the time between when the young adult was in care and the point in time they are accessing post-majority support services
- factors to consider include the youth's or young adult's:
    - First Nations context, customs and traditions, spiritual upbringing, identity and heritage
    - needs and preferences
    - safety and well-being

Youth and young adults accessing post-majority support services include:

- youth who are in FNCFS care approaching the age of majority

    - A youth is in FNCFS care when the care costs for the child or youth are funded by the FNCFS Program
- 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
    - 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), and
    - were in FNCFS care on the day they reached the age of majority
- 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
- individuals who:
    - have reached the age of majority
    - 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)
    - were in care funded by the province or Yukon on the day they reached the age of majority, and
    - are ordinarily resident on reserve, or residing in the Yukon

Care status includes: extended society care, guardianship, custody, alternate care, kinship care. The definition of care includes when a child or youth, ordinarily resident on reserve or in the Yukon, is funded through the FNCFS Program and has been placed to live outside of the family/home of origin.

How to access funding

Delegated and partially delegated agencies and provincial and Yukon service providers will access post-majority support service funding through existing processes:

- submission annually through existing mechanisms (where said mechanisms enable timely reimbursement at actual cost) or
- submission through claims on actuals for care and maintenance or intake and investigation
- partially delegated/mandated agencies can also bill for post-majority support services through the maintenance or intake and investigation funding at actuals streams
- through the use of planning models, which could include business plan models

First Nations, or First Nations-authorized service providers can access post-majority support services funding through:

- submission of request on actuals, or
- through use of planning models, which could include business plan models

Expansion of post-majority support services providers in the FNCFS Program signifies:

- First Nations and First Nations-authorized service providers will now be able to deliver post-majority support services for First Nations youth and young adults under the FNCFS Program
- Greater scope for providers and greater access to services for youth
- More control for First Nations to develop and deliver community-led, needs based programming
- Shift toward a more holistic service delivery model, empowering First Nations to address gaps in service that had been created by colonial child welfare systems

Funded costs

The FNCFS Program Terms and Conditions include a list of eligible expenditures under the care and maintenance funding stream that support the delivery of post-majority support services.

Eligible activities under post-majority support services are based on needs of the youth or young adult. The below examples are informed by *Equitable Standards for Transitions to Adulthood for Youth in Care* and *Children Back, Land Back*.

Eligible activities could include assistance so young people have:

access to financial support

- Needs-based financial support (budgeting, credit, money management)
- Equitable funding to meet basic needs and access clothing and hygiene items
- Livable basic income based on local realities and inflation
- Financial literacy programs and access to financial advisors
- Financial planning
- Financial costs and support to acquire various forms of identification (birth certificate, government ID, passports)
- Financial cost and support for driver's permit and driver's education

access to learning and educational opportunities

- Education mentorship and support
- Assistance to navigate education systems and options
- Access to resources and support related to education, rights
- Education-related costs
- Professional development and skills training, and/or career path planning

- Specialized supports such as tutoring, career counselling
- Cultural learning, regalia, resources, and opportunities
- Technology required for education
- Financial support for training and certifications such as, first aid, food safe, childcare

access to safe, stable, and comfortable housing

- Needs-based financial support
- Rent and rent subsidies
- Interim housing options during transition of youth to independence
- Housing stability during transition to adulthood
- Supports in viewing housing, guidance, transportation
- Moving costs and support
- Housing-related skills training
- Basic household necessities
- Basic household utilities, including internet connectivity and clean water
- Home repairs
- Life and home skills, including in home supports, such as cooking, housekeeping, planning, life coaching
- Clothing including clothing required for employment
- Personal care and hygiene including menstrual supplies

support to be physically, mentally and socially well

- Non-insured medical, dental and allied health services prescribed by relevant professional
- Sexual and gender identity health supports, such as education related to sexually transmitted diseases, sexual health
- Recreation and sport
- Funding to ensure consistent access to holistic health services, transportation to and from, support navigating health systems
- Counselling

- Healthy relationships counselling and support concerning personal safety, gang involvement, domestic violence, healthy boundaries, addictions
- Trauma informed mental health and addictions support options
- Access to intensive treatment
- Support for family violence and/or domestic violence

Post-Majority Support Services Toolkit and Regional Resource List

Comunication resource to inform First Nations youth and young adults who are or have been in care, and First Nations and FNCFS Providers, of the tools and supports available to them when navigating and accessing post-majority support services.

To request a copy, please email: sefpn-fncfs@sac-isc.gc.ca

Stacking provision

The practice of "stacking" generally refers to the request of funding from one or multiple sources for the same purpose or activity, programs often stipulate rules or restrictions around this practice.

It is important to note that the compensation arising from the Canadian Human Rights Tribunal or the class actions is not considered "stacking," for post-majority care recipients (that is to say, the compensation is not considered government funding of a program, service or support).

FINAL AGREEMENT ON LONG-TERM REFORM OF THE FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM IN ONTARIO

This Final Agreement made on this 26th day of February, 2025.

AS BETWEEN:

CHIEFS OF ONTARIO

- and -

NISHNAWBE ASKI NATION

- and -

ATTORNEY GENERAL OF CANADA

(representing the Minister of Indigenous Services Canada)

TABLE OF CONTENTS

PREAMBLE 1
PART I – PURPOSE 3
PART II – PRINCIPLES 4
PART III – DEFINITIONS 5
PART IV – FUNDING COMMITMENT 13
PART V – THE REFORMED FNCFS FUNDING APPROACH: INITIAL FUNDING PERIOD 16
PART VI – THE REFORMED FNCFS FUNDING APPROACH: SECOND FUNDING PERIOD 36
PART VII – THE REFORMED FNCFS FUNDING APPROACH: FOLLOWING THE EXPIRY OF THE TERM OF THIS FINAL AGREEMENT 37
PART VIII – MEASURING THE PERFORMANCE OF THE REFORMED FNCFS PROGRAM 38
PART IX – HOUSING FUNDING 39
PART X – ONTARIO FNCFS DATA SECRETARIAT 40
PART XI – REMOTENESS RESEARCH AND RELATED ITEMS 42
PART XII – FIRST NATIONS EXERCISING INHERENT JURISDICTION OVER CHILD AND FAMILY SERVICES 44
PART XIII – AGENCY ACCOUNTABILITY TO FIRST NATIONS IN RELATION TO THE REFORMED FNCFS PROGRAM 45
PART XIV – GOVERNANCE OF THE REFORMED FNCFS PROGRAM 50
PART XV – REFORMED FNCFS PROGRAM ASSESSMENTS 54
PART XVI – SERVICE PROVIDER FUNDING ADJUSTMENT REQUESTS 61
PART XVII – CULTURAL HUMILITY TRAINING AND REFORM OF ISC AND SUCCESSOR DEPARTMENTS 63
PART XVIII – INTERIM DISPUTE RESOLUTION PROCESS 65
PART XIX – DISPUTE RESOLUTION PROCESS 66
PART XX – INFORMATION SHARING AND PRIVACY 84
PART XXI – ENTIRE AGREEMENT 84
PART XXII – CONFIDENTIALITY AND RETENTION 85
PART XXIII – TERMINATION OF AGREEMENT 85
PART XXIV – TRIBUNAL APPROVAL, FUNDING OF LEGAL COSTS, AND EFFECTIVE DATE 86

PART XXV – ENFORCEMENT OF FUNDING COMMITMENT 87
PART XXVI – SUPERSEDING TRIBUNAL'S ORDERS 88
PART XXVII – GENERAL PROVISIONS 89
PART XXVIII – APPENDICES 92
APPENDICES 95
Appendix 1: Financial Chart 96
Appendix 2: Performance Measurement Indicators and Outcomes Chart 97
Appendix 3: Program Assessment Timelines 100
Appendix 4: First Nations Planning Template 101
Appendix 5: Agency Accountability Co-Development Planning Template 106
Appendix 6: Reformed FNCFS Program Schedules for Contribution Funding Agreements 113
Appendix 7: Ontario Reform Implementation Committee Terms of Reference 121
Appendix 8: First Nations Child and Family Services Terms and Conditions 129
Appendix 9: Housing Allocation Example 171
Appendix 10: Remoteness Quotient Adjustment Factor Methodology 172
Appendix 11: Funding and Administration of Capital Commitments 174
Appendix 12: Modifications if the Effective Date is after March 31, 2026 176

FINAL AGREEMENT ON LONG-TERM REFORM OF THE FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM IN ONTARIO

"While we cannot turn back time to undo the harm and abuse that Indigenous youth and children have experienced in Child Welfare, we can use our hindsight to prevent harm and abuse from happening to another generation of Indigenous youth and children."

Youth in Care Advisors

"The way forward is going to be different from the one we had up until this moment. It rests a lot with parents and grandparents and that is why it is important… to mitigate kids being taken away and placing them in other foreign situations or challenging situations."

Chief Robert Joseph, testimony before the Canadian Human Rights Tribunal, 2014.

PREAMBLE

RECOGNIZING the harms experienced by First Nations citizens in the Indian Residential School system, the Indian Day Schools, and the Sixties Scoop, which had a profound adverse effect on their identities, well-being, health, and, in particular, has damaged their traditional child rearing practices and parenting skills, intergenerationally;

AND RECOGNIZING the findings of the Canadian Human Rights Tribunal (the "**Tribunal**") in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada),* 2016 CHRT 2 ("**2016 CHRT 2**") that Canada's underfunding of the First Nations Child and Family Services ("**FNCFS**") Program perpetuated the historical disadvantage suffered by First Nation people as a result of the Indian Residential School system; and the Tribunal finding in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada),* 2019 CHRT 39, that unnecessarily removing a child from their family and community is a serious harm causing great suffering to that child, family and the community and that the removal of children from their families and communities is traumatic and causes great pain and suffering to them;

WHEREAS Canada designed and implemented the First Nations Child and Family Services ("**FNCFS**") Program in 1989 to fund the provision of child welfare services to First Nations children, youth, and families ordinarily resident on reserve and in Yukon;

AND WHEREAS in 2016 CHRT 2, the Tribunal found that the FNCFS Program's funding model was discriminatory, and in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada),* 2016 CHRT 16, ordered Canada to reform its discriminatory policies, procedures, and agreements and to prevent the future recurrence of discrimination. The Tribunal also found that Canada's implementation of the 1965 Agreement was discriminatory and ordered Canada to reform the 1965 Agreement in 2016 CHRT 2;

AND WHEREAS in 2016 CHRT 2, the Tribunal found that Canada's provision of the FNCFS Program and implementation of the 1965 Agreement were discriminatory with respect to remote First Nation communities. In *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada),* 2017 CHRT 7, the Tribunal adopted the terms agreed to by Nishnawbe Aski Nation and Canada for the development of a remoteness quotient that can be used to address deficiencies in remoteness funding;

AND WHEREAS in 1965, Canada and Ontario entered into *The Memorandum of Agreement Respecting Welfare Programs for Indians of 1965* (the **"1965 Agreement"**) for the provision of child and family services to be extended to First Nations people on reserve in Ontario;

AND WHEREAS research was commissioned on funding models and performance measurement frameworks to construct and design the necessary evidence-informed long-term reforms for the FNCFS Program for the purposes of addressing the Tribunal's findings;

AND WHEREAS in July 2024, Canada, the Assembly of First Nations, the Chiefs of Ontario ("**COO**") and Nishnawbe Aski Nation ("**NAN**") reached a draft Final Agreement on Long-Term Reform of the FNCFS Program that would have instituted national reforms to the FNCFS Program;

AND WHEREAS the NAN Chiefs-in-Assembly ratified the draft Final Agreement on Long-Term Reform of the FNCFS Program on October 9, 2024;

AND WHEREAS the Ontario Chiefs-in-Assembly ratified the draft Final Agreement on Long-Term Reform of the FNCFS Program on October 10, 2024;

AND WHEREAS the First Nations-in-Assembly of the Assembly of First Nations rejected the draft Final Agreement on Long-Term Reform of the FNCFS Program on October 17, 2024;

AND WHEREAS Canada, COO and NAN subsequently agreed to negotiate an agreement to reform the FNCFS Program in Ontario;

AND WHEREAS the reforms aim to advance the holistic well-being of First Nations children and families in Ontario, as well as their connection to their lands, cultures, languages, and communities;

AND WHEREAS the reforms are informed by First Nations-led research, are culturally appropriate, and emphasize prevention, substantive equality, and the best interests and needs of First Nations children, youth, young adults, and families. The reforms are designed to take into account the unique circumstances of each First Nation, including their historical, cultural, and geographical needs and circumstances;

AND WHEREAS the reforms include the monitoring of well-being and the consideration of the many contextual factors that affect children, families, and communities, such as income, poverty, poor and inadequate housing, racism including systemic racism, and other structural drivers that increase the likelihood of contact with child protection services;

AND WHEREAS while the reforms are formulated to be flexible to ensure that discrimination shall not recur and to address the humanitarian crisis of the overrepresentation of First Nations children in care, prevention funding is not intended to be re-allocated by FNCFS Agencies to cover costs related to protection services, except for least disruptive measures;

AND WHEREAS the accountability structure built into the Reformed FNCFS Program is intended to ensure FNCFS Agencies are accountable to the First Nations governments and communities they serve, while fostering positive First Nation-FNCFS Agency relationships;

AND WHEREAS the Parties agree that this Final Agreement is a comprehensive settlement and a record of the necessary steps and actions, as well as the embodiment of the Parties' best efforts, to eliminate the discrimination found by the Tribunal in relation to the FNCFS Program in Ontario and prevent its recurrence;

NOW THEREFORE, in consideration of the mutual covenants set out herein, the Parties have entered into this Final Agreement as follows:

PART I – PURPOSE

1. The Parties enter into this Final Agreement to reflect their agreement to long-term reform of the FNCFS Program in Ontario, which is intended to eliminate the discrimination in Ontario identified by the Tribunal in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada*

(for the Minister of Indian and Northern Affairs Canada), 2016 CHRT 2 and all subsequent rulings by the Tribunal and to prevent its recurrence. This Final Agreement details the reforms to be made by Canada.

PART II – PRINCIPLES

2. The principles guiding the Reformed FNCFS Program to be implemented by way of this Final Agreement shall include:

(a) the cultural safety and well-being of First Nations children, youth, young adults, and families;

(b) substantive equality;

(c) addressing the needs of First Nations children, youth, young adults, and families;

(d) the best interests of children;

(e) prioritizing keeping children in the home;

(f) holistic and culturally-informed programming, having regard for the current realities of distinct First Nations, including historical and contemporary disadvantage and contextual differences, including remoteness;

(g) recognition of Indigenous legal traditions and principles, if applicable;

(h) addressing the Structural Drivers that place First Nations children, youth, and families at higher risk of involvement with the child welfare system;

(i) respect for the inherent right of self-government, which is recognized and affirmed by section 35 of the *Constitution Act, 1982*, and which includes jurisdiction, in relation to child and family services;

(j) respect for the right to self-determination of Indigenous peoples, which is a right recognized and affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples* (the **"*Declaration*"**);

(k) that the *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14 affirms the *Declaration* as a universal international human rights instrument with application in Canadian law and also provides a framework for the Government of Canada's implementation of the *Declaration*;

(l) the rights in the *Declaration*, including the rights of children and youth, and the *United Nations Convention on the Rights of the Child*, including the right to be free from discrimination;

(m) accountability of FNCFS Service Providers and the Government of Ontario to the First Nation governments they serve; and

(n) guidance from First Nations-led and/or endorsed evidence.

PART III – DEFINITIONS

3. Unless the context necessitates a different interpretation, all terms of this Final Agreement are to be interpreted as applying only in Ontario and only to First Nations and FNCFS Service Providers in Ontario.

4. The following definitions apply to this Final Agreement:

(a) "**1965 Agreement**" means *The Memorandum of Agreement Respecting Welfare Programs for Indians* entered into between Ontario and Canada, as amended.

(b) "**adjusted for inflation**" has the meaning as set out in paragraph 35.

(c) "**ADRIC Arbitration Rules**" means the Arbitration Rules of the ADR Institute of Canada in force at the time of a Notice to Arbitrate being served.

(d) "**Agreement-in-Principle**" means the Agreement-in-Principle on Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle executed between the Assembly of First Nations, the First Nations Child and Family Caring Society of Canada, Canada, COO and NAN dated December 31, 2021.

(e) "**Answer to Notice**" means, in a Dispute, a notice delivered by a respondent in a Dispute which sets out the information required by the ADRIC Arbitration Rules.

(f) "**Appeal Tribunal**" means a panel of three Arbitrators appointed consensually or by the process set out in this Final Agreement whose role it is to adjudicate appeals from a decision of an Arbitral Tribunal.

(g) "**Arbitral Tribunal**" means a single Arbitrator appointed consensually or by the process set out in this Final Agreement whose role it is to adjudicate a Dispute.

(h) "**Arbitrator**" means a person selected by the Parties and appointed to the Roster of Arbitrators to serve on Arbitral Tribunals or Appeal Tribunals.

(i) "**Baseline Funding**" means the funding component described in paragraph 18.

(j) "**Canada**" means His Majesty the King in Right of Canada, as represented by the Minister of Indigenous Services.

(k) "**child**" means a First Nations person who, under the *Child, Youth and Family Services Act, 2017,* SO, 2017 c. 14 or successor legislation, is under the age at which an individual ceases to be a child.

(l) "**Claimant"** means a First Nation or an FNCFS Service Provider that commences a Claimant Dispute.

(m) "**Claimant Dispute**" has the meaning as set out in paragraphs 199 and 200.

(n) **"Complaint"** means the Tribunal complaint bearing file number T1340/7008.

(o) "**COO**" means the Chiefs of Ontario.

(p) "**Cultural Officer**" means the person who is charged with giving advice to an Arbitral Tribunal related to aspects of a Dispute Resolution Process for Claimant Disputes, with the goal of facilitating the resolution of the Claimant Dispute in a manner that is culturally appropriate, accessible, and in accordance with this Final Agreement.

(q) "**days**" means calendar days.

(r) "**Departmental Results Framework**" means the framework for each federal government department which tracks expected results and indicators related to departmental core responsibilities.

(s) "**Departmental Results Report**" means the annual report that provides detail on results achieved against each federal government department's plans, priorities, and expected results.

(t) "**Directive on Transfer Payments**" means a directive of Canada which establishes mandatory operational requirements for the management of federal transfer payments and transfer payment programs.

(u) "**Dispute**" means a Parties' Dispute or a Claimant Dispute.

(v) "**Dispute Award**" means an award rendered by an Arbitral Tribunal or an Appeal Tribunal, as the context requires.

(w) "**Dispute Resolution Process**" means the process set out at PART XIX – DISPUTE RESOLUTION PROCESS by which Parties' Disputes and Claimant Disputes are adjudicated.

(x) **"Effective Date"** means the latest of the following dates should they occur:

(i) sixty days after the date upon which the Tribunal issues an order or orders that it is ending its remedial jurisdiction over the Complaint and all associated proceedings in Ontario save for those proceedings related to Jordan's Principle, and that the terms of this Final Agreement supersede and replace all orders of the Tribunal related to the discrimination found by the Tribunal concerning the FNCFS Program in Ontario and the 1965 Agreement; but

(ii) where a judicial review application is commenced in the Federal Court seeking to overturn such order or orders and a stay of the order or orders is sought pending the determination of that review, a date thirty-one days after such stay application is denied; or

(iii) in the event a stay is granted, a date thirty-one days after the judicial review application is dismissed.

(y) "**Final Agreement**" means this Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario.

(z) "**First Nation**" means a "band" as defined in subsection 2(1) of the *Indian Act,* RSC, 1985, C I-5, as amended, located in Ontario, and which is delivering services and receives funding under the Reformed FNCFS Program.

(aa) "**First Nations Information Governance Centre**" means the national not-for-profit corporation working in the field of First Nations data sovereignty.

(bb) **"First Nation Representatives"** (sometimes referred to as Band Representatives) are advocates for First Nations in matters relating to the delivery of services to their citizens by a child welfare agency, as further described in paragraph 25.

(cc) **"First Nation Representative Services**" (sometimes referred to as Band Representative Services) means the services delivered by a First Nation Representative, which have been funded by the FNCFS Program in Ontario since 2018.

(dd) "**fiscal year**" means Canada's fiscal year, being a 12-month period beginning on April 1 of one (1) year and ending on March 31 of the following year.

(ee) "**FNCFS"** means First Nations child and family services.

(ff) "**FNCFS Agency**" means an agency established by and affiliated with one or more First Nations and delegated or authorized pursuant to provincial or other authorities to provide legislated child welfare services.

(gg) "**FNCFS Funding Mechanism**" means the manner in which ISC shall provide First Nations and FNCFS Service Providers with multi-year funding, as further described in Part V (E).

(hh) "**FNCFS Program**" means the national First Nations Child and Family Services Program, provided by the Minister of Indigenous Services as authorized by the *Department of Indigenous Services Act*, S.C. 2019, c. 29, s. 336, or any successor legislation, and which provides funding for and direction in the delivery of child and family services to support the safety and well-being of First Nations children, youth, and families ordinarily resident on a reserve, or any successor federal program or policy.

(ii) "**FNCFS Service Provider**" means an FNCFS Agency, or an entity authorized by a First Nation to deliver services and to receive funding under the Reformed FNCFS Program. For clarity, the Government of Ontario is not an FNCFS Service Provider.

(jj) "**Index of Remoteness**" means the Statistics Canada Index of Remoteness that quantifies a community's remoteness according to: (1) the proximity to all population centers within a given radius that permits daily accessibility; and (2) the population size of each population center, used as a proxy of service availability.

(kk) "**Indian Registration System**" means the system maintained by Canada that contains the list of persons registered as Indians under the *Indian Act*, RSC, 1985, C I-5, as amended.

(ll) "**Initial Funding Period**" means the period of four (4) fiscal years, beginning on April 1, 2025 and ending on March 31, 2029.

(mm) "**Initial Program Assessment**" means the process outlined in PART XV – REFORMED FNCFS PROGRAM ASSESSMENTS.

"Interim Dispute Resolution Process" means the process set out in

(nn) PART XVIII – INTERIM DISPUTE RESOLUTION PROCESS for the resolution of Party Disputes between the execution of this Agreement and the Effective Date.

(oo) "**ISC**" means Indigenous Services Canada and any successor department thereto.

(pp) "**least disruptive measures**" means measures that flow from a child maltreatment assessment or investigation and are critical to safety

planning for children and families involved with child and family services and include:

(i) targeted actions or services that meet the threshold of risk for involvement with an FNCFS Agency. These actions or services seek to prevent separating children or youth from their families or support reunification of families, while ensuring supports are in place that mitigate the risk of child maltreatment or harm; and

(ii) supports to children, youth and families who have been identified by an FNCFS Agency as being at risk, and are undergoing an assessment of child maltreatment or harm.

(qq) "**Measuring to Thrive Framework**" means the set of indicators developed by the Institute of Fiscal Studies and Democracy ("**IFSD**") that is intended to capture child, family, and community well-being in First Nations, and introduced by the IFSD in *Funding First Nations child and family services (FNCFS): A performance budget approach to well-being* dated July 2020.

(rr) **"NAN**" means Nishnawbe Aski Nation.

(ss) "**NAN-Canada Remoteness Quotient Table**" means the body jointly constituted by NAN and Canada to address remoteness issues, including developing a First Nations-sighted, evidence-based, statistical method to estimate the increased costs associated with remoteness in the funding and provision of child and family services to First Nations.

(tt) "**Non-Agency First Nation**" means a First Nation not affiliated with an FNCFS Agency.

(uu) "**Notice to Arbitrate**" means the form used to commence a Dispute and which contains the information required by the ADRIC Arbitration Rules.

(vv) "**Ontario FNCFS Data Secretariat**" means the entity established to support data collection and synthesis, as described further in PART X – ONTARIO FNCFS DATA SECRETARIAT.

(ww) "**Ontario Reform Implementation Committee**" means the committee that will oversee the implementation of the Reformed FNCFS Program in Ontario, as further described in PART XIV – GOVERNANCE OF THE REFORMED FNCFS PROGRAM.

(xx) "**Parties**" means Canada, COO, and NAN.

(yy) "**Parties' Dispute**" has the meaning as set out in paragraphs 196 and 197.

(zz) "**Program Assessment(s)**" means the process outlined in PART XV – REFORMED FNCFS PROGRAM ASSESSMENTS and includes the Initial Program Assessment and Second Program Assessment.

(aaa) "**Program Assessment Organization**" means the organization(s) selected by COO to conduct the Program Assessments by way of requests for proposals pursuant to paragraph 141.

(bbb) "**Program Assessment Reports**" means the reports outlined in Part XV (G).

(ccc) **"Program Assessment Opinions"** has the meaning given to such term in paragraphs 159 and 160 and includes the "Initial Program Assessment Opinion" and the "Second Program Assessment Opinion".

(ddd) "**Reformed FNCFS Funding Approach"** means the multi-year funding structure in Ontario which is intended to eliminate the discrimination found by the Tribunal and prevent its recurrence, by addressing the needs of First Nations children, youth, families and communities, as further described in PART V – THE REFORMED FNCFS FUNDING APPROACH: INITIAL FUNDING PERIOD and PART VI – THE REFORMED FNCFS FUNDING APPROACH: SECOND FUNDING PERIOD.

(eee) **"Reformed FNCFS Program"** means the FNCFS Program in Ontario on and after the implementation of the Reformed FNCFS Funding Approach.

(fff) "**Remoteness**" means a variable factor measured on a continuum and describes the lived circumstances of First Nations communities for

whom issues of access (by road network, by ice road only, by air only, or otherwise), geography and context exacerbate challenges faced by all First Nations, including by increasing the costs associated with child and family services. Remoteness is generally associated with geographic distance from, and access to, service centres (often defined on the basis of population size and density), which affects the costs of shipping goods as well as costs related to personnel, including travel, and living costs.

(ggg) "**Roster of Arbitrators**" means the roster of Arbitrators established and maintained by the Parties who are available to arbitrate Disputes.

(hhh) "**RQAF**" means the Remoteness Quotient Adjustment Factor methodology, being the result of a statistical regression model, as developed at the NAN-Canada Remoteness Quotient Table, which estimates the amount of additional funding required to account for the increased costs incurred by a particular First Nation or FNCFS Service Provider due to remoteness.

(iii) "**Second Funding Period**" means the period of five (5) fiscal years following the Initial Funding Period, beginning on April 1, 2029 and ending on March 31, 2034.

(jjj) "**Service Provider Funding Adjustment Request**" means a request made by a First Nation or FNCFS Service Provider to ISC pursuant to paragraphs 166 and 167.

(kkk) "**Structural Drivers**" means factors that are largely out of a caregiver's control which contribute to the over-representation of First Nations children and youth in the child welfare system, including poverty, poor housing, racism – including systemic racism – and intergenerational trauma.

(lll) "**Systemic Review Committee**" means the subcommittee of the Ontario Reform Implementation Committee formed pursuant to paragraph 129.

(mmm) "**Technical Advisory Committee**" means the subcommittee of the Ontario Reform Implementation Committee formed pursuant to paragraph 133.

(nnn)"**Term"** means the period beginning on April 1, 2025, and ending on March 31, 2034.

(ooo)"**Terms and Conditions**" means the terms and conditions of the Reformed FNCFS Program, commonly known as the First Nations Child and Family Services Terms and Conditions.

(ppp)"**Tribunal"** means the Canadian Human Rights Tribunal.

PART IV – FUNDING COMMITMENT

5. Canada shall provide funding in the total amount of $8.5 billion for the Reformed FNCFS Program in Ontario for a period of nine fiscal years commencing April 1, 2025, and ending March 31, 2034, and for the housing commitment set out in PART IX – HOUSING FUNDING.

6. The Parties agree that the funding under this Final Agreement is conditional on the Effective Date occurring within fiscal year 2025-2026. If the Effective Date does not occur within fiscal year 2025-2026, the provisions of this Final Agreement shall be modified as described in Appendix 12.

A. Initial Funding Period (April 1, 2025, to March 31, 2029)

7. Of the total amount set out in paragraph 5, Canada shall provide $3.9 billion to support the implementation of the Reformed FNCFS Program in Ontario for the Initial Funding Period and the housing commitment set out in PART IX – HOUSING FUNDING.

8. Canada shall not decrease the total funding commitment under the Reformed FNCFS Funding Approach within the Initial Funding Period, except as set out in Appendix 12.

9. The Parties agree that Canada's obligation to fund the Reformed FNCFS Program in Ontario during the Initial Funding Period shall be limited to the

maximum amount set out in paragraph 7, except where that amount is insufficient to:

(a) fund approved Service Provider Funding Adjustment Requests, or any Dispute Awards in relation thereto, subject to judicial review and any appeals thereof;

(b) adjust funding for inflation and population, where such adjustment is specified in Part V(A);

(c) fund certain activities at their actual costs, as specified in paragraphs 54(a), 54(e), 54(f) and 54(g);

(d) fund the reasonable start-up costs of new FNCFS Agencies, as specified at paragraph 64;

(e) fund First Nations that become eligible under the Reformed FNCFS Program; and

(f) reimburse the Government of Ontario for child and family services expenditures under the 1965 Agreement.

10. The amount identified in paragraph 7 consists of funding to support:

(a) the Reformed FNCFS Funding Approach in Ontario, including in the transition year of fiscal year 2025-2026;

(b) the Ontario FNCFS Data Secretariat;

(c) the participation of the members of the Ontario Reform Implementation Committee and of the Technical Advisory Committee;

(d) the Ontario Remoteness Secretariat;

(e) the NAN-Canada Remoteness Quotient Table;

(f) the establishment, operation, and administration of the Dispute Resolution Process and other costs as provided for in this Final Agreement for the Dispute Resolution Process, including, but not limited to, costs related to translation and duty counsel; and

(g) the housing commitment set out in PART IX – HOUSING FUNDING.

B. Second Funding Period (April 1, 2029, to March 31, 2034)

11. For the Second Funding Period, Canada shall provide annual funding for the Reformed FNCFS Program in an amount not less than the funding provided in the fiscal year 2028-2029, subject to any upward adjustments adopted further to the Initial Program Assessment.

12. Canada agrees that additional investments over and above the funding commitment in paragraph 11 may be required in order to maintain long-term reform of the Reformed FNCFS Program as outlined in this Final Agreement, informed by measures including but not limited to the program assessment process, Service Provider Funding Adjustment Requests, and future First Nations-authorized research.

C. Terms Applicable to Both Funding Periods

13. Canada shall not apply any amount identified in paragraphs 7 or 11 to its own departmental expenses of any kind, except for the departmental expenses identified in paragraphs 10(f). Departmental expenses include but are not limited to expenses for human resources, administrative costs, internal costs, or other services retained or procured by Canada not expressly provided for in this Final Agreement.

14. For greater clarity, such departmental expenses include expenses for:

    (a) Administrative support for the Ontario Reform Implementation Committee;

    (b) Development and implementation of the cultural humility training described under PART XVII – CULTURAL HUMILITY TRAINING AND REFORM OF ISC AND SUCCESSOR DEPARTMENTS;

    (c) The contract for a Program Assessment Organization(s); and

    (d) Legal fees of the COO and NAN claimed under paragraph 293.

15. Canada shall not reallocate any of the amounts identified in paragraphs 7 or 11 to any purposes beyond those provided for under the terms of this Final Agreement, except as provided for expressly herein.

16. ISC shall seek authority to place the funding committed for the Initial Funding Period and Second Funding Period in one or more special purpose allotments. Each fiscal year, ISC may seek authority to have any such funding that remains unexpended by ISC at the end of the fiscal year carried forward into the following fiscal year, subject to Parliamentary appropriation. For greater clarity, ISC may seek to have any funding for any initiative that remains unexpended at the end of the Initial Funding Period to be carried forward into the Second Funding Period.

PART V – THE REFORMED FNCFS FUNDING APPROACH: INITIAL FUNDING PERIOD

A. Methodology

17. The Reformed FNCFS Funding Approach for the Initial Funding Period beginning on April 1, 2025, and ending on March 31, 2029, shall consist of:

(a) Baseline Funding;

(b) Top-up funding, defined as a percentage of Baseline Funding, for:

i. Information technology,
ii. Results,
iii. Emergency;

(c) Household supports funding;

(d) Prevention funding;

(e) First Nation Representative Services funding;

(f) FNCFS capital funding;

(g) Post-majority support services funding; and

(h) Remoteness adjustment funding.

Baseline Funding

18. Baseline Funding shall be the sum of:

(a) Operations and maintenance expenditures reimbursed to the Government of Ontario by Canada under the 1965 Agreement for the

applicable fiscal year, funding for which expenditures is provided to FNCFS Agencies by the Government of Ontario; and

(b) An additional amount provided directly to FNCFS Agencies by ISC equal to:

(i) In fiscal year 2026-2027, actual expenditures that were funded directly by ISC and incurred by FNCFS Agencies in Ontario for intake and investigation, legal fees, and building repairs for fiscal year 2022-2023, adjusted for inflation and population growth between March 31, 2023 and March 31, 2026;

(ii) In fiscal years subsequent to fiscal year 2026-2027, the amount in (i) upwardly adjusted for inflation and population growth, and not reduced.

Top-up Funding for Information Technology, Results, and Emergency

19. Funding for information technology shall be equal to 6% of annual Baseline Funding. This funding shall support information technology needs related to the implementation of the Reformed FNCFS Program. This funding shall be upwardly adjusted in the manner set out in paragraph 33 and Appendix 10 to account for the increased costs of delivering services in remote communities.

20. Funding for results shall be equal to 5% of annual Baseline Funding. This funding shall support the implementation of the performance measurement framework and related indicators as outlined in paragraph 78 and Appendix 2 and in paragraph 113, most notably for capturing and reporting data related to First Nations well-being. This funding shall be upwardly adjusted in the manner set out in paragraph 33 and Appendix 10 to account for the increased costs of delivering services in remote communities.

21. Funding for emergency shall be equal to 2% of annual Baseline Funding. This funding shall support responses to unanticipated circumstances affecting or related to the provision of the Reformed FNCFS Program. This funding shall be upwardly adjusted in the manner set out in paragraph 33 and Appendix 10 to account for the increased costs of delivering services in remote communities.

Household Supports Funding

22. Funding for household supports shall be $5.3 million in fiscal year 2025-2026, subject to paragraph 54(c). In subsequent years, funding for household supports shall be $5.3 million, adjusted for inflation. This funding shall support First Nations in meeting the basic needs of families, particularly those needs that, if left unmet, could lead to children being placed in care. This funding shall be upwardly adjusted in the manner set out in paragraph 33 and Appendix 10 to account for the increased costs of delivering services in remote communities.

Prevention Funding

23. Total funding for prevention services in fiscal year 2025-2026 shall be calculated by multiplying the amount of $2,655.62 by the total population of all First Nations in Ontario eligible to receive funding under the Reformed FNCFS Program, according to the approach for determining population as set out in paragraph 36, plus the amount necessary to provide to each First Nation a minimum of $75,000. These amounts shall be adjusted for inflation in subsequent years. This funding shall be upwardly adjusted in the manner set out in paragraph 33 and Appendix 10 to account for the increased costs of delivering services in remote communities, subject to the transition provisions for fiscal year 2025-2026 set out in paragraph 54(h).

24. The prevention funding attributable to an individual First Nation shall be calculated by multiplying its population as set out in paragraph 36 by the per capita amount for the applicable fiscal year.

First Nation Representative Services Funding

25. First Nation Representatives are advocates for First Nations in matters relating to the delivery of services to their citizens by a child welfare agency. The roles and responsibilities of First Nation Representatives are defined by the First Nation, considering the unique needs of its citizens and the duties of such representatives as provided for in applicable provincial and federal child welfare legislation. First Nations Representative Services funding is intended to:

(a) support the cultural needs of First Nations children, youth, and families;

(b) support connecting First Nations children, youth, and families with the lands, languages, cultures, practices, customs, traditions, ceremonies and knowledge of their First Nation and helping families access supports;

(c) support repatriation of children to their communities; and

(d) ensure that the rights of First Nations children and youth and the rights of First Nations are respected in the child and family services system.

26. In fiscal year 2026-2027, ISC shall provide funding such that each First Nation is funded for First Nation Representative Services at its highest annual amount of First Nation Representative Services funding received over five fiscal years, from fiscal year 2019-2020 to fiscal year 2023-2024, adjusted for inflation and population growth between March 31 of the applicable fiscal year and March 31, 2026. In subsequent years of the Initial Funding Period, ISC shall provide funding for First Nation Representative Services to each First Nation in Ontario equal to funding in the preceding year, adjusted for inflation and population growth. This funding shall be upwardly adjusted in the manner set out in paragraph 33 and Appendix 10 to account for the increased costs of delivering services in remote communities.

FNCFS Capital Funding

27. In the Initial Funding Period, ISC shall provide up to $264.1 million to First Nations and FNCFS Service Providers in Ontario for capital assets that support the delivery of the Reformed FNCFS Program's funded services and activities. ISC shall make such funding available to support needs assessments and feasibility studies, the purchase and construction of capital assets, the repair and renovation of existing buildings, and the lifecycle costs of owned assets.

Post-Majority Support Services Funding

28. In the Initial Funding Period, ISC shall provide $134.8 million for post-majority support services to support First Nations youth aging out of care and young adults formerly in care in the transition to adulthood and independence.

29. Eligible recipients of these services are First Nations youth aging out of care and young adults formerly in care who:

    (a) were ordinarily resident on reserve in Ontario at the time they were taken into care, regardless of where they were placed in care;

    (b) are now ordinarily resident on reserve in Ontario; or

    (c) are taking active steps to reside on reserve in Ontario.

30. Recipients are eligible up to their 26th birthday or to the applicable age if defined in the *Child, Youth and Family Services Act, 2017,* SO, 2017 c. 14 or successor legislation, whichever is greater.

31. Canada shall not:

    (a) require First Nations to confirm that an eligible youth or young adult has sought funding or support from other sources before providing post-majority support services to the youth or young adult; or

    (b) prohibit First Nations from providing funding or support to an eligible youth or young adult in relation to a particular activity because that youth or young adult is receiving other funding or support in relation to that activity, provided that the sum of the funding provided by the First Nation and the other funding or support is no more than 100% of the activity's total cost.

32. The amount in paragraph 28 includes an amount for inflation and shall not be further adjusted for inflation. However, starting on the Effective Date, this amount shall be upwardly adjusted in the manner set out in paragraph 33 and Appendix 10 to account for the increased costs of delivering services in remote communities.

Remoteness Adjustment Funding

33. Where a First Nation's 2021 Index of Remoteness score is 0.40 or greater, ISC shall upwardly adjust the funding of the First Nation and/or its affiliated FNCFS Agency for those components of the Reformed FNCFS Funding Approach that are to be adjusted for remoteness. ISC shall use the RQAF to make that adjustment. The calculation for the adjustment is detailed in Appendix 10.

Insurance Premiums for First Nations and FNCFS Service Providers

34. In addition to other eligible expenses, insurance premiums for First Nations and FNCFS Service Providers shall be an eligible expense for funding provided under the Reformed FNCFS Funding Approach.

Inflation

35. The components of the Reformed FNCFS Funding Approach which are to be adjusted for inflation shall be upwardly adjusted in November of each year, in accordance with the "All-items Consumer Price Index (CPI)" measured over the twelve-month period ending September 30 of that year. For clarity, the inflation adjustment for a component in any fiscal year shall be made based on the previous fiscal year's funding for that component, including prior inflation adjustments. In no event shall any such adjustment be less than zero.

Population

36. For the components of the Reformed FNCFS Funding Approach which under this Final Agreement are to be adjusted for population or to be calculated on a per capita basis, the population of a First Nation shall be the First Nation's population on-reserve or on Crown land and shall be drawn from the Indian Registration System, as of September 30 of the fiscal year preceding the fiscal year in respect to which the population adjustment will apply.

37. Where a component of the Reformed FNCFS Funding Approach is to be adjusted for population but is not calculated on a per capita basis, funding shall be adjusted annually by an amount proportional to the previous fiscal year's change in the First Nation's or the FNCFS Agency's population. For

clarity, the previous fiscal year's change in population will be measured over a one-year period to September 30 of the fiscal year preceding the fiscal year in respect to which the population adjustment will apply.

38. For the purpose of an FNCFS Agency, population shall be the sum of the populations of the First Nations in Ontario to which it is affiliated.

39. Where the total population for the entire Reformed FNCFS Program in Ontario is to be determined, the population shall be the sum of the populations of the First Nations in Ontario eligible to receive funding under the Reformed FNCFS Program.

40. The approach to calculating population described herein may vary where a First Nation has a self-government agreement or a modern treaty.

B. Allocation

41. ISC shall allocate funding under the Reformed FNCFS Funding Approach between First Nations and FNCFS Agencies in a manner that respects the inherent and constitutional rights of First Nations in relation to child and family services.

42. The Parties intend the allocations set out in this section to encourage collaboration between First Nations and FNCFS Agencies, recognizing that child and family services is a space in which both First Nations and FNCFS Agencies are active and to which each brings unique strengths. Funding shall be provided with a view to First Nations and FNCFS Agencies working together to promote the holistic well-being of children and families.

43. Allocations to First Nations may be used to support First Nations in developing and delivering programs and services to children, youth, and families, in accordance with the terms of this Final Agreement.

44. Under the Reformed FNCFS Funding Approach, ISC shall provide funding to First Nations and FNCFS Agencies in accordance with the following:

    (a) Baseline funding: FNCFS Agencies will receive Baseline Funding pursuant to paragraph 18(b). Notwithstanding paragraphs 18(b)(i) and 18(b)(ii), an FNCFS Agency's Baseline Funding may be reduced where

a First Nation has chosen to transition away from its affiliated FNCFS Agency further to paragraph 63.

Subject to possible reforms to the 1965 Agreement following the work outlined in Part V (G), the Government of Ontario will receive Baseline Funding pursuant to paragraph 18(a).

(b) Top-up funding:

(i) ISC shall allocate all information technology funding to First Nations.

(ii) ISC shall allocate all results funding to First Nations.

(iii) ISC shall allocate 50% of the emergency funding to First Nations and 50% to FNCFS Agencies.

(iv) For First Nations that are affiliated with an FNCFS Agency, ISC shall determine information technology, results, and emergency funding in fiscal year 2025-2026 as follows:

a. For each FNCFS Agency, estimate the share of its operations and maintenance funding provided by the Government of Ontario for fiscal year 2025-2026 that ISC will reimburse to the Government of Ontario under the 1965 Agreement;

b. Add to (a) the actuals funding for intake and investigations, legal fees, and building repairs that the FNCFS Agency received directly from ISC in fiscal year 2022-2023, adjusted for inflation and population growth between March 31, 2023 and March 31, 2026;

c. Applying the percentages in paragraphs 19, 20 and 21 to (b), determine the funding for information technology, results, and emergency associated with the FNCFS Agency; and

d. On a population-weighted basis, divide all of the information technology and results funding and 50% of the emergency funding in (c) among the First Nations affiliated with the

FNCFS Agency, and allocate the remaining 50% of the emergency funding to the FNCFS Agency.

(v) In subsequent years, the information technology, results, and emergency funding of First Nations affiliated with an FNCFS Agency and the emergency funding of FNCFS Agencies shall be upwardly adjusted for inflation and population growth, and where applicable, remoteness, and shall not be reduced.

(vi) For Non-Agency First Nations, ISC shall determine the information technology, results, and emergency funding in fiscal year 2025-2026 as follows:

a. Identify total operations and maintenance funding provided by the Government of Ontario for fiscal year 2025-2026 to child and family services agencies in Ontario that are not FNCFS Agencies, and estimate the share of that funding that ISC will reimburse to the Government of Ontario under the 1965 Agreement;

b. Applying the percentages in paragraphs 19, 20 and 21 to (a), determine the total funding for information technology, results, and emergency for Non-Agency First Nations in Ontario; and

c. Allocate (b) proportionally among Non-Agency First Nations in Ontario according to the population of those First Nations.

(vii) In subsequent years, the information technology, results, and emergency funding of Non-Agency First Nations shall be upwardly adjusted for inflation and population growth, and where applicable, remoteness, and shall not be reduced.

(c) Household supports funding: ISC shall allocate all funding for household supports to First Nations, calculating the amount of an individual First Nation's funding by taking the following steps:

(i) Multiply the individual First Nation's population, as outlined in paragraph 36, by the percentage of its population below the Low-Income Measure-After Tax (LIM-AT), such percentage

being drawn from 2021 Census data. For First Nations that are missing Census data, ISC shall impute the percentage from a nearby First Nation for whom data is available;

(ii) Divide (i) by the total population below the LIM-AT of all First Nations in Ontario eligible to receive funding under the Reformed FNCFS Program;

(iii) Multiply (ii) by the total annual funding for household supports.

(d) Prevention funding:

(i) As of the Effective Date, a First Nation may give written notice directing ISC on the manner in which ISC shall allocate the prevention funding attributable to the First Nation. A First Nation may elect to receive all of the prevention funding attributable to it or may direct that any or all of its funding be directed to its affiliated FNCFS Agency.

(ii) October 1, 2026 will be the earliest date on which ISC will implement a First Nation's direction. A First Nation's direction shall be implemented on October 1, 2026 if the Effective Date has occurred by April 1, 2026 and ISC has received a First Nation's written notice by April 1, 2026. A First Nation's direction implemented on October 1, 2026 will apply to prevention funding for the second half of fiscal year 2026-2027 and will not apply to prevention funding for the first half of that year.

(iii) Except where it has implemented a First Nation's direction on October 1, 2026, ISC will implement such direction only on April 1st of a fiscal year. A First Nation must provide written notice to ISC advising of such a direction by the September 30 prior to the first fiscal year to which its direction is applicable. For clarity, a First Nation may give written notice only once the Effective Date has occurred. Once written notice is provided by the First Nation, the direction contained therein persists until further notice is given.

(iv) Until and unless a First Nation provides written notice as described in (i), the approach to allocating prevention funding among First Nations and FNCFS Agencies for fiscal year 2025-2026 shall continue to apply.

(v) For Non-Agency First Nations, the allocation of prevention funding is described in paragraph 62(a).

(e) FNCFS capital funding:

(i) ISC shall administer the capital funding set out in paragraph 27 to support the delivery of the Reformed FNCFS Program's funded services and activities based on proposals for projects, as detailed in Appendix 11. First Nations and FNCFS Service Providers will be eligible to seek capital funding for projects. Such projects will be identified in a First Nation Infrastructure Investment Plan (FNIIP), an FNCFS Agency's child and community well-being plan as set out at paragraph 108, or another planning document specified by ISC.

(ii) ISC will assess, rank, and fund proposals based on such factors as the link between the proposed project and the Reformed FNCFS Program's funded services and activities and the availability of existing ISC-funded capital assets for use by the First Nation or FNCFS Service Provider.

(iii) ISC shall also administer the capital funding set out in paragraph 27 for the operation and maintenance of ISC-funded capital assets that support the delivery of the Reformed FNCFS Program's funded services and activities. ISC shall provide operation and maintenance funding for the Initial Funding Period according to a formula that considers the number of FNCFS capital assets to be maintained, the types of those assets, and differences in costs to maintain capital assets due to geographic location. ISC shall fund 100% of the operation and maintenance costs produced by the formula.

(iv) ISC, with the advice of the Ontario Reform Implementation Committee, shall develop guidance documents to support First Nations and FNCFS Service Providers in seeking capital funding.

(f) Post-majority support services funding:

(i) ISC shall allocate all funding for post-majority support services to First Nations. ISC shall calculate the amount of a specific First Nation's funding by taking the following steps:

a. Multiply 80% by the post-majority segment of the First Nation's population, where the First Nation's population is determined as set out in paragraph 36. The post-majority segment is the segment between the age at which a youth can voluntarily exit care and the age at which a young adult's eligibility for post-majority support services ends;

b. Estimate the number of individuals eligible for post-majority support services for the First Nation and in Ontario, and divide the First Nation's estimate by Ontario's estimate. The estimates are projections based on children in care data recorded in ISC's Information Management System / Data Management System;

c. Multiply (a) by 1 + (b);

d. Divide (c) by the sum of (c) for all First Nations in Ontario eligible to receive funding under the Reformed FNCFS Program;

e. Multiply $75,000, adjusted for inflation, by the number of First Nations in Ontario eligible to receive funding under the Reformed FNCFS Program, and subtract that amount from the total annual funding available for post-majority support services;

f. Multiply (d) by the difference in (e);

g. Add $75,000, adjusted for inflation, to (f).

(ii) Canada shall provide $3.375 million to COO over the Term of this Final Agreement to fund an initiative intended to support eligible First Nations youth and young adults in accessing information on post-majority support services.

(iii) ISC may seek authority to have any funding for such an initiative that remains unexpended at the end of the Initial Funding Period to be carried forward into the Second Funding Period. The Ontario Reform Implementation Committee shall consider any such funding carried forward into the Second Funding Period in its Initial Program Assessment Opinion.

(g) First Nation Representative Services funding: ISC shall allocate all funding for First Nation Representative Services to First Nations.

(h) Remoteness adjustment funding: ISC shall allocate remoteness adjustment funding proportionately among First Nations and FNCFS Agencies in accordance with the allocation of the funding to which the remoteness adjustment applies.

C. First Nations planning

45. No later than six months following the Effective Date, First Nations shall be required to provide ISC with a multi-year plan regarding the implementation of services it is funded for under the Reformed FNCFS Funding Approach, with the exception of FNCFS capital. A template plan for this purpose is attached at Appendix 4.

46. First Nations shall provide such a plan for the period ending March 31, 2029 and shall provide annual updates, as necessary.

D. Discussions on sub-regional modifications

47. The Parties acknowledge that a First Nation or a sub-regional organization may seek to discuss with Canada modifications to the Reformed FNCFS Program and the allocations thereunder, but Canada shall not be obligated to provide any additional funding to that First Nation or sub-regional organization beyond what is provided by the Reformed FNCFS Funding Approach.

E. FNCFS Funding Mechanism

48. ISC shall transfer funding to First Nations and FNCFS Service Providers through the FNCFS Funding Mechanism where First Nations or FNCFS Service Providers qualify for use of the FNCFS Funding Mechanism. Where a First Nation or FNCFS Service Provider does not qualify for the FNCFS Funding Mechanism, ISC shall transfer funding through the most flexible funding mechanism available under the Directive on Transfer Payments for which it is eligible. ISC shall work with the affected First Nation or FNCFS Service Provider to assist them in qualifying for the FNCFS Funding Mechanism.

49. Any risk assessment required to ensure a First Nation or FNCFS Service Provider qualifies for the FNCFS Funding Mechanism shall be completed in a manner that reflects the principles of this Final Agreement, emphasizes the First Nation's or FNCFS Service Provider's participation, and limits administrative and procedural barriers to the First Nation or FNCFS Service Provider in transitioning to the FNCFS Funding Mechanism.

50. The FNCFS Funding Mechanism will enable First Nations and FNCFS Service Providers to re-allocate funds across components of the Reformed FNCFS Program, and to carry forward unexpended funds for use in the following fiscal year, provided that that fiscal year is within the term of the First Nation's or FNCFS Service Provider's funding agreement. If necessary to expend unexpended funds and upon the acceptance of the First Nation's or FNCFS Service Provider's unexpended funding plan, ISC shall extend the term of the First Nation's or FNCFS Service Provider's funding agreement. For those First Nations and FNCFS Service Providers with unexpended funding from fiscal year 2025-2026 or prior fiscal years, Canada shall amend their funding agreements to allow for the expenditure of unexpended funding in fiscal year 2026-2027 and future fiscal years.

51. Notwithstanding paragraph 50, FNCFS Agencies shall not be permitted to re-allocate funds from prevention funding to protection, except to fund least disruptive measures.

52. In its funding agreements with First Nations and FNCFS Service Providers, ISC shall enable the transfer of funding provided pursuant to this Final Agreement between First Nations and their affiliated FNCFS Service Providers, in a manner compliant with the Directive on Transfer Payments. Such transfers shall be for the purpose of supporting activities funded under this Final Agreement. For greater clarity, ISC's funding agreements with FNCFS Agencies shall enable FNCFS Agencies to transfer funds to First Nations for the purpose of advancing the housing objectives in paragraph 82.

53. Any transfer of funding by a First Nation or FNCFS Service Provider pursuant to paragraph 52 of this section shall be subject to such First Nation or FNCFS Service Provider notifying ISC in writing and in advance of the intended transfer.

F. Transition to the Reformed FNCFS Funding Approach

April 1, 2025 to March 31, 2026

54. For fiscal year 2025-2026, ISC implemented the Reformed FNCFS Funding Approach as follows:

(a) Operations and maintenance funding:

(i) FNCFS Agencies continue to have access to actuals for intake and investigations, legal fees, and building repairs for fiscal year 2025-2026.

(ii) The deadline for the submission of all claims related to fiscal year 2025-2026 operations and maintenance expenditures is September 20, 2026.

(iii) Commencing on April 1, 2026, FNCFS Agencies' access to the reimbursement of their actual costs for intake and investigations, legal fees and building repairs shall cease. ISC shall instead provide Baseline Funding, calculated as set out in paragraph 18(b)(i).

(b) Top-up funding for information technology, results, and emergency: For fiscal year 2025-2026, ISC will allocate this funding following the

Effective Date. Funding will be prorated to the number of days between the Effective Date and March 31, 2026.

(c) Household supports funding: For fiscal year 2025-2026, ISC will allocate this funding following the Effective Date. Funding will be prorated to the number of days between the Effective Date and March 31, 2026.

(d) Prevention funding: For fiscal year 2025-2026, ISC has allocated prevention funding in accordance with an approach determined prior to the coming into effect of this Final Agreement.

(e) First Nation Representative Services funding:

(i) For fiscal year 2025-2026, ISC has allocated funding for First Nation Representative Services in accordance with an approach determined prior to the coming into effect of this Final Agreement. Where a First Nation has expended 75% of First Nation Representative Services funding received for 2025-2026 and submitted a plan for expenditure of the remaining 25%, it may access funding at actual costs until March 31, 2026. The deadline for the submission of all claims related to 2025-2026 First Nation Representative Services expenditures is September 20, 2026.

(ii) Commencing on April 1, 2026, First Nations shall no longer have access to reimbursement of their actual costs for First Nation Representative Services. ISC shall instead provide funding for First Nation Representative Services in the manner set out in paragraph 26.

(f) Capital funding:

(i) For fiscal year 2025-2026, until the Effective Date, ISC shall continue to reimburse First Nations and FNCFS Service Providers for the actual costs of capital projects that are approved by ISC under the 2021 CHRT 41 process.

(ii) Commencing on the Effective Date, ISC shall no longer accept funding requests under the 2021 CHRT 41 process. ISC shall

instead provide capital funding through the process described in paragraph 44(e).

(iii) For clarity, ISC shall continue to apply the 2021 CHRT 41 approval process to capital funding requests that are received on or before the Effective Date. Requests received shall include requests that are paused or pending approval from ISC as of the Effective Date.

(iv) For clarity, funding for requests that are approved after the Effective Date shall be provided from the amount in paragraph 27. Appendix 11 sets out additional details on which approval process will apply to a capital request or proposal and on the source of funding for an approved capital request or proposal.

(g) Post-majority support services funding:

(i) For fiscal year 2025-2026, until the Effective Date, ISC shall continue to reimburse First Nations and FNCFS Service Providers for the actual costs of post-majority support services. The deadline for the submission of all claims for reimbursement of 2025-2026 post-majority support services expenditures is the Effective Date.

(ii) Commencing on the Effective Date, First Nations and FNCFS Service Providers shall no longer have access to reimbursement of their actual costs for post-majority support services. ISC shall instead provide funding for post-majority support services in the manner set out in paragraph 44(f). For clarity, for fiscal year 2025-2026, ISC shall provide $28.2 million in the manner set out in paragraph 44(f), minus funding for post-majority support services provided at actual costs to First Nations in Ontario in fiscal year 2025-2026 and subject to the Effective Date having occurred in fiscal year 2025-2026. ISC shall provide individual First Nations with their allocation for fiscal year 2025-2026 minus funding provided to that First Nation at actual costs for fiscal year 2025-2026.

(h) Remoteness adjustment funding:

(i) For fiscal year 2025-2026, ISC has allocated remoteness adjustment funding with respect to prevention funding in accordance with the transitional approach agreed upon by the Parties prior to the coming into effect of this Final Agreement.

(ii) Following the Effective Date, ISC shall provide remoteness adjustment funding for fiscal year 2025-2026 with respect to results, information technology, emergency, and household supports funding in accordance with paragraph 33. Funding will be prorated to the number of days between the Effective Date and March 31, 2026.

(iii) ISC shall provide remoteness adjustment funding for fiscal year 2025-2026 with respect to post-majority support services funding provided after the Effective Date and in the manner set out in paragraph 44(f). For clarity, ISC shall not provide remoteness funding with respect to post-majority support services funding reimbursed at actual costs for fiscal year 2025-2026.

(iv) Due to the availability of reimbursement at actual costs for fiscal year 2025-2026, ISC shall not provide remoteness adjustment funding with respect to First Nations Representative Services funding for fiscal year 2025-2026.

(v) Commencing on April 1, 2026, ISC shall apply the remoteness adjustment to all funding components that are to be adjusted for remoteness in Part V (A).

April 1, 2026 Onward

55. As of April 1, 2026, the transition to the Reformed FNCFS Funding Approach shall be complete.

Support for First Nations and FNCFS Service Providers in the Transition to the Reformed FNCFS Funding Approach

56. ISC shall support First Nations and FNCFS Service Providers in the transition to the Reformed FNCFS Funding Approach, including by informing them as soon as reasonably possible about:

(a) the Reformed FNCFS Funding Approach and its implementation requirements, including that of a co-developed child and community well-being plan as outlined in paragraphs 108 to 110 and of a First Nations plan as outlined at paragraph 45;

(b) the changes to funding agreements between ISC and First Nations and FNCFS Service Providers commencing in fiscal year 2026-2027, as provided for in Appendix 6;

(c) new and revised external guidelines to support the implementation of the Reformed FNCFS Funding Approach, including but not limited to implementation guides and revised Terms and Conditions; and

(d) reporting requirements commencing in fiscal year 2026-2027.

G. Reform of the 1965 Agreement

57. COO, NAN, and Canada shall continue to work together on an expedited basis to pursue reform of the 1965 Agreement with the Government of Ontario, recognizing that any change to the 1965 Agreement requires the participation and consent of the Government of Ontario.

58. As the 1965 Agreement outlines federal commitments for reimbursement of eligible services in provincial program areas beyond child and family services, COO, NAN, and Canada have concluded the Trilateral Agreement in Respect of Reforming the 1965 Agreement to guide their approach to 1965 Agreement reform.

59. The application of the Reformed FNCFS Funding Approach as it applies to FNCFS Agencies may change as a result of the reformed 1965 Agreement. Any such change may require amendment to this Final Agreement pursuant to paragraph 312.

H. Application of the 1965 Agreement

60. COO, NAN, and Canada do not intend for this Final Agreement to decrease any Government of Ontario funding for First Nations child and family services on reserve, including prevention. If the Government of Ontario decreases funding for First Nations child and family services, COO, NAN, and Canada shall consider the impact of that decrease as part of the next Program Assessment.

61. In the event that the funding made available by the Government of Ontario and Canada to FNCFS Agencies is limited in some way by the operation of the 1965 Agreement, that limitation shall be raised with the Government of Ontario in the discussions on 1965 Agreement reform.

I. Funding for Non-Agency First Nations

62. ISC provides funding to the Government of Ontario to provide protection services for Non-Agency First Nations. With respect to the allocation of funding under the Reformed FNCFS Funding Approach to an individual Non-Agency First Nation, ISC shall:

(a) Provide all prevention funding attributable to the Non-Agency First Nation to that First Nation;

(b) Provide all emergency funding determined as outlined in paragraph 44(b)(vi) to that First Nation; and

(c) Allocate all other funding in the same manner as ISC will use for First Nations affiliated with an FNCFS Agency.

J. New FNCFS Agencies and FNCFS Agency Transitions within the Reformed FNCFS Program

63. Upon receipt of written notice from a First Nation of its intention to transition its protection services from a child and family services agency in Ontario that is not an FNCFS Agency or from its currently affiliated FNCFS Agency to a new or existing FNCFS Agency, ISC shall fund and facilitate such a transition.

64. Where a First Nation transitions its protection services to a new FNCFS Agency, ISC's funding shall include reasonable start-up costs as determined

by ISC, following discussion amongst ISC, the First Nation, and the Government of Ontario, as applicable. ISC shall transfer funding provided directly by ISC to the First Nation's currently affiliated FNCFS Agency to the FNCFS Agency to which the First Nation has decided to transition.

65. ISC shall provide an FNCFS Agency with notice as specified in the funding agreement between Canada and the FNCFS Agency prior to changing the FNCFS Agency's funding due to a First Nation's transition away from the FNCFS Agency with respect to protection services. ISC shall meet with the First Nation and the FNCFS Agency from whom the First Nation is transitioning as soon as practical, for the purpose of considering options to minimize disruption to the FNCFS Agency's operations.

PART VI – THE REFORMED FNCFS FUNDING APPROACH: SECOND FUNDING PERIOD

66. ISC shall continue to administer the Reformed FNCFS Program in Ontario throughout the Second Funding Period.

67. For the Second Funding Period, ISC shall provide total annual funding for the Reformed FNCFS Program in Ontario of at least the amount of funding provided for the Reformed FNCFS Program in fiscal year 2028-2029. Following the Initial Program Assessment, the funding for the Second Funding Period may be upwardly adjusted further to the recommendations adopted by Canada or as reviewed by the Arbitral Tribunal or Appeal Tribunal further to paragraphs 205 and 206, or as otherwise subject to judicial review and any appeals thereof as set out in this Final Agreement.

68. ISC shall seek a mandate for the Second Funding Period in relation to the recommendations of the Ontario Reform Implementation Committee's Initial Program Assessment Opinion that it is prepared to recommend for adoption.

69. In addition to other eligible expenses, insurance premiums for First Nations and FNCFS Service Providers shall remain an eligible expense for funding provided under the Reformed FNCFS Program in the Second Funding Period.

70. For the purpose of the Second Funding Period, the Parties recognize the value of the First Nations census to be led by the First Nations Information

Governance Centre for potential use in estimating the on-reserve population of First Nations under the Reformed FNCFS Funding Approach.

71. In the Second Funding Period, Canada shall provide up to $190.9 million to First Nations and FNCFS Service Providers for capital projects to support the delivery of First Nations child and family services on-reserve in Ontario. In addition to this amount, ISC may make available for capital projects any remaining uncommitted capital funding from the Initial Funding Period, subject to Parliamentary appropriation and relevant authorities.

72. In the Second Funding Period, Canada shall provide $193.4 million for post-majority support services to support First Nations youth aging out of care and young adults formerly in care in the transition to adulthood and independence. The amount of $193.4 million includes an amount for inflation and shall not be further adjusted for inflation.

PART VII – THE REFORMED FNCFS FUNDING APPROACH: FOLLOWING THE EXPIRY OF THE TERM OF THIS FINAL AGREEMENT

73. This Final Agreement expires on March 31, 2034.

74. Canada acknowledges its ongoing obligation to ensure that the discrimination found by the Tribunal has been eliminated and does not recur.

75. ISC shall engage with the Parties with respect to the recommendations of the Ontario Reform Implementation Committee following the Second Program Assessment to inform the design and/or development of the Reformed FNCFS Program, or successor program, which may take effect following the expiry of the Term of this Final Agreement.

76. In considering the Ontario Reform Implementation Committee's Second Program Assessment Opinion, Canada shall consider the viability of embedding the Reformed FNCFS Funding Approach, and any recommended changes thereto, in legislation (i.e., Canada shall consider the viability of statutory funding).

PART VIII – MEASURING THE PERFORMANCE OF THE REFORMED FNCFS PROGRAM

77. The Parties anticipate that the Reformed FNCFS Program will result in an overall reduction of First Nations children coming into care over time. Obtaining standardized data on the efficacy of the Reformed FNCFS Program, on services provided to First Nations children under the Reformed FNCFS Program, and on the overall well-being of First Nations children, families, and communities will contribute to reporting to Parliament and Canadians on the outcomes of the Reformed FNCFS Program.

78. For the purpose of reporting to Parliament under the Reformed FNCFS Program, ISC shall analyze internal data to inform relevant immediate outcomes. ISC shall also require First Nations and FNCFS Service Providers to report on indicators directly related to their activities to advance the Reformed FNCFS Program's outcomes. ISC shall continue to work with partners to develop and improve the Reformed FNCFS Program's indicators. As a starting point, the indicators in Appendix 2 shall be used for the performance measurement of the Reformed FNCFS Program.

79. Where an FNCFS Service Provider is experiencing extraordinary circumstances beyond their control which adversely affects their ability to report under this Part, ISC shall work with the FNCFS Service Provider to develop a plan to fulfill its reporting requirements as expeditiously as possible.

80. To support monitoring related to Structural Drivers that lead children and families into contact with the child welfare system, Canada shall continue to report publicly through ISC's Departmental Results Report on indicators that are consistent with the Measuring to Thrive Framework. The areas of measurement on which Canada shall report will include rates of and/or access to:

    (a) Safe and suitable housing;

    (b) Sufficient and safe water from source to tap;

    (c) Family reunification;

(d) Livable income; and

(e) Mental health and specialized services within the community.

PART IX – HOUSING FUNDING

81. In fiscal years 2023-2024 and 2024-2025, Canada provided housing funding to First Nations in Ontario for the purpose set out in paragraph 82.

82. Canada shall provide funding in the amount of $258.4 million over fiscal years 2025-2026, 2026-2027, and 2027-2028 to First Nations in Ontario to support the purchase, construction, and renovation of housing units in First Nations for the purposes of preventing First Nations children from being taken into care and of supporting reunification where housing is a barrier.

83. To determine the amount of housing funding to which an individual First Nation is entitled over those three fiscal years, ISC shall:

(a) Identify the population of the First Nation on reserve as indicated in the Indian Registration System as of December 31, 2023;

(b) Multiply the First Nation's population identified in (a) by:

(i) One (1) plus the First Nation's 2021 Index of Remoteness score; and by

(ii) One (1) plus the percentage of the First Nation's population living in an overcrowded dwelling, drawn from Census 2021 data. For First Nations that are missing Census data, ISC shall impute the percentage living in an overcrowded dwelling from a nearby First Nation for whom data is available;

(c) Divide (b) by the total population of First Nations eligible for housing funding as adjusted by the factors in (b);

(d) Subtract $250,000 multiplied by the total number of First Nations eligible for housing funding from $346.1 million (the total housing funding provided by Canada to First Nations in Ontario for the purpose set out in paragraph 82 between fiscal year 2024-2025 and fiscal year 2027-2028);

(e) Multiply (c) by (d);

(f) Add $250,000 to (e); and

(g) Subtract from (f) the housing funding received by the First Nation in fiscal year 2024-2025 for the purpose set out in paragraph 82.

For illustrative purposes, an example has been attached at Appendix 9.

84. Within the term of their funding agreements, ISC shall allow First Nations to carry forward unexpended housing funding in a particular fiscal year to the following fiscal year, provided that that fiscal year is within the term of the First Nation's funding agreement. If necessary to expend unexpended housing funding and upon acceptance of the First Nation's unexpended funding plan, ISC shall extend the term of a First Nation's funding agreement.

85. First Nations shall report to ISC on the housing funding through established data collection tools, modified to reflect the purpose of this funding. Subject to conclusion of the information-sharing agreement set out in paragraph 92, ISC shall provide that data to the Ontario FNCFS Data Secretariat.

PART X – ONTARIO FNCFS DATA SECRETARIAT

86. ISC shall provide funding to COO in the amount of $13.5 million over the Term to support the Ontario FNCFS Data Secretariat.

Establishment

87. COO and NAN shall select or establish an organization to act as the Ontario FNCFS Data Secretariat. In the case of selection, COO and NAN shall prioritize an organization, such as the Institute for Clinical Evaluative Sciences, which has demonstrated experience in data stewardship and analysis and in partnering with First Nations and First Nations organizations in relation to data projects.

88. The Ontario FNCFS Data Secretariat shall be independent from Canada.

89. To support COO in retaining an organization to act as the Ontario FNCFS Data Secretariat, ISC shall provide administrative assistance to COO. Such assistance shall not influence the selection of the organization to act as the Ontario FNCFS Data Secretariat or the manner in which COO will oversee the work of the Ontario FNCFS Data Secretariat.

Function

90. The Ontario FNCFS Data Secretariat shall be responsible for:

(a) Establishing data-related priorities for the purposes of its data collection efforts and analysis;

(b) Acting as the central hub for all data activities;

(c) Implementing measures to facilitate its receipt of data;

(d) Working collaboratively with the Ontario Remoteness Secretariat;

(e) Synthesizing Ontario data and other relevant data to develop, support, or inform recommendations in relation to the implementation and efficacy of the Reformed FNCFS Program;

(f) Reporting findings, concerns, and/or recommendations to the Ontario Reform Implementation Committee in relation to the implementation and efficacy of the Reformed FNCFS Program; and

(g) Providing an annual written report to COO and NAN and making itself available for presentations at their assemblies when requested.

Data Inputs and Management

91. The Ontario FNCFS Data Secretariat will receive data directly from FNCFS Agencies and ISC, which shall include, but is not limited to, the following:

(a) FNCFS Agencies shall provide data collected with respect to the community wellness indicators as provided for in paragraph 113, and may share their child and community wellbeing plans as provided for in paragraph 108 upon consent of the affiliated First Nations; and

(b) Subject to conclusion of the information-sharing agreement as described in paragraph 92, ISC shall provide performance data received from the Government of Ontario further to the 1965 Agreement, Ontario-specific data related to the preparation of ISC's Departmental Results Report and ISC's reporting to Parliament on the indicators described at paragraph 80, and data received from First Nations and/or FNCFS Service Providers in relation to the indicators and outcomes as provided in paragraphs 78 and 85.

92. To support the mandate of the Ontario FNCFS Data Secretariat in measuring First Nations child and family well-being in a holistic way, ISC shall make best efforts to conclude an umbrella information-sharing agreement with the Ontario FNCFS Data Secretariat in order to facilitate the access to and sharing of the data described in paragraph 91(b). The departmental data available to be shared would include Ontario-specific data on all the service areas identified in the ISC Departmental Results Framework. Subject to limitations outlined in paragraph 285, ISC and the Ontario FNCFS Data Secretariat shall seek to include access to individual-level data from the Indian Registration System in the information-sharing agreement.

PART XI – REMOTENESS RESEARCH AND RELATED ITEMS

Purpose

93. The purpose of this Part is to account for remoteness issues in Ontario, including the increased costs associated with remoteness, and to establish or continue processes for ISC to engage with representatives of remote First Nations in Ontario for that purpose. The increased costs associated with remoteness impact remote First Nations, the FNCFS Agencies that serve them, and the children, youth, and families of remote First Nations.

94. Notwithstanding the Ontario application of this agreement, the Parties recognize that research and collaboration with remote communities as well as organizations—nationally and internationally—may be utilized by the Parties to ensure evidence-based best practices are derived to address issues of remoteness in Ontario.

The NAN-Canada Remoteness Quotient Table

95. The Parties recognize the unique challenges and increased time and expense required to deliver child welfare services in remote communities. Canada and NAN shall continue the NAN-Canada Remoteness Quotient Table, where they will work collaboratively to address policy and technical issues of remoteness, including the increased costs associated with remoteness, in Ontario. Canada and NAN shall revise the Terms of Reference for the NAN-Canada Remoteness Quotient Table to reflect this Final Agreement.

96. The work of the NAN-Canada Remoteness Quotient Table will continue to be First Nations-sighted and evidence-based, and may include continuing the development of and updating the initial NAN-specific Remoteness Quotient work, the RQAF, and other NAN-specific approaches to addressing remoteness issues and accounting for the increased child and family services costs associated with remoteness that impact NAN First Nations and the FNCFS Agencies that serve them. The NAN-Canada Remoteness Quotient Table may also seek to collaborate with Statistics Canada to further develop the Index of Remoteness. It may also collaborate with organizations such as the First Nations Information Governance Centre that have expertise relevant to the modelling or measurement of program costs in NAN communities. For clarity, such work shall not involve ISC providing greater remoteness adjustment funding within the Initial Funding Period than that provided for in paragraph 33.

97. The Ontario Reform Implementation Committee shall consider input from the NAN-Canada Remoteness Quotient Table, including any modelling and research undertaken by the NAN-Canada Remoteness Quotient Table, with respect to how remoteness issues are addressed under the Reformed FNCFS Program in Ontario.

Ontario Remoteness Secretariat

98. The NAN-Canada Remoteness Quotient Table shall establish an Ontario Remoteness Secretariat, which will be a centre of expertise on the impacts of remoteness experienced by First Nations and FNCFS Agencies in Ontario. The incorporating documents of the Ontario Remoteness Secretariat will set out its governance structure.

99. The Ontario Remoteness Secretariat shall work collaboratively with the Ontario FNCFS Data Secretariat described in PART X – ONTARIO FNCFS DATA SECRETARIAT.

100. The Ontario Remoteness Secretariat shall be responsible for:

(a) coordinating and supporting data collection, accumulation, analysis, and research efforts with respect to measurement, implications, and associated costs of remoteness in Ontario; and

(b) sharing best practices and disseminating remoteness-related research and tools among First Nations and FNCFS Agencies in Ontario.

101. In this work, the Ontario Remoteness Secretariat may collaborate with agencies such as Statistics Canada, or organizations whose work includes Ontario such as the First Nations Information Governance Centre, insofar as they have expertise relevant to the costs of remoteness in Ontario.

102. The Ontario Remoteness Secretariat may inform input on remoteness issues provided by the NAN-Canada Remoteness Quotient Table to the Ontario Reform Implementation Committee.

103. If necessary, ISC shall make best efforts to negotiate an umbrella information-sharing agreement with the Ontario Remoteness Secretariat in order to facilitate the access to and sharing of ISC data related to the measurement of and adjustment of funding for remoteness in Ontario. The Ontario Remoteness Secretariat will facilitate the access to and sharing of child and family services data related to the measurement of and adjustment of funding for remoteness in Ontario with ISC and other agreed upon parties, such as Statistics Canada or the First Nations Governance Information Centre.

104. ISC shall provide $13.5 million over the Term of this Final Agreement to support the NAN-Canada Remoteness Quotient Table and the Ontario Remoteness Secretariat, the allocation of which shall be determined at a later time.

PART XII – FIRST NATIONS EXERCISING INHERENT JURISDICTION OVER CHILD AND FAMILY SERVICES

105. For the purposes of this Part, the definition of First Nation in PART III – DEFINITIONS does not apply.

106. A First Nation in Ontario that is funded to exercise jurisdiction in the delivery of some or all aspects of child and family services pursuant to a self-government agreement, a treaty arrangement, a coordination agreement under *An Act respecting First Nations, Inuit and Métis children, youth and*

families, S.C. 2019, c. 24, or some alternative federal jurisdictional and funding process ("jurisdictional agreement") shall not be offered less funding than what its entitlement would be for services funded under the Reformed FNCFS Funding Approach and covered by such jurisdictional agreement. Save for this Part, this Final Agreement shall not apply to these First Nations, except respecting services for which the First Nation continues to be funded under the Reformed FNCFS Program.

107. Where a First Nation in Ontario receives funding for services pursuant to a jurisdictional agreement, that First Nation and its affiliated FNCFS Service Providers shall not receive funding under the Reformed FNCFS Funding Approach for the services covered by the jurisdictional agreement. ISC shall transfer an amount equal to the funding that would otherwise be provided for such services out of the Reformed FNCFS Program. All funding commitments under this Final Agreement are subject to adjustment on this basis.

PART XIII – AGENCY ACCOUNTABILITY TO FIRST NATIONS IN RELATION TO THE REFORMED FNCFS PROGRAM

Planning

108. Accountability of FNCFS Agencies to the First Nations they serve is one of the principles of this Final Agreement. To uphold this principle, and through its funding agreements with FNCFS Agencies under the Reformed FNCFS Program, ISC shall require FNCFS Agencies to co-develop a single child and community well-being plan with its affiliated First Nation(s). The plan must be submitted no later than six months following the Effective Date, and extend until March 31, 2029, subject to annual updates, as necessary.

109. At least 90 days prior to the expiry of its child and community well-being plan, an FNCFS Agency shall submit a subsequent child and community well-being plan, co-developed with the First Nation(s) affiliated with that FNCFS Agency. Where the aforementioned deadlines are not met, ISC shall take any action available to ensure FNCFS Agency compliance.

110. A child and community well-being plan must incorporate:

(a) planned activities and associated expenditures of the FNCFS Agency with respect to Baseline Funding, emergency funding, and prevention funding, if any, over the Initial Funding Period;

(b) multi-year financial forecasts including unexpended funds and how they will be spent;

(c) plans for the realization of performance targets set by its affiliated First Nations;

(d) risk management strategies;

(e) provisions for regular reporting by the FNCFS Agency to its affiliated First Nations, which shall include annual numbers of youth who are eligible for or will become eligible for post-majority services funding;

(f) mechanisms to facilitate the sharing of information, to assist First Nations in the delivery of services under the Reformed FNCFS Program;

(g) provisions that recognize and respect First Nations' delivery of First Nation Representative Services and post-majority support services;

(h) an integrated approach to the delivery of prevention services as between the FNCFS Agency and its affiliated First Nations, which delineates their respective roles and ensures support to families and their communities in the provision of holistic wrap-around services; and

(i) consideration for the supporting and complementary roles of the FNCFS Agency and its affiliated First Nations in the delivery of services under the Reformed FNCFS Program.

111. Through its funding agreements with FNCFS Agencies under the Reformed FNCFS Program, ISC shall require an FNCFS Agency to:

(a) fund the co-development of its child and community well-being plans, including providing opportunities for the meaningful participation of its affiliated First Nation(s) in the co-development process; and

(b) report to ISC and its affiliated First Nation(s) on the implementation of its child and community well-being plan(s) on an annual basis.

112. A First Nation may inform ISC of any concerns it has with its FNCFS Agency's compliance with the child and community well-being plan. ISC shall make the FNCFS Agency aware of the scope of the concerns and consider appropriate responses, which may include individual FNCFS Agency audits.

Community-Wellness Reporting

113. ISC's funding agreements with FNCFS Agencies under the Reformed FNCFS Program shall require FNCFS Agencies to collect data and report on indicators drawn from the Measuring to Thrive Framework. The intent of this data collection is to provide First Nations and FNCFS Agencies with a holistic vision of the people they serve and the context in which they operate to support enhanced decision-making. The indicators on which FNCFS Agencies shall collect data with respect to children placed in out-of-home care are as follows:

(a) Knowledge of Indigenous languages;

(b) Connection (access) to land;

(c) Community-based activities;

(d) Spirituality;

(e) Family reunification;

(f) Placement within community (kin and kith);

(g) Stability (i.e. moves in care);

(h) Incidence of abuse while child is in care;

(i) Reason for entry;

(j) Housing;

(k) Reason for exit;

(l) Time to exit;

(m) Referrals to pre- and post-natal services

(n) Referrals to medical services

(o) Referrals to mental health services;

(p) Referrals to substance misuse services;

(q) Referrals to family violence intervention services;

(r) Referrals to FNCFS prevention services;

(s) Early learning childhood education;

(t) Numeracy and literacy targets;

(u) Secondary education completion rate; and

(v) Post-secondary education aspirations.

114. The Ontario Reform Implementation Committee shall develop definitions of the indicators listed in paragraph 113 and determine the manner in which data to measure the indicators will be captured.

115. Through its funding agreements with FNCFS Agencies under the Reformed FNCFS Program, ISC shall require each FNCFS Agency to report annually to its affiliated First Nations and to the Ontario FNCFS Data Secretariat on the indicators provided for in paragraph 113.

116. In addition to this mandatory data collection, a First Nation may collaborate with its affiliated FNCFS Agency to collect data on additional well-being indicators to enhance its performance measurement. First Nations are encouraged to consider collecting community-level information in relation to the following indicators:

(a) Availability of community-based services:

(i) pre- and post- natal services;

(ii) mental health services;

(iii) substance misuse services;

(iv) family violence intervention services;

(v) land-based activities;

(vi) cultural and spiritual events; and

(vii) FNCFS prevention services.

(b) Livable income and affordability:

(i) percentage of households below Low-Income Measure-After Tax; and

(ii) percentage of households below the Market Basket Measure.

(c) Education:

(i) Availability of early childhood education;

(ii) Numeracy and literacy target rate (elementary/secondary);

(iii) Secondary school completion rate;

(iv) Access to post-secondary education; and

(v) Availability of First Nations language education.

(d) Housing and water:

(i) Housing in need of major repair;

(ii) Conditions of overcrowding; and

(iii) Homes with potable water from the tap.

117. First Nations may request advice and/or direction from the Ontario FNCFS Data Secretariat in relation to the collection of information on community-level indicators.

ISC Reporting on Compliance

118. ISC's funding agreements with FNCFS Service Providers under the Reformed FNCFS Program shall allow ISC to report to each First Nation on its affiliated FNCFS Agency's compliance with its funding agreement. ISC shall report on such compliance to a First Nation upon its request, or upon ISC's discovery of material non-compliance by its affiliated FNCFS Agency.

119. ISC's funding agreements shall also allow ISC to report to the Ontario Reform Implementation Committee on each FNCFS Agency's compliance with its funding agreements. ISC shall report quarterly to the Ontario Reform Implementation Committee on the compliance of FNCFS Agencies with their funding agreements and may consider any recommendations of the Ontario Reform Implementation Committee.

PART XIV – GOVERNANCE OF THE REFORMED FNCFS PROGRAM

A. Ontario Reform Implementation Committee

120. The Ontario Reform Implementation Committee shall oversee and monitor the implementation of the Reformed FNCFS Program in Ontario. The Ontario Reform Implementation Committee shall conduct such oversight and monitoring in accordance with the purpose and principles of this Final Agreement. Oversight and monitoring shall consider all reviews and processes established by this Final Agreement, including the Program Assessments as described in PART XV – REFORMED FNCFS PROGRAM ASSESSMENTS, to inform the Ontario Reform Implementation Committee's recommendations to Canada with respect to changes to the Reformed FNCFS Program.

121. The Ontario Reform Implementation Committee can at any time make recommendations in relation to the implementation of the Reformed FNCFS Program in Ontario, except regarding discipline or removal of ISC employees or officers. The Dispute Resolution Process under this Final Agreement, as described in PART XIX – DISPUTE RESOLUTION PROCESS, shall not be available with respect to any recommendations of the Ontario Reform Implementation Committee requiring amendment to this Final Agreement or significant structural change to the Reformed FNCFS Program, except where such recommendations are made by way of the Ontario Reform Implementation Committee's Initial Program Assessment Opinion further to the requirements of paragraph 205.

122. The Ontario Reform Implementation Committee shall receive input, recommendations, and/or observations from the Parties, the following entities listed below, and any successors or additional entities constituted and/or unanimously endorsed by the Parties:

(a) NAN-Canada Remoteness Quotient Table;

(b) Ontario Remoteness Secretariat;

(c) Ontario FNCFS Data Secretariat;

(d) Systemic Review Committee; and

(e) Technical Advisory Committee.

123. The Ontario Reform Implementation Committee shall consist of eight (8) members. With respect to the composition of the Ontario Reform Implementation Committee, each Party shall appoint one (1) member. Five (5) at-large members will be appointed by Ontario Chiefs-in-Assembly. The Parties intend for at least one (1) of the at-large members to be a youth with lived experience of out-of-home care.

124. COO shall advise the Parties of the appointments made by the Ontario Chiefs-in-Assembly. The Parties and the Ontario Chiefs-in-Assembly shall seek to confirm the appointment of their members within sixty (60) days following the Effective Date. The failure to confirm the appointment of a member within this time frame shall not impede the operation of the Ontario Reform Implementation Committee.

125. The Ontario Reform Implementation Committee shall operate in accordance with the terms of reference attached to this Final Agreement as Appendix 7, as updated by the Parties from time to time.

126. The responsibilities of the Ontario Reform Implementation Committee will include:

(a) Overseeing and monitoring the implementation of the Reformed FNCFS Program in Ontario and making related recommendations to Canada;

(b) Supporting the oversight of the Program Assessment Organization and preparing the Program Assessment Opinions and executive summaries for the Parties and the public;

(c) Receiving reports from the Ontario FNCFS Data Secretariat, NAN-Canada Remoteness Quotient Table, the Ontario Remoteness Secretariat, ISC, the Systemic Review Committee, and the Technical Advisory Committee in relation to the implementation and efficacy of the Reformed FNCFS Program;

(d) Receiving regular updates from the NAN-Canada Remoteness Quotient Table on research with Statistics Canada to improve measurement of the remoteness of communities connected to the main road network by ferry; and

(e) Publishing an annual report on the progress of the implementation of this Final Agreement to be made available to the public, which shall be provided to the Parties prior to being released to the public.

127. Canada shall pay reasonable insurance costs for members of the Ontario Reform Implementation Committee in relation to their duties on that committee, and Canada releases and holds harmless the Ontario Reform Implementation Committee and its members and counsel from any and all claims, counterclaims, suits, actions, causes of action, demands, damages, penalties, injuries, setoffs, judgments, debts, costs, expenses (including legal fees and expenses), or other liabilities of every character whatsoever by any reason relating to the negotiation and implementation of this Final Agreement, except arising out of or resulting from fraud, and this Final Agreement shall be a complete defence.

128. Canada shall provide funding in the amount of up to $17.4 million over the Term to support the reasonable costs, including the reasonable insurance costs, of the participation of members of the Ontario Reform Implementation Committee and members of the Technical Advisory Committee. The members of the Ontario Reform Implementation Committee and of the Technical Advisory Committee shall provide reasonably detailed invoicing on a quarterly basis setting out the activities with regard to their participation. Such funding shall include, but not be limited to, funding for experts from whom the Ontario Reform Implementation Committee may decide to seek input, as well as youth engagement. This funding is fixed for the Term, subject to review following the Initial Program Assessment. ISC shall provide secretariat support for the operation of the Ontario Reform Implementation Committee over the Term.

B. Systemic Review Committee

129. The Ontario Reform Implementation Committee shall establish a Systemic Review Committee as a subcommittee. The Ontario Reform Implementation Committee shall establish Terms of Reference for the Systemic Review Committee, reflecting the terms of this Part.

130. The Systemic Review Committee's function is to review and identify trends in:

(a) Service Provider Funding Adjustment Requests received by ISC from First Nations and FNCFS Service Providers pursuant to paragraphs 166 and 167 and ISC's determinations of said requests; and

(b) Claimant Disputes delivered to Canada by Claimants in Ontario, Dispute Awards by the Arbitral Tribunal or Appeal Tribunal for Claimant Disputes, and appeal decisions related to Claimant Disputes of the Ontario Superior Court or other appellate courts pursuant to PART XIX – DISPUTE RESOLUTION PROCESS.

131. ISC shall provide the Systemic Review Committee with the information as set out at paragraph 130 on a quarterly basis.

132. The Systemic Review Committee shall review the information as set out at paragraph 130 and advise the Ontario Reform Implementation Committee of any trends of concern it finds and make recommendations to address and remedy any of its findings.

C. Technical Advisory Committee

133. The Ontario Reform Implementation Committee shall establish a Technical Advisory Committee as a subcommittee to provide technical advice on implementation of the Reformed FNCFS Program to the Ontario Reform Implementation Committee. In addition to providing technical advice, the Technical Advisory Committee shall develop and disseminate best practice guidelines, tools, and other operational supports to First Nations and FNCFS Service Providers to support delivery of child and family services.

134. The Ontario Reform Implementation Committee shall establish Terms of Reference for the Technical Advisory Committee, reflecting the terms of this

Part, and shall appoint its membership. Appointees shall possess relevant technical expertise. No member of the Ontario Reform Implementation Committee shall serve on the Technical Advisory Committee.

135. The Technical Advisory Committee shall facilitate the participation of First Nations youth currently and formerly in care in opportunities to advise on the implementation of the Reformed FNCFS Program.

PART XV – REFORMED FNCFS PROGRAM ASSESSMENTS

A. Overview and Timeline

136. The Reformed FNCFS Program in Ontario shall be the subject of two Program Assessments.

137. The Program Assessments must be completed by the following deadlines:

(a) For the Initial Program Assessment, March 31, 2028; and

(b) For the Second Program Assessment, March 31, 2033.

138. A summary of the timelines described in this Part is attached at Appendix 3.

B. Purposes and Scope of Program Assessments

139. The purposes of the Program Assessments are:

(a) to review, evaluate, and document in reports the extent to which the Reformed FNCFS Program in Ontario:

(i) achieves progress toward the elimination of discrimination and prevention of its recurrence;

(ii) provides funding in a sufficient amount and in a manner that is consistent with the purposes and principles of this Final Agreement;

(iii) is effective and advances the outcomes of the Reformed FNCFS Program through analysis of data collected on the indicators detailed in Appendix 2;

(iv) improves the well-being and advances the best interests of First Nations children, youth, and families; and

(b) to provide the Ontario Reform Implementation Committee with reports to consider when formulating its recommendations for program and/or funding changes for the Reformed FNCFS Program in Ontario in its Program Assessment Opinions.

140. The scope of the Program Assessments shall be defined by the Ontario Reform Implementation Committee and shall be consistent with the purposes and principles of this Final Agreement and shall include review of the entire Reformed FNCFS Program in Ontario. This shall include, but will not be limited to, the Reformed FNCFS Funding Approach and any related aspects, including funding levels, funding structures, funding allocations, policies, procedures, Terms and Conditions, reporting requirements, funding agreements, and practices.

C. Selection of the Program Assessment Organization

141. COO shall initiate a request for proposals to select and retain a Program Assessment Organization to conduct each of the Program Assessments, on the advice of the Ontario Reform Implementation Committee.

142. Each request for proposals shall include requirements that the Program Assessment Organization observe relevant and applicable ethical standards and, to the extent reasonably possible and consistent with the terms of this Final Agreement, respect the First Nations principles of Ownership, Control, Access, and Possession® (“OCAP®”) or similar data sovereignty frameworks.

143. On the advice of the Ontario Reform Implementation Committee, COO shall select an organization from among the bidders that:

(a) has relevant qualifications and demonstrated experience to perform program evaluations;

(b) is independent and free of conflicts of interest; and

(c) is capable of meeting the budget and timeline requirements.

144. COO and the Ontario Reform Implementation Committee may prefer qualified bidders that are owned by or directed by First Nations people or that propose to employ First Nations people to conduct the Program Assessments.

145. On selection of a successful bidder by COO, Canada shall provide funding to COO through a contribution agreement for the proposed contract price, provided that the price of the contract is reasonable and acceptable to Canada. COO shall then contract with the successful bidder, subject to COO's internal policies.

146. To support COO in selecting and retaining the Program Assessment Organization(s) and in translating the executive summary of the Program Assessment Report, ISC shall provide administrative assistance to COO, as agreed to by Canada and COO. Such assistance shall not influence the choice of Program Assessment Organization or the manner in which COO will oversee the work of that Organization.

D. Oversight of the Program Assessments

147. COO shall oversee the Program Assessment Organization and, on the advice of the Ontario Reform Implementation Committee, may provide guidance on:

(a) the design and methods of the Program Assessments;

(b) relevant information, research, reports, and experts; and

(c) the participation of First Nations service providers, knowledge holders, and experts in the Program Assessment process.

E. Program Assessment Method and Information Sharing

148. The Program Assessment Organization shall solicit and consider input from the following groups:

(a) First Nations and FNCFS Service Providers;

(b) the Government of Ontario;

(c) the Parties;

(d) the Ontario FNCFS Data Secretariat;

(e) the NAN-Canada RQ Table and the Ontario Remoteness Secretariat; and

(f) other groups identified by COO, on the advice of the Ontario Reform Implementation Committee.

149. The Program Assessment Organization may also consider:

(a) First Nations-defined indicators of poverty, including those currently being developed by the Assembly of First Nations;

(b) Indicators of child and family well-being identified in the draft Ontario Special Study developed by COO;

(c) research by the Ontario Remoteness Secretariat, Statistics Canada, and others on measuring remoteness and adjusting funding for remoteness, including research on measuring the remoteness of communities connected to the main road network by ferry;

(d) any available results of the First Nations Information Governance Centre's planned longitudinal survey on the development and well-being of First Nations children, recognizing that significant results will not likely be available until the Second Program Assessment;

(e) the progress of the First Nations Information Governance Centre with respect to the development of the First Nations census referred to in paragraph 70 and the merit of using that census within the Second Funding Period to estimate the on-reserve population of First Nations; and

(f) unexpended funds held by First Nations and FNCFS Service Providers.

150. Upon request by the Program Assessment Organization, the relevant Party or the Ontario Reform Implementation Committee shall provide the Program

Assessment Organization with timely access to all relevant data, information, reports, agreements, and other information in their possession, power, and control, as reasonably required to complete the Program Assessment.

F. Urgent Circumstances During the Program Assessment Process

151. During the Program Assessment process, the Program Assessment Organization shall notify COO, who shall in turn notify the Ontario Reform Implementation Committee, if an urgent need arises to address an aspect of the Reformed FNCFS Program that is adversely affecting the delivery of services to First Nations children, youth, and families. The Program Assessment Organization may provide a recommendation to address it.

G. Program Assessment Reports

152. The Program Assessment Organization shall deliver the Program Assessment Reports to COO according to the timelines found at Appendix 3.

153. Each Program Assessment Report shall provide the deliverables as set out in the request for proposals, but at a minimum shall:

(a) include an environmental scan of any relevant factors influencing the Reformed FNCFS Program, such as emerging evidence, legislation, the Structural Drivers, significant events, and technology;

(b) include a description of the Program Assessment design, methodology, and any limitations;

(c) where sufficient evidence is available, provide evidence-based recommendations about how Canada can improve the Reformed FNCFS Program in Ontario and remediate any shortcomings;

(d) identify if there are any priority recommendations that should be implemented immediately; and

(e) highlight any subregion-specific approaches or variations which may be required to achieve consistency with the purposes and principles of this Final Agreement.

154. The Program Assessment Organization shall also deliver to COO an executive summary of each Program Assessment Report, which shall include a summary of the recommendations.

155. COO may translate the executive summaries into any number of Indigenous languages on the advice of the Ontario Reform Implementation Committee, subject to available funding.

156. COO shall make the Program Assessment Reports and the executive summaries public.

H. Ontario Reform Implementation Committee's Program Assessment Opinions

157. COO shall distribute the Program Assessment Reports to the Ontario Reform Implementation Committee and to the Parties within fifteen (15) days of receipt from the Program Assessment Organization.

158. The Parties may provide any comments on the Program Assessment Reports to the Ontario Reform Implementation Committee within forty-five (45) days of receipt. The Ontario Reform Implementation Committee shall consider all such comments in formulating its recommendations to Canada.

159. The Ontario Reform Implementation Committee must deliver its Program Assessment Opinions to Canada and the other Parties by the following deadlines:

(a) For its Initial Program Assessment Opinion, June 30, 2028; and

(b) For its Second Program Assessment Opinion, June 30, 2033.

160. The Ontario Reform Implementation Committee's Program Assessment Opinions shall contain recommendations on the Reformed FNCFS Program in Ontario that are consistent with the purposes and principles of this Final Agreement. Such recommendations shall include, but not be limited to, those related to the Program Assessment Reports.

161. The Ontario Reform Implementation Committee's Program Assessment Opinions and any recommendations contained therein, including any recommendations to increase funding for subsequent fiscal years, shall be:

(a) consistent with the purposes and principles of this Final Agreement;

(b) informed by and derived from the findings and recommendations in the Program Assessment Reports;

(c) reasonable and prudent in light of the evidence and the findings of the Program Assessment Opinion; and

(d) specific to the Reformed FNCFS Program in Ontario.

162. The Ontario Reform Implementation Committee shall make its Program Assessment Opinions and executive summaries thereof public, following receipt of Canada's response to the Program Assessment Opinions.

I. Canada's Response to the Ontario Reform Implementation Committee's Program Assessment Opinions

163. Within one-hundred and twenty (120) days of receiving the Ontario Reform Implementation Committee's Program Assessment Opinions, ISC shall:

(a) review and consider the Program Assessment Report and the Program Assessment Opinion;

(b) in the spirit of a renewed nation-to-nation relationship, work with the Parties to co-develop policy recommendations that shall inform the options that ISC will bring forward for Canada's consideration; and

(c) provide the following to each Party and to the Ontario Reform Implementation Committee:

(i) written confirmation as to which of the recommendations of the Program Assessment Opinions Canada will accept and implement;

(ii) the timeline and anticipated implementation date for those recommendations of the Program Assessment Opinions accepted by Canada; and

(iii) reasonably detailed written reasons in respect of any recommendation that Canada determines it shall not implement or any variation from a recommendation that Canada proposes to implement.

164. Canada shall make its responses to the Program Assessment Opinions public.

165. With respect to the Ontario Reform Implementation Committee's Initial Program Assessment Opinion, recommendations related to funding levels accepted by Canada shall be implemented no later than April 1, 2029. Canada shall implement other recommendations it has accepted as soon as practicable and appropriate in the circumstances, acting diligently and in good faith.

PART XVI – SERVICE PROVIDER FUNDING ADJUSTMENT REQUESTS

166. An FNCFS Service Provider may bring a Service Provider Funding Adjustment Request if it is unable within its current funding, for reasons beyond its reasonable control, to deliver services required by law or that are least disruptive measures, and eligible to be funded by the Reformed FNCFS Program.

167. A First Nation may bring a Service Provider Funding Adjustment Request if it is unable within its current funding, to provide prevention services which are adequate to respond to a prevention need created by an unforeseen event(s), beyond its reasonable control, not including reasonably foreseeable natural events or circumstances covered by other government programs or policies.

168. In order to avoid the duplication of least disruptive measures and prevention funding, where Service Provider Funding Adjustment Requests have been received from First Nations and FNCFS Service Providers in relation to the same event(s), requests by First Nations shall be prioritized.

169. "Current funding" in this Part includes unexpended funding from prior years with respect to which the First Nation or FNCFS Service Provider has not

submitted a spending plan to ISC but excludes prevention funding not available to be reallocated pursuant to paragraph 51. For clarity, an FNCFS Agency shall be required to expend their prevention funding before making a Service Provider Funding Adjustment Request for funding to deliver least disruptive measures.

170. A First Nation or FNCFS Service Provider initiates a Service Provider Funding Adjustment Request by sending written notice to ISC of the total amount of additional funding required by the First Nation or FNCFS Service Provider, the reason(s) the additional funding is required, the time(s) by which the additional funding is anticipated to be needed, and whether the funding is requested for one year or multiple years. In the case of a request by an FNCFS Agency, the request must be accompanied by evidence of written support of the leadership of the FNCFS Agency's affiliated First Nation(s) that are affected.

171. Where a First Nation or FNCFS Service Provider requests additional funding through a channel other than the process outlined in this Part, ISC shall refer the requestor to the Service Provider Funding Adjustment Request process.

172. Within fifteen (15) days of ISC's receipt of a Service Provider Funding Adjustment Request, ISC shall meet with the First Nation or FNCFS Service Provider regarding the request.

173. Within thirty (30) days of ISC meeting with the First Nation or FNCFS Service Provider and obtaining supporting documentation, ISC shall make a determination with respect to the Service Provider Funding Adjustment Request. If ISC has not made such a determination within the thirty (30) day period, the request shall be deemed to have been denied and the FNCFS Service Provider may access the Dispute Resolution Process for Claimant Disputes.

174. A First Nation or FNCFS Service Provider may request a funding adjustment on an urgent basis, if any delay in receiving a response would significantly impact on the health or safety of identified children, youth, and/or families. ISC shall take measures necessary to ensure the safety and well-being of

the identified children, youth, and/or families within five (5) days of receipt of such a request. If ISC has not made a determination with respect to the request within ten (10) days of receipt of the urgent request, the request shall be deemed to have been denied and the First Nation or FNCFS Service Provider may access the Dispute Resolution Process for Claimant Disputes.

PART XVII – CULTURAL HUMILITY TRAINING AND REFORM OF ISC AND SUCCESSOR DEPARTMENTS

175. ISC shall continue to require mandatory cultural humility training for all ISC employees that support implementation of this Final Agreement of at least fifteen (15) hours annually, and up to thirty (30) hours annually for those occupying management and executive level positions or those whose responsibilities require regular interactions with First Nations or their citizens. ISC shall make best efforts to encourage similar training for the employees of other Government of Canada entities that support implementation of this Final Agreement.

176. Within one hundred twenty (120) days following the Effective Date, ISC and the Ontario Reform Implementation Committee shall jointly develop and implement a trauma-informed and appropriate cultural humility training program for ISC employees that support implementation of this Final Agreement, which will include, but not be limited to, the following topics:

(a) Truth-telling component on how Canada's past and contemporary actions impact First Nations children, youth, and families;

(b) The *United Nations Declaration on the Rights of Indigenous Peoples*;

(c) The reports of the Truth and Reconciliation Commission of Canada;

(d) The *United Nations Convention on the Rights of the Child*;

(e) First Nations' culture, worldview, and history;

(f) Factors causing over-representation of First Nations children in the child welfare system, including the intergenerational impacts of the Indian Residential School system, the Indian Day Schools, and the Sixties Scoop;

(g) The findings of the Missing and Murdered Indigenous Women, Girls, and Two Spirit Inquiry, including impacts on First Nation families;

(h) Social movements such as Idle No More and Families of Sisters in Spirit;

(i) The history of the FNFCS Program, including the reviews and evaluations conducted from 2000 to 2011 and the Tribunal findings in the *First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada (representing the Minister of Indigenous and Northern Affairs Canada)* proceedings; and

(j) The historical and contemporary social and economic conditions of remote First Nations.

177. Cultural humility training made available to ISC employees may include experiential learning, such as:

(a) Elders' teachings and ceremonies;

(b) First Nations-led workshops, such as the *Touchstones of Hope* dialogue sessions;

(c) First Nations research seminars;

(d) Elders gatherings and First Nations assemblies; and

(e) Community visits, including learning about the lived realities of remote communities.

178. ISC shall track mandatory training for all employees that support implementation of this Final Agreement and include training commitments in the performance management agreements of all such employees.

179. ISC shall report the results of its internal tracking to the Ontario Reform Implementation Committee.

180. COO and NAN may continue to provide advice and guidance to ISC on the reform of ISC to prevent the recurrence of systemic discrimination with regard to the implementation of the FNCFS Program and the Reformed FNCFS Program in Ontario.

PART XVIII – INTERIM DISPUTE RESOLUTION PROCESS

181. This Interim Dispute Resolution Process is available only to the Parties.

182. For the purpose of this Interim Dispute Resolution Process, the Parties agree to be bound by the *Arbitration Act 1991*, S.O. 1991, c. 17.

183. The Interim Dispute Resolution Process will be in force and bind the Parties as of the date of signature of this Final Agreement by the Parties, notwithstanding the Effective Date. The Parties agree that this Part is an arbitration agreement for the purposes of the *Arbitration Act 1991*, S.O. 1991, c. 17 and the ADRIC Arbitration Rules.

184. In the period between the date of signature of this Final Agreement by the Parties and the Effective Date, the Interim Dispute Resolution Process may be used to resolve all disputes, controversies, disagreements, or claims of a Party that arise out of, relate to, or are in connection with the obligations, rights or responsibilities of any Party set out in this Final Agreement, including any question regarding the implementation, application, interpretation and/or breach of such obligations, rights or responsibilities.

185. The Parties agree that in the period between the date of signature of this Final Agreement by the Parties and the Effective Date, they will remit all disputes set out in paragraph 184 to final and binding arbitration under the ADRIC Arbitration Rules, subject to the modifications set out in this Part. There shall be no Appeal Tribunal in the Interim Dispute Resolution Process.

186. A Notice to Arbitrate under this Part must be delivered within sixty (60) days of a Party becoming aware of facts that give rise to the Dispute, otherwise the Party shall be deemed to have waived their right to have the Dispute heard.

187. An Answer to Notice under this Part must be delivered within thirty (30) days of the delivery of the Notice to Arbitrate.

188. The *IBA Rules on the Taking of Evidence in International Arbitration* (the "IBA Rules") in force at the time of the execution of this Final Agreement apply to the Interim Dispute Resolution Process and shall replace the ADRIC Arbitration Rules to the extent of any conflict, except that Article 3 of such IBA Rules shall not apply.

189. The Parties may agree that the ADR Institute of Canada, Inc. ("ADRIC") will administer an arbitration under this Part.

190. Canada shall bear the reasonable fees and expenses of an Arbitral Tribunal and the ADRIC administration service fees, if applicable.

PART XIX – DISPUTE RESOLUTION PROCESS

A. Overview

191. The Parties agree that the Dispute Resolution Process shall be subject to the *Arbitration Act*, *1991*, S.O. 1991, c. 17.

192. All Disputes shall be resolved by final and binding arbitration.

193. The Parties agree this Part is an arbitration agreement between the Parties for the purposes of the *Arbitration Act, 1991*, S.O. 1991., c. 17 and the ADRIC Arbitration Rules.

194. The Dispute Resolution Process applies as of the Effective Date. Existing adjudication processes under the FNCFS Program available to First Nations and FNCFS Service Providers on the date of signature of this Final Agreement by the Parties shall continue until the Effective Date.

195. The Dispute Resolution Process is intended to resolve two types of disputes, as set out in this Part: Parties' Disputes and Claimant Disputes.

Parties' Disputes

196. A Parties' Dispute is a dispute, controversy, disagreement, or claim of a Party that arises out of, relates to, or is in connection with:

(a) this Final Agreement, including any question regarding its implementation, application, interpretation and/or breach, other than a Claimant Dispute;

(b) a decision by Canada as to whether or how any recommendations of the Ontario Reform Implementation Committee will be implemented;

(c) a disagreement between the Parties as to whether paragraph 302 applies so as to prevent COO or NAN from making submissions before the Tribunal.

197. A Parties' Dispute does not include:

(a) a dispute concerning Canada's decision about whether or how any recommendations contained in the Second Program Assessment Opinion will be implemented;

(b) a claim that Canada has failed to obtain or advance the Funding Commitment set out in PART IV – FUNDING COMMITMENT, or any claim for breach of contract, action in tort or other claim that Canada has breached this Final Agreement by failing to approve the Final Agreement or by failing to obtain, appropriate, or make available to First Nations or FNCFS Service Providers the funding provided for in PART IV – FUNDING COMMITMENT of this Final Agreement;

(c) a dispute concerning Canada's decision about whether or how to implement any recommendations from the Ontario Reform Implementation Committee that require an amendment to this Final Agreement; or

(d) a dispute, controversy, disagreement, or claim of a Party that arises out of a fact situation occurring between the date of signature of this Final Agreement and the Effective Date or after the expiration or termination of this Final Agreement.

198. The Dispute Resolution Process is the exclusive procedure for resolving Parties' Disputes.

Claimant Disputes

199. A Claimant Dispute is a dispute, controversy, disagreement, or claim of a First Nation or FNCFS Service Provider which arises out of, relates to, or is in connection with:

(a) the failure to advance the funding allocation of a particular First Nation or FNCFS Service Provider as set out in this Final Agreement;

(b) the accuracy of a First Nation's or FNCFS Service Provider's funding allocation provided under this Final Agreement;

(c) the entitlement of a First Nation or FNCFS Service Provider to be funded for any amount under this Final Agreement;

(d) ISC's decision to deny (in whole or part) a First Nation's or FNCFS Service Provider's Service Provider Funding Adjustment Request; or

(e) ISC's decision to deny (in whole or part) a First Nation's or FNCFS Service Provider's FNCFS capital funding request or proposal.

200. A Claimant Dispute does not include a dispute, controversy, disagreement or claim of a First Nation or FNCFS Service Provider, including one of the nature listed in paragraph 199, where general damages, damages for discrimination, or punitive damages are sought, or where the First Nation or FNCFS Service Provider has not consented to resolve the Claimant Dispute by way of the Dispute Resolution Process for Claimant Disputes.

201. The Dispute Resolution Process for Claimant Disputes described in this Final Agreement is not intended to abrogate or derogate from a Claimant's rights provided for under the *Canadian Human Rights Act,* R.S.C., 1985, c. H-6.

202. A First Nation or FNCFS Service Provider is not obligated to resolve matters described in paragraph 199 by way of the Dispute Resolution Process for Claimant Disputes and may seek remedies to which it may be entitled for such matters in any way it chooses, including by pursuing a claim in a court of competent jurisdiction or under the *Canadian Human Rights Act,* R.S.C., 1985, c. H-6.

203. Claimant Disputes shall be resolved pursuant to the procedures set forth in this Part, which shall be the exclusive procedure for resolving a Claimant Dispute for any Claimant who has consented to the use of the Dispute Resolution Process for Claimant Disputes and entered into an Arbitration Agreement.

Jurisdiction of Arbitral Tribunal and Appeal Tribunal – Parties' Disputes

204. In considering a Parties' Dispute, an Arbitral Tribunal shall assess the reasonableness of Canada's decision that gave rise to the Parties' Dispute, considering only the materials that were before Canada's decision maker and the written reasons for decision, if any. Alternatively, where a Parties' Dispute arises but Canada has not made a decision to be reviewed, an Arbitral Tribunal shall consider the circumstances giving rise to the Parties' Dispute. In any Parties' Dispute, an Arbitral Tribunal has the jurisdiction to:

(a) process, adjudicate, and resolve Disputes, including by making procedural and substantive decisions;

(b) lengthen or shorten any time limit established by this Final Agreement; and

(c) decide any procedural or evidentiary question arising during the hearing;

(d) on request of a Party in a Dispute, order any Party to take any reasonable interim measure as the Arbitral Tribunal may consider necessary in respect of the subject matter of a Dispute;

(e) order such remedies as are permitted under this Final Agreement, having regard to the parameters of the Dispute Resolution Process and the limitations and remedies set out at paragraphs 196, 197 and 211 of this Final Agreement;

(f) order funding to a particular First Nation or FNCFS Service Provider as set out in this Final Agreement;

(g) order that interest be paid on amounts ordered to be paid, on the same basis as in s. 31 of the *Crown Liability and Proceedings Act*, R.S.C., 1985, c. C-50; and

(h) order Canada to pay a Party's legal costs on such terms as are just and in accordance with the Department of Justice's external agent counsel rates.

205. In a Parties' Dispute concerning Canada's decision about whether or how any recommendations contained in the Initial Program Assessment Opinion will be implemented, an Arbitral Tribunal shall assess the reasonableness of Canada's decision and may order any remedy that could at common law be awarded on judicial review, subject to the limitations contained in paragraph 211 of this Final Agreement. In conducting its review, the Arbitral Tribunal shall consider, among other factors:

(a) whether the recommendations contained in the Initial Program Assessment Opinion are consistent with the principles and limitations in paragraphs 160 and 161 of this Final Agreement;

(b) whether the recommendations contained in the Initial Program Assessment Opinion require an amendment to this Final Agreement;

(c) the Program Assessment Report; and

(d) Canada's reasons for its decision, if any.

206. An Appeal Tribunal, when reviewing the decision of an Arbitral Tribunal in a Parties' Dispute, shall conduct a *de novo* assessment of the reasonableness of Canada's decision that gave rise to the Parties' Dispute, based on the record before the Arbitral Tribunal and, where the context requires, the factors set out in paragraph 205 of this Final Agreement. An Appeal Tribunal has the same jurisdiction as an Arbitral Tribunal in relation to a Parties' Dispute, as set out in paragraph 204 of this Final Agreement, and in addition may uphold Canada's decision or substitute its own decision, subject to the limitations set out in paragraph 211 of this Final Agreement.

Jurisdiction of an Arbitral Tribunal and Appeal Tribunal – Claimant Disputes

207. In considering a Claimant Dispute, an Arbitral Tribunal shall conduct a review of Canada's decision giving rise to the Claimant Dispute, considering only the materials that were before Canada's decision maker and the written reasons for decision, if any.

208. Notwithstanding paragraph 207, an Arbitral Tribunal may also consider, as applicable:

(a) the views of the Claimant and any associated First Nations;

(b) the legal traditions and protocols of the relevant First Nation;

(c) the circumstances of the individual First Nation;

(d) the urgency of the funding that is the subject of the Claimant Dispute; and

(e) any evidence not before the decision maker that is tendered by the parties to the Claimant Dispute and that the Arbitral Tribunal finds relevant and appropriate in the circumstances.

209. In considering a Claimant Dispute, an Arbitral Tribunal has the jurisdiction to:

(a) process, adjudicate, and resolve Disputes, including by making procedural and substantive decisions;

(b) lengthen or shorten any time limit established by this Final Agreement; and

(c) decide any procedural or evidentiary question arising during the hearing;

(d) on request of a Claimant or Canada, order any reasonable interim measure as the Arbitral Tribunal may consider necessary in respect of the subject matter of the Claimant Dispute;

(e) order such remedies as are permitted under this Final Agreement, having regard to the parameters of the Dispute Resolution Process for Claimant Disputes and the limitations and remedies set out at paragraphs 199, 200 and 211 of this Final Agreement;

(f) order funding to a particular First Nation or FNCFS Service Provider as set out in this Final Agreement;

(g) order that interest be paid on amounts ordered to be paid, on the same basis as in s. 31 of the *Crown Liability and Proceedings Act*, R.S.C., 1985, c. C-50; and

(h) order, at any time, Canada to pay a Claimant's legal costs for a lawyer of the Claimant's choosing to represent the Claimant at any stage of a Claimant Dispute, on terms as are just and in accordance with the Department of Justice's external agent counsel rates.

210. In a Claimant Dispute, an Appeal Tribunal shall conduct a *de novo* assessment of the reasonableness of Canada's decision that gave rise to the Claimant Dispute, based on the record before the Arbitral Tribunal and, where the context requires, the factors set out in paragraph 208 of this Final Agreement. An Appeal Tribunal has the same jurisdiction as an Arbitral Tribunal in relation to a Claimant Dispute as set out in paragraph 209 and in addition may uphold Canada's decision or substitute its own decision, subject to the limitations set out in paragraph 211 of this Final Agreement.

Limitations on Jurisdiction – Arbitral Tribunal and Appeal Tribunal in all Disputes

211. With respect to both Parties' Disputes and Claimant Disputes, an Arbitral Tribunal and an Appeal Tribunal do not have jurisdiction to:

(a) amend any provision of this Final Agreement;

(b) award general damages, punitive damages, or damages for discrimination;

(c) determine a claim as described in paragraph 298 of this Final Agreement;

(d) expand the jurisdiction of an Arbitral Tribunal or an Appeal Tribunal;

(e) reduce the existing funding of any First Nation or FNCFS Service Provider or the funding entitlement of a First Nation or FNCFS Service Provider under this Final Agreement;

(f) reduce the level of the overall funding commitment provided for in paragraphs 5, 7 and 11 of this Final Agreement;

(g) make orders in the Claimant Dispute Process that require or result in systemic change;

(h) order Canada to fund new components of the Reformed FNCFS Funding Approach or increase funding for existing components of the Reformed FNCFS Funding Approach, unless otherwise set out in this Final Agreement; or

(i) introduce additional indexation factors (for example, new methods of calculating population growth or inflation).

B. Principles and Rules Applicable to Determination of Disputes

212. An Arbitral Tribunal shall decide all Disputes in accordance with this Final Agreement and in particular its purposes and principles.

213. An Arbitral Tribunal shall, in considering procedure for resolving a Dispute, proceed in a just, expeditious, and cost-effective manner, having regard to cultural appropriateness and as is appropriate in all the circumstances of the case.

214. All Disputes shall be resolved under the ADRIC Arbitration Rules in force at the time of the signing of this Final Agreement, as modified by this Final Agreement.

215. The Arbitral Tribunal is the master of its own proceedings, and will be guided by:

(a) the ADRIC Arbitration Rules,

(b) the *IBA Rules on the Taking of Evidence in International Arbitration*, except Article 3,

(c) the advice of a Cultural Officer as appointed and whose duties are set out under this Final Agreement; and

(d) the Federal Court's Practice Guidelines For Aboriginal Law Proceedings April 2016, section D on Elder Evidence.

216. An Arbitral Tribunal may:

(a) in the same manner and to the same extent as a superior court of record, summon and enforce the attendance of witnesses and compel them to give oral or written evidence on oath and to produce any documents and things that the Arbitral Tribunal considers necessary for the full hearing and consideration of the Dispute;

(b) administer oaths or affirmations and require a witness to testify under oath or affirmation;

(c) receive and accept any evidence and other information, whether on oath or by affidavit or otherwise, that the Arbitral Tribunal sees fit, whether or not that evidence or information is or would be admissible in a court of law.

217. An Arbitral Tribunal and Appeal Tribunal may not admit or accept as evidence anything that would be inadmissible in a court by reason of any privilege or confidence recognized by the common law or legislation, including those privileges and confidences set out in sections 37 through 39 of the *Canada Evidence Act*, R.S.C. 1985, c. C-5.

Posting of Information About the Dispute Resolution Process

218. The Parties agree that they will each make information about the Dispute Resolution Process publicly accessible, including at least the following information:

(a) the address for service to serve a Notice to Arbitrate on Canada;

(b) the address for service to serve a Notice to Arbitrate on COO;

(c) the address for service to serve a Notice to Arbitrate on NAN;

(d) the contact information for Duty Counsel;

(e) the address to provide a copy of a Notice to Arbitrate to ORIC;

(f) a link to the ADRIC Arbitration Rules;

(g) a link to the *IBA Rules on Taking Evidence*;

(h) a link to the Federal Court Elder Evidence and Oral History Protocol; and

(i) any forms required to be submitted in a Claimant Dispute, including the standard form Claimant Arbitration Agreement.

219. COO and NAN shall make the information set out in paragraph 218 publicly accessible by at least publishing it on their websites and any website devoted to the implementation of this Final Agreement.

220. Canada shall make the information set out in paragraph 218 available on ISC's website relating to this Final Agreement, in any correspondence with First Nations and FNCFS Service Providers concerning their funding allocations and capital project decisions, and on written request from a First Nation or an FNCFS Service Provider.

Disputes Delivered Prior to Expiry of Agreement

221. Where a Party or Claimant has delivered a Notice to Arbitrate prior to March 31, 2034, provided that the issues in dispute relate only to the period covered by this Final Agreement, the Dispute shall be decided in accordance with this Final Agreement, notwithstanding the expiry or termination of this Final Agreement, however caused.

Nature of Dispute Awards

222. A Dispute Award in a Parties' Dispute shall be binding on all Parties, regardless of whether the Party chose to participate in the arbitration of the Dispute.

223. A Dispute Award in a Claimant Dispute shall be binding on the Claimant and ISC.

Appeal to Superior Court of Justice

224. An Appeal Tribunal's Dispute Award shall be final and binding, unless it is set aside or varied by the Ontario Superior Court of Justice for reasons set out in the *Arbitration Act*, *1991*, S.O. 1991., c. 17.

225. A Party or a Claimant may appeal, without leave, an Appeal Tribunal's Dispute Award to the Superior Court of Justice on a question of law or a question of mixed fact and law, but not on a question of fact.

Confidentiality

226. Notwithstanding the ADRIC Arbitration Rules, on application of a Party or a Claimant in a Dispute, an Arbitral Tribunal or Appeal Tribunal may order that all or some of an Arbitral Tribunal's procedures, hearings, and documents or interim orders and decisions shall remain strictly confidential between the Party or Claimant and Canada, as the case may be.

227. Unless otherwise ordered, all decisions of an Arbitral Tribunal or an Appeal Tribunal shall be made public in a manner that will be determined by the Parties within ninety (90) days of the Effective Date.

Language

228. The language of the Dispute Resolution Process for Parties' Disputes, including for hearings, documentation, and Dispute Awards, shall be English or French as selected by the Party who commenced the dispute.

229. The language of the Dispute Resolution Process for Claimant Disputes, including hearings, documentation, and Dispute Awards, shall be English, French, or an Indigenous language, where ordered by an Arbitral Tribunal or Appeal Tribunal.

Roster of Arbitrators

230. The Parties shall, as soon as reasonably possible and no later than ninety (90) days after the Effective Date, agree upon and maintain a Roster of Arbitrators who shall serve on Arbitral Tribunals and Appeal Tribunals.

231. If a Party or Parties refuses to participate in the selection of Arbitrators for the Roster of Arbitrators within the time established in paragraph 230 of this Final Agreement, then the Roster may be established by those Parties who do participate.

232. The Roster of Arbitrators shall be composed of a number of Arbitrators, but no fewer than six (6), necessary to ensure the timely arbitration of Disputes. Arbitrators may remain on the Roster until they remove themselves from the Roster or until otherwise removed.

233. The Parties shall endeavour to select Arbitrators to be named to the Roster of Arbitrators who:

(a) have expertise in the matters addressed by this Final Agreement; or

(b) have experience with First Nations government social programs, child welfare, and child well-being; or

(c) are practicing lawyers in good standing with a provincial or territorial governing body; or

(d) are practicing as arbitrators or adjudicators of administrative tribunals or other like bodies; or

(e) are retired judges or justices of the peace.

234. Within the Roster of Arbitrators, at least three (3) Arbitrators shall have a law degree.

235. The Parties shall aspire to gender parity and diversity in representation in the composition of the Roster of Arbitrators.

236. The Parties shall select Arbitrators for the Roster of Arbitrators with a preference in favour of Arbitrators who are recognized as citizens or members of a First Nation.

237. If a selected Arbitrator resigns from the Roster of Arbitrators or becomes unable to serve on the Roster of Arbitrators, a replacement Arbitrator shall be appointed by the Parties as soon as reasonably possible, following the procedure that was used in the appointment of the Arbitrator being replaced.

238. Canada shall enter into contractual arrangements with the appointed Arbitrators which will establish the terms of their payment once appointed.

239. Arbitrators shall be compensated at rates agreed to by the Parties.

Mandatory Training of Arbitrators

240. Any person selected for the Roster of Arbitrators must, before being named to an Arbitral Tribunal, demonstrate that they have completed at least one five (5) day / forty (40) hour professional development course in adjudication and arbitration, and have completed specialized cultural safety training to ensure that Claimant Disputes are dealt with in a respectful and culturally appropriate manner specific to First Nations.

241. The cost of the training and professional development, if incurred after the appointment to the Roster, shall be reimbursed by Canada, once successfully completed.

Dispute Resolution Process Administration

242. The Parties agree that they may use ADRIC's administration services or may agree to an alternative way of administering the Dispute Resolution Process.

C. Dispute Resolution Procedures – All Disputes

243. A Party commences a Dispute by delivering a Notice to Arbitrate as prescribed in the ADRIC Arbitration Rules, copying the chair of the ORIC.

244. A Party must deliver a Notice to Arbitrate within sixty (60) days of the Party becoming aware of the circumstances giving rise to the Parties' Dispute. Otherwise, the Party shall be deemed to have waived their right to have the Parties' Dispute heard.

245. The Parties shall agree to a standard Claimant Arbitration Agreement in a form to be agreed to by them no later than thirty (30) days after the Effective Date. The Claimant Arbitration Agreement shall mirror the elements of this

Dispute Resolution Process relating to Claimant Disputes, as set out in this Final Agreement. The standard Claimant Arbitration Agreement form shall be published in the manner specified at paragraph 218 of this Final Agreement.

246. A Claimant may commence a Claimant Dispute by delivering a Notice to Arbitrate and a signed Claimant Arbitration Agreement within ninety (90) days of the Claimant becoming aware of the circumstances giving rise to the Claimant Dispute. Otherwise, the Claimant shall be deemed to have waived its right to have its dispute heard under the Dispute Resolution Process for Claimant Disputes.

247. Where a Notice to Arbitrate and Arbitration Agreement, if applicable, is delivered by a Party or by a Claimant, Canada must deliver its Answer to Notice within thirty (30) days of delivery of the Notice to Arbitrate. In the case of a Claimant Dispute, Canada must also deliver a signed Claimant Arbitration Agreement with its Answer to Notice.

248. Where a Claimant delivers a Notice to Arbitrate without a signed Claimant Arbitration Agreement, the timelines for the procedure of the arbitration shall be paused until the Claimant has delivered the signed Claimant Arbitration Agreement.

249. If a Claimant delivers a Notice to Arbitrate containing a technical defect or the lack of Claimant Arbitration Agreement, Canada shall, within thirty (30) days, direct the Claimant to appropriate information about the delivery of Notices to Arbitrate and Claimant Arbitration Agreements, and may direct the Claimant to Duty Counsel.

Appointment of an Arbitral Tribunal or Appeal Tribunal

250. All Disputes shall be heard by a single Arbitrator at first instance.

251. Appeals shall be heard by an Appeal Tribunal of three Arbitrators.

252. Where ADRIC has been asked to appoint the Arbitral Tribunal, such Arbitrators shall only be selected or appointed according to the ADRIC arbitrator appointment protocol.

253. If an Arbitral Tribunal, Appeal Tribunal or a member thereof becomes incapable of serving while seized of a Dispute, the timeframes applicable to that Arbitral Tribunal's or Appeal Tribunal's proceedings in respect of any Dispute shall be suspended until a replacement Arbitral Tribunal or Appeal Tribunal is selected.

254. In the event that no Arbitrator or no sufficient number of Arbitrators from the Roster of Arbitrators is available, and if the parties to a Dispute cannot agree on the appointment of an Arbitral Tribunal or Appeal Tribunal from outside the Roster of Arbitrators on consent, then ADRIC may appoint an Arbitral Tribunal or Appeal Tribunal composed of Arbitrators who are not on the Roster of Arbitrators.

Exchange of Parties' Positions and Documents

255. An Arbitral Tribunal may allow a Party or a Claimant in a Dispute to amend or supplement their statements, including their "Initial Evidence" as defined in the ADRIC Arbitration Rules, having regard to:

(a) any delay caused by making the amendment or supplement; and

(b) any prejudice suffered by the other parties to the Dispute.

Mediation

256. The parties to a Dispute may agree to enter into mediation at any time using a consensually selected mediator who may or may not be on the Roster of Arbitrators.

257. The mediator's reasonable fees and expenses shall be borne by Canada.

Manner of Proceedings

258. Unless the parties to a Dispute have agreed to proceed by way of written witness statements and argument, the Arbitral Tribunal shall convene an oral hearing.

259. Parties' Disputes are presumptively open to public attendance, however, an Arbitral Tribunal may order that all or part of a hearing be closed to the public, on request of a Party.

260. Claimants may request that a Claimant Dispute hearing be open to public attendance, however, an Arbitral Tribunal may order that all or part of a hearing be closed to the public, on request a Claimant or Canada.

261. An Arbitral Tribunal shall strive to schedule hearings to be held on consecutive days until completion, taking into account schedules, witness availability, and need for preparation time.

Default of a Party or Claimant

262. If, without explanation, any party to a Dispute fails to meet a timeline established by the ADRIC Arbitration Rules or by the Arbitral Tribunal's procedural order for taking a step in the Dispute Resolution Process, the Arbitral Tribunal may make an order that the party to the Dispute has foregone their opportunity to do so and may make such order as it deems fit.

263. Before making an order further to a default of a party to a Dispute, the Arbitral Tribunal shall give all parties to the Dispute written notice providing an opportunity to provide an explanation and may permit a party to a Dispute to cure its default on such terms as are just.

264. If, without showing sufficient cause or confirming that it will not tender evidence, a party to a Dispute fails to appear at the hearing or to produce documentary evidence, the Arbitral Tribunal may continue the proceedings and make a Dispute Award on the evidence before it.

Dispute Awards

265. An Appeal Tribunal Dispute Award shall be made by a majority.

266. A Dispute Award shall be made in writing and shall state the reasons upon which it is based.

267. The Arbitral Tribunal or Appeal Tribunal may, on its own initiative, correct any clerical error, typographical error, or make a similar amendment to a Dispute Award, within thirty (30) days after the date of the Dispute Award.

D. Procedures Specific to the Dispute Resolution Process for Claimant Disputes

Shared Objectives

268. To the greatest extent possible, the Parties recognize the following principles:

(a) Claimant Disputes should be resolved in a reasonable, collaborative, and informal atmosphere;

(b) Claimant Disputes should be heard in a location and manner that is convenient for the Claimant, including online or within the community of the Claimant;

(c) Claimant Disputes should be resolved in a manner that is respectful of the Claimant's community and culture;

(d) the Dispute Resolution Process should be accessible to Claimants; and

(e) First Nations legal traditions and principles may inform the resolution of Claimant Disputes, recognizing and respecting the diversity among First Nations.

Duty Counsel

269. The Parties shall, within ninety (90) days of the Effective Date, establish a roster of Duty Counsel to assist Claimants with providing information and to provide independent legal advice and assistance with Claimant Disputes. Canada shall enter into contractual arrangements with the appointed Duty Counsel which will establish the terms of their engagement, which shall be consistent with the terms contained in paragraph 271 of this Final Agreement.

270. Duty Counsel shall be paid by Canada in accordance with the Department of Justice external agent counsel rates.

271. Duty Counsel are independent from ISC and Canada and shall assist Claimants with understanding and accessing the Dispute Resolution Process for Claimant Disputes and bringing their case before the Arbitral Tribunal, including helping Claimants complete forms, collect documents for

their hearings, understand their right to seek an appeal or judicial review and such other tasks or support as required to assist the Claimant, not including representing the Claimant before the Arbitral Tribunal.

Claimant Participation Costs and Legal Fees

272. Where a Claimant retains a lawyer to assist them with a Claimant Dispute, a Claimant may seek an order from the Arbitral Tribunal that Canada shall pay the fees of a lawyer retained to assist them with a Claimant Dispute on the same basis as Duty Counsel's fees and expenses.

Proactive Information Sharing – Duty Counsel

273. When requested to, or when notified by a Claimant that they may or intend to deliver to Canada a Claimant Dispute, Canada's officials shall provide the First Nation or FNCFS Service Provider with contact information for Duty Counsel.

Intervention by a Party

274. A Party may bring a motion to intervene in a Claimant Dispute, and the Arbitral Tribunal shall determine whether the intervention will be allowed, after hearing submissions from the Claimant, ISC, and the proposed intervenor on such terms as are just.

Participation of Cultural Officer

275. The Parties shall, within ninety (90) days of the Effective Date, establish a roster of Cultural Officers whose role it is to provide information and advice to the Arbitral Tribunal about culturally appropriate resolution of Claimant Disputes. Canada shall enter into contractual arrangements with the appointed Cultural Officers which will establish the terms of their payment.

276. Cultural Officers shall be paid by Canada at reasonable rates to be negotiated with Canada.

277. Cultural Officers are independent from the Parties and shall advise the Arbitral Tribunal or Appeal Tribunal.

278. In every Claimant Dispute, the Arbitral Tribunal shall ask a Claimant if the Claimant wishes to have a Cultural Officer retained.

279. The Cultural Officer shall make their recommendations in advance of the pre-hearing and may make further recommendations at any other time.

280. The Cultural Officer may consider, among other things:

(a) any requests of the Claimant;

(b) the Indigenous legal traditions and protocols identified by the Claimant; and

(c) any culturally rooted procedures that may promote access to justice for the Claimant and ensure substantive equality and fairness.

281. The Cultural Officer may:

(a) recommend that a representative knowledge keeper or elder sit with the Arbitral Tribunal to provide guidance on legal traditions and protocols without the need to qualify them as an expert witness;

(b) recommend procedures for use by the Arbitral Tribunal to incorporate legal traditions and protocols for use during the hearing of the Claimant Dispute;

(c) request that the Claimant be permitted to bring a Party or other support person to attend at any aspect of the Dispute Resolution Process;

(d) request that proceedings be conducted in an Indigenous language;

(e) request that proceedings be conducted orally or in writing; and

(f) request that proceedings be open or closed to the public and that aspects of the proceeding be anonymized or confidential.

282. Any such recommendations or requests in paragraph 281 are subject to the sole discretion of Arbitral Tribunal, after hearing submissions on the question.

Expert Appointed by Arbitral Tribunal

283. On its own initiative, an Arbitral Tribunal may seek representations from the Claimant and from ISC concerning a proposal by the Arbitral Tribunal to appoint one or more independent experts to report to the Arbitral Tribunal on specific issues to be determined by the Arbitral Tribunal, after which the Arbitral Tribunal may appoint one or more independent experts to report on specific issues, in the manner set out by the ADRIC Arbitration Rules.

Expenses of Arbitral Tribunal, Appeal Tribunal and Related

284. The fees for administration services provided by ADRIC, and the reasonable expenses of the Arbitral Tribunal and Appeal Tribunal, including the cost of retaining experts, shall be borne by Canada.

PART XX – INFORMATION SHARING AND PRIVACY

285. The Parties and this Final Agreement are subject to federal, provincial, and regional laws and regulations, including privacy laws. Each Party shall be required to perform its obligations under this Final Agreement related to information sharing only to the extent permitted by such laws and only to the extent that the disclosure of said information is not protected by legislation or relevant privileges or otherwise prohibited by a legal, contractual, or fiduciary obligation.

PART XXI – ENTIRE AGREEMENT

286. This Final Agreement, including all appendices, constitutes the entire agreement between the Parties with respect to the subject matter hereof and cancels and supersedes any prior or other understandings and agreements between the Parties, including the Agreement-in-Principle and the Consultation Protocol for the Consultation Committee on Child Welfare. Other than the agreement referred to in paragraph 58, there are no representations, warranties, terms, conditions, undertakings, covenants, or collateral agreements, express, implied, or statutory between the Parties with respect to the subject matter hereof other than as expressly set forth or referred to in this Final Agreement.

PART XXII – CONFIDENTIALITY AND RETENTION

287. Any information provided, created, or obtained in the course of implementing this Final Agreement shall be kept confidential and shall not be used for any purpose other than as set out in this Final Agreement, unless otherwise agreed by the Parties or as required by law.

288. The Parties shall determine whether and how to retain documents beyond the expiry date of this Final Agreement where documents are produced or created by a committee established under this Final Agreement, where such documents are not subject to the *Library and Archives of Canada Act* or other such applicable legislation.

289. Save as may otherwise be agreed between the Parties, the undertaking of confidentiality which applies to the discussions and all communications, whether written or oral, made in and surrounding the negotiations leading to the Agreement-in-Principle and this Final Agreement continues in force. The Parties expressly agree that the Agreement-in-Principle and the materials and discussions related to it are inadmissible as evidence to determine the meaning and scope of this Final Agreement, which supersedes the Agreement-in-Principle.

PART XXIII – TERMINATION OF AGREEMENT

290. This Final Agreement shall be in full force and effect from the Effective Date until expiry of the Term on March 31, 2034.

291. Notwithstanding any other provision in this Final Agreement, the following provisions shall survive the termination of this Final Agreement:

(a) paragraphs 74 to 76 of PART VII – THE REFORMED FNCFS FUNDING APPROACH: FOLLOWING THE EXPIRY OF THE TERM OF THIS FINAL AGREEMENT;

(b) PART XIX – DISPUTE RESOLUTION PROCESS in so far as it is required to continue to operate and be funded to do so pursuant to paragraph 221, which details the determination of Disputes delivered prior to the expiry of this Final Agreement; and

(C)

(d) PART XXII – CONFIDENTIALITY AND RETENTION.

PART XXIV – TRIBUNAL APPROVAL, FUNDING OF LEGAL COSTS, AND EFFECTIVE DATE

Tribunal Approval

292. On initialling of this Final Agreement by the Parties' negotiators, all Parties agree to submit this Final Agreement to undergo each Party's internal approval process. If all Parties finally approve and sign this Final Agreement, the Parties shall make best efforts to procure the approval of this Final Agreement by the Tribunal or, as necessary, the Federal Court or further appellate courts.

Funding of Legal Costs

293. Until the Effective Date, ISC shall reimburse COO and NAN for reasonable legal costs related to supporting the approvals set out in paragraph 292. Following the Effective Date, ISC shall no longer reimburse COO and NAN for legal costs in relation to this Final Agreement.

Effective Date

294. This Final Agreement is conditional upon the Tribunal approving the Final Agreement without conditions and ending its jurisdiction over the Complaint and all associated proceedings in Ontario save for those proceedings related to Jordan's Principle, and upon the Tribunal ordering that the terms of this Final Agreement supersede and replace all orders of the Tribunal related to the discrimination found by the Tribunal concerning the FNCFS Program in Ontario and the 1965 Agreement. This condition will be satisfied and the Final Agreement will become effective on the "Effective Date", which is defined above as the latest of the following dates should they occur:

(a) Sixty days after the date upon which the Tribunal issues an order that it is ending its remedial jurisdiction over the Complaint and all associated proceedings in Ontario save for those proceedings related to Jordan's Principle, and that the terms of this Final Agreement supersede and replace all orders of the Tribunal related to the

discrimination found by the Tribunal concerning the FNCFS Program in Ontario and the 1965 Agreement; but

(b) where a judicial review application is commenced in the Federal Court seeking to overturn such order or orders and a stay of the order or orders is sought pending the determination of that review, a date thirty-one days after such stay application is denied; or

(c) in the event a stay is granted, a date thirty-one days after the judicial review application is dismissed.

295. In the event the order or orders that satisfy the condition in paragraph 294 are reversed or materially amended on judicial review or final appeal, this Final Agreement shall be at an end. Parties shall refer any dispute in relation to this paragraph to the Court that has made the decision on judicial review or final appeal.

296. Notwithstanding any other provision in this Final Agreement, the following provisions shall come into effect upon signature of this Final Agreement by COO, NAN and Canada:

(a) Paragraphs 181 to 190;

(b) Paragraph 292;

(c) Paragraph 293;

(d) Paragraphs 294 and 295;

(e) Paragraphs 299, 300 and 302; and;

(f) Paragraph 308.

PART XXV – ENFORCEMENT OF FUNDING COMMITMENT

297. Any and all funding commitments by Canada or amendments agreed to by the Parties in this Final Agreement remain subject to annual appropriation by the Parliament of Canada, or other necessary approval processes required by the Government of Canada.

298. Notwithstanding paragraph 297, if the Parliament of Canada does not appropriate sufficient funding to satisfy Canada's commitment in PART IV – FUNDING COMMITMENT of this Final Agreement, a Party may seek an

order from a court of competent jurisdiction that the Parties are substantially deprived of the benefit of this Final Agreement. The Party seeking such an order need not have suffered monetary loss nor shall it be necessary for a Party to prove that it is unable to perform its obligations under this Final Agreement as a result of Parliament's decision not to appropriate sufficient funding. If a court makes such an order, a Party may seek to pursue its remedies under the Complaint, or initiate a new complaint at the Tribunal. For clarity, nothing in this clause is intended to foreclose any other cause of action or remedy which may be available to the Parties.

PART XXVI – SUPERSEDING TRIBUNAL'S ORDERS

299. Within 30 days following all Parties signing the Final Agreement, the Parties shall file a joint Notice of Motion with the Tribunal seeking an order from the Tribunal that:

(a) the Final Agreement is approved;

(b) the Tribunal's jurisdiction over all elements of the Complaint in Ontario and all associated proceedings, except for Jordan's Principle, has ended; and

(c) the terms of the Final Agreement supersede and replace all orders of the Tribunal related to the discrimination found by the Tribunal concerning all elements of the Complaint in Ontario, including the FNCFS Program in Ontario and the 1965 Agreement, except for Jordan's Principle.

300. For certainty, the Parties will not seek an order to end the Tribunal's jurisdiction over the portions of the Complaint relating to Jordan's Principle at this time. The Parties agree that any orders of the Tribunal relating to Jordan's Principle shall continue to apply to Canada in Ontario, unless the Tribunal orders otherwise.

301. For clarity, the terms of this Final Agreement shall supersede and render void all previous orders of the Tribunal concerning the 1965 Agreement and the FNCFS Program in Ontario provided by Canada through ISC and any previous or successor entities, unless an order or part of an order of the

Tribunal is specifically identified in this Final Agreement as surviving and still in force following this Final Agreement.

302. For clarity, nothing in this Final Agreement nor any order of the Tribunal obtained further to paragraph 299 shall prevent COO or NAN from participating in proceedings before the Tribunal or on appeal from the Tribunal where any of Canada, the AFN or the Caring Society has brought a motion or is making submissions which may affect the rights of COO, NAN, First Nations, and FNCFS Service Providers as set out in this Final Agreement. In exercising a participation right under this paragraph, neither COO nor NAN may seek an order from the Tribunal to amend, alter, add, remove or replace the terms of the Final Agreement, which is a final resolution of all elements of the Complaint in Ontario, except Jordan's Principle.

303. A disagreement between the Parties as to whether paragraph 302 of this Final Agreement applies so as to affect COO or NAN's ability to make submissions to the Tribunal is a Dispute.

304. Nothing in this agreement shall be interpreted as prohibiting COO and NAN from exercising rights or pursuing remedies respecting matters that are outside of this Complaint. For clarity, COO and/or NAN shall not seek additional funding or remedies from the Tribunal as part of this Complaint, except in relation to Jordan's Principle.

PART XXVII – GENERAL PROVISIONS

305. This Final Agreement is to be construed as upholding the rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act*, 1982, and not as abrogating or derogating from them.

306. This Final Agreement shall not be construed as an assumption by COO or NAN of any liability to any person(s) or First Nation(s) in respect of this Final Agreement or its subject matter.

307. This Final Agreement will not be construed as an assumption by First Nations of any liability associated with the delivery of services referenced within this Final Agreement, for any period prior to the point where they have actually

assumed the provision of any such service, further to the terms of this Final Agreement, unless the First Nation has specifically assumed the provision of such services prior to the approval and application of this Final Agreement.

308. For further clarity, on execution of the Final Agreement, the Parties shall be bound by the Interim Dispute Resolution Process and Dispute Resolution Process agreed to under this Final Agreement and shall not return to the Tribunal for any purpose other than to obtain a final consent order resolving the Complaint and ending the Tribunal's jurisdiction as set out in paragraph 299 or as set out in paragraph 298.

309. Canada shall provide funding in the total amount of up to $11.02 million to COO and in the total amount of up to $6.56 million to NAN between fiscal year 2025-2026 and fiscal year 2033-2034 to support COO and NAN in completing implementation work assigned to and required of them under the Final Agreement. This funding includes amounts to support:

(a) staff positions created specifically to further work necessary to the implementation of this Final Agreement;

(b) implementation-related research;

(c) First Nation engagements;

(d) legal fees; and

(e) with respect to funding for COO, project management and contract administration costs related to the two (2) Program Assessments, the Ontario FNCFS Data Secretariat, and the initiative to support eligible First Nations youth and young adults in accessing information on post-majority support services.

310. In relation to the funding set out in paragraph 309, COO and NAN shall provide work plans at the beginning of each fiscal year and shall report at the end of the fiscal year on funding spent in that year relative to the year's work plan.

311. Per the terms of their funding agreements, COO and NAN will be able to carry forward unexpended funds for use in the following fiscal year, upon ISC's approval of an unexpended funding plan and provided that the fiscal

year is within the term of COO's or NAN's funding agreement. If necessary to expend unexpended funds and upon ISC's approval of an unexpended funding plan, ISC shall extend the term of COO's or NAN's funding agreement. ISC may adjust funding for a particular fiscal year to reflect the expected costs of planned activities or to account for unexpended funds that are carried forward.

312. The terms of this Final Agreement may only be amended by the Parties upon their unanimous consent in writing.

313. No Party shall be added to this Final Agreement once it has been signed except with the unanimous consent of the Parties.

314. Unless the context otherwise requires, references in this Final Agreement:

(a) to parts, articles, sections, paragraphs, and appendices mean the parts, articles, sections, and paragraphs of, and appendices attached to, this Final Agreement;

(b) to an agreement, instrument, or other document means such agreement, instrument, or other document as amended, supplemented, and modified from time to time to the extent permitted by the provisions thereof;

(c) to a statute means such statute as amended from time to time and includes any successor legislation thereto and any regulations promulgated thereunder; and

(d) to words applied in the plural shall be deemed to have been used in the singular, and vice versa; and the masculine shall include the feminine and neuter, and vice versa.

315. All funding provided to First Nations, FNCFS Service Providers, COO, and NAN pursuant to this Final Agreement shall be provided as a transfer payment and in accordance with the Policy on Transfer Payments, the Directive on Transfer Payments, and the Terms and Conditions of the FNCFS Program, as set out in Appendix 8 and revised from time to time in the manner outlined in paragraph 320. For greater clarity, it shall be a requirement of such funding that First Nations and FNCFS Agencies complete the planning and reporting requirements set out in paragraphs 45, 78, 85, 108 and 111(b) of this Final

Agreement and the Terms and Conditions of the FNCFS Program. For greater clarity, all funding provided to COO and NAN, except for funding provided under paragraph 128, shall be subject to a work plan submitted at the beginning of each fiscal year and a report submitted at the end of the fiscal year on funding spent in that year relative to the year's work plan.

316. All amounts in this Final Agreement have been rounded. The precise financial commitments are as set out in the financial chart attached as Appendix 1. In case of any conflict, the Parties agree that the amounts in the financial chart prevail.

317. This Final Agreement may be signed electronically and in counterpart.

PART XXVIII – APPENDICES

318. No term of this Final Agreement can be amended except as provided for in paragraph 312. However, certain appendices to this Final Agreement may be revised in accordance with this Part, except where a revision to those appendices would have the effect of amending this Final Agreement, being inconsistent with its terms, or significantly departing from the principles and purposes therein.

319. ISC may revise the following appendices to this Final Agreement on the approval of the Ontario Reform Implementation Committee:

(a) Appendix 3: Program Assessment Timelines;

(b) Appendix 4: First Nations Planning Template;

(c) Appendix 5: Agency Accountability Co-Development Planning Template;

(d) Appendix 6: Reformed FNCFS Program Schedules for Contribution Funding Agreements; and

(e) Appendix 10: Remoteness Quotient Adjustment Factor (RQAF) Methodology.

320. ISC can revise the following appendices in consultation with the Parties and may take into account the recommendations of the Ontario Reform Implementation Committee in doing so:

(a) Appendix 2: Performance Measurement Indicators and Outcomes Chart; and

(b) Appendix 8: First Nations Child and Family Services Terms and Conditions

[Remainder of page intentionally left blank; signature page follows]

FINAL AGREEMENT ON LONG-TERM REFORM OF THE FIRST NATIONS CHILD AND FAMILY SERVICES PROGRAM IN ONTARIO

AS BETWEEN:

CHIEFS OF ONTARIO

- and -

NISHNAWBE ASKI NATION

- and -

HIS MAJESTY THE KING IN RIGHT OF CANADA

As represented by the Minister of Indigenous Services

The Parties have signed this Agreement this 26th day of February 2025.

FOR CHIEFS OF ONTARIO



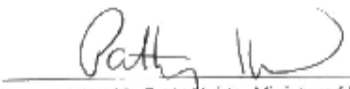
Ontario Regional Chief Abram Benedict

FOR NISHNAWBE ASKI NATION



Grand Chief Alvin Fiddler

FOR HIS MAJESTY THE KING IN RIGHT OF CANADA



The Honourable Patty Hajdu, Minister of Indigenous Services

APPENDICES

1. Financial Chart
2. Performance Measurement Indicators and Outcomes Chart
3. Program Assessment Timelines
4. First Nations Planning Template
5. Agency Accountability Co-Development Planning Template
6. Reformed FNCFS Program Schedules for Contribution Funding Agreements
7. Ontario Reform Implementation Committee Terms of Reference
8. First Nations Child and Family Services Terms and Conditions
9. Housing Funding Allocation Example
10. Remoteness Quotient Adjustment Factor (RQAF) Methodology
11. Funding and Administration of Capital Commitments
12. Modifications if the Effective Date is after March 31, 2026

Appendix 1: Financial Chart

COST CATEGORIES	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	9 YEAR TOTAL (2025-26 - 2033-34)
BASELINE (INCLUDING FUNDING UNDER THE 1965 AGREEMENT)	209,433,808	215,867,001	222,497,803	229,332,284	229,332,284	229,332,284	229,332,284	229,332,284	229,332,284	**2,023,792,311**
INFORMATION TECHNOLOGY	12,566,028	12,952,020	13,349,868	13,759,937	13,759,937	13,759,937	13,759,937	13,759,937	13,759,937	**121,427,538**
RESULTS	10,471,690	10,793,350	11,124,890	11,466,614	11,466,614	11,466,614	11,466,614	11,466,614	11,466,614	**101,189,614**
EMERGENCY	4,188,676	4,317,340	4,449,956	4,586,646	4,586,646	4,586,646	4,586,646	4,586,646	4,586,646	**40,475,848**
HOUSEHOLD SUPPORTS	5,264,670	5,426,388	5,593,071	5,764,873	5,764,873	5,764,873	5,764,873	5,764,873	5,764,873	**50,873,367**
PREVENTION	260,110,227	268,100,053	276,335,301	284,823,513	284,823,513	284,823,513	284,823,513	284,823,513	284,823,513	**2,513,486,659**
FIRST NATION REPRESENTATIVE SERVICES	79,435,454	90,318,645	93,092,969	95,952,513	95,952,513	95,952,513	95,952,513	95,952,513	95,952,513	**838,562,146**
REMOTENESS ADJUSTMENT	166,557,686	181,149,597	185,833,227	192,887,095	192,877,288	192,866,306	192,716,534	192,445,513	192,265,081	**1,689,598,327**
CAPITAL	16,335,567	91,969,753	87,818,017	67,932,616	35,386,556	36,731,245	38,127,032	39,575,859	41,079,742	**454,956,387**
POST-MAJORITY SUPPORT SERVICES	28,204,308	31,662,651	35,543,241	39,375,831	39,207,434	39,044,991	38,823,395	38,365,585	38,006,778	**328,234,214**
POST-MAJORITY AWARENESS INITIATIVE	200,000	600,000	750,000	600,000	275,000	275,000	275,000	275,000	125,000	**3,375,000**
HOUSING	82,146,086	87,022,339	89,197,893	0	0	0	0	0	0	**258,366,318**
SUBTOTAL	***874,914,200***	***1,000,179,137***	***1,025,586,236***	***946,481,922***	***913,432,658***	***914,603,922***	***915,628,341***	***916,348,337***	***917,162,981***	***8,424,337,729***
						3,887,661,965				
GOVERNANCE AND RELATED COMPONENTS										
Ontario Reform Implementation Committee and Technical Advisory Committee	1,723,748	1,758,223	1,793,387	2,092,825	1,865,840	1,903,157	1,941,220	1,980,045	2,310,648	**17,369,094**
NAN-Canada Remoteness Quotient Table and Ontario Remoteness Secretariat	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	**13,500,000**
Ontario FNCFS Data Secretariat	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	**13,500,000**
Funding for COO and NAN to Support Implementation of the Final Agreement	1,284,486	1,456,486	2,589,007	2,645,007	1,456,486	1,456,486	1,456,486	2,645,007	2,589,007	**17,578,457**
Dispute Resolution	524,485	6,890,627	3,445,313	2,296,876	0	0	0	0	0	**13,157,300**
SUBTOTAL	***6,532,719***	***13,105,335***	***10,827,708***	***10,034,708***	***6,322,326***	***6,359,643***	***6,397,706***	***7,625,052***	***7,899,655***	***75,104,851***
GRAND TOTAL	***881,446,919***	***1,013,284,472***	***1,036,413,944***	***956,516,630***	***919,754,984***	***920,963,565***	***922,026,047***	***923,973,389***	***925,062,636***	***8,499,442,580***

Note 1: All funds are contingent on Canadian Human Rights Tribunal approval.

Note 2: Figures are based on estimates of future inflation and population change, which may differ from actual rates.

Note 3: 2025-26 funding for information technology, results, emergency, household supports and remoteness adjustment is to be prorated based on the Effective Date. The 2025-26 amounts for those cost categories are maximum possible amounts.

Appendix 2: Performance Measurement Indicators and Outcomes Chart

The performance measurement elements of the Reformed FNCFS Program, such as outcomes and indicators, are subject to approval and data availability.

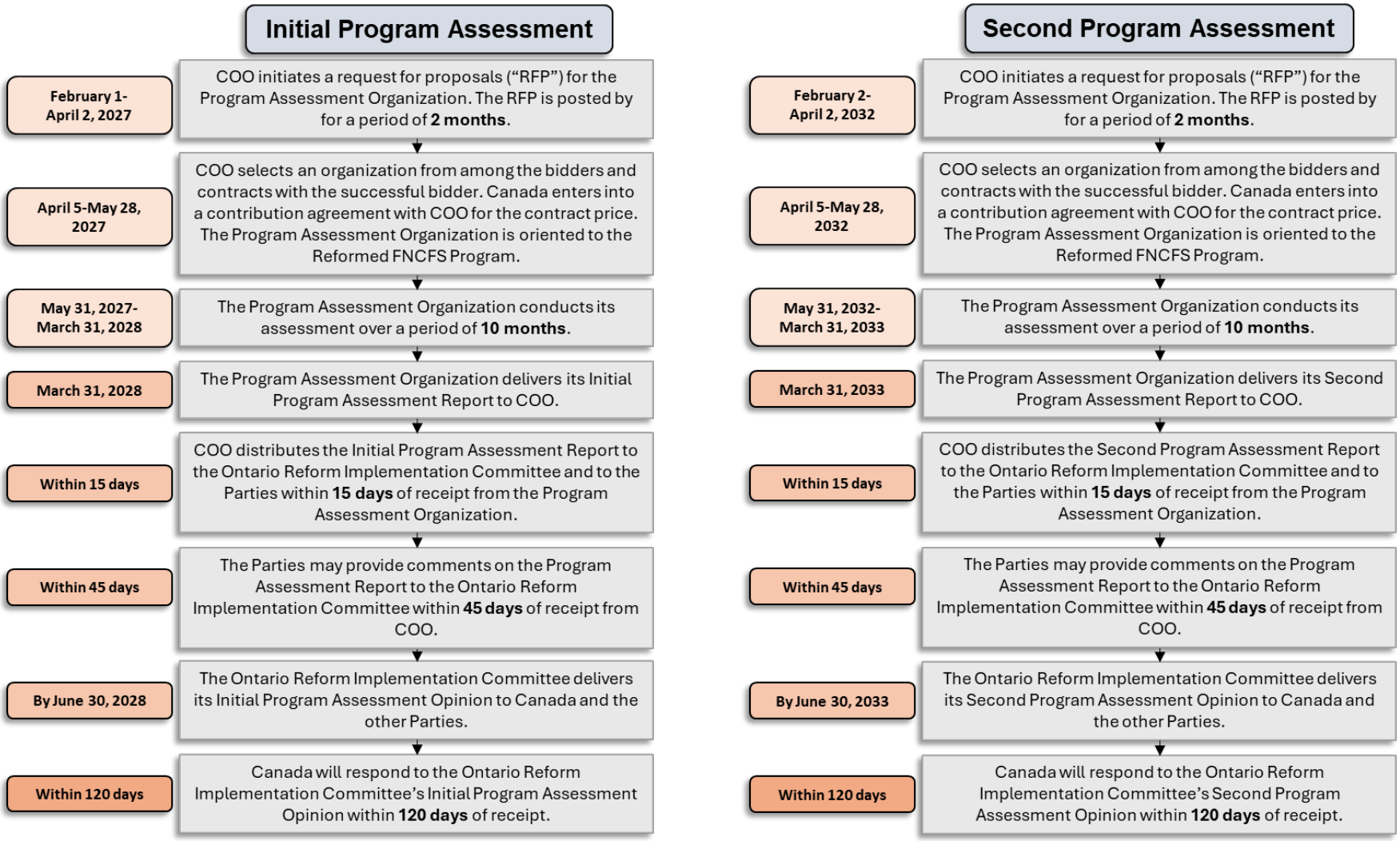
Outcomes and indicators may evolve as part of the implementation of the Reformed FNCFS Program. As a starting point, the following indicators will be used to measure the performance of the Reformed FNCFS Program.

Outcomes	**Indicators**	**Data Provider** (data to be used by ISC to calculate percentages and averages of indicators)
First Nations and FNCFS Service Providers are informed of current and upcoming service possibilities and associated delivery requirements, including roles and responsibilities.	Number of regional engagements, consultations, and workshops	ISC
	Number of attendees by affiliation (such as First Nation or FNCFS Agency) per engagement, consultation, or workshop delivered by ISC	ISC
	Number of communications and bulletins	ISC
	Percentage of attendees who indicate that they are better informed of service possibilities and delivery requirements following an engagement, consultation, or workshop delivered by ISC	ISC
First Nations and FNCFS Service Providers have the resources to plan for and deliver culturally appropriate services to First Nations children, youth, young adults, and families.	Percentage of main programming funding agreements with First Nations and FNCFS Service Providers that are in place before the start of the fiscal year	ISC
	Percentage of First Nations and FNCFS Service Providers that have accessed or built new infrastructure to support service delivery	First Nations and FNCFS Service Providers
First Nations and FNCFS Service Providers are aware of the different roles and responsibilities of First Nations and FNCFS Agencies.	Number of FNCFS training and guidance documents which are available and up to date	ISC
	Number of times FNCFS training and guidance documents have been accessed.	ISC

	Percentage of First Nations and FNCFS Service Providers with multi-year plans or child and community well-being plans	First Nations and FNCFS Service Providers
First Nations children have access to culturally adapted prevention services.	Percentage of First Nations more than two and a half hours of travel by road from the nearest office of the First Nation's affiliated FNCFS Agency or not connected to any office of that FNCFS Agency by road	ISC and FNCFS Agencies
	Number of First Nations children who are referred by an FNCFS Agency to a prevention service which, in order to access, requires more than two and a half hours of travel by road or requires travel by air or ferry	FNCFS Agencies
	Percentage of First Nations directly providing prevention services for their communities	First Nations
	Percentage of First Nations children who have access to a culturally adapted prevention service provider	First Nations and FNCFS Service Providers
First Nations children and youth have access to a culturally appropriate environment	Percentage of children in care who are placed with a family member (kinship care)	FNCFS Agencies
	Percentage of First Nations children on reserve in care where at least one of the caregivers is a First Nation individual	FNCFS Agencies
First Nations children and families have access to First Nation Representative Services.	Percentage of First Nations offering First Nation Representative Services to families	First Nations
First Nations youth aging out of care and young adults formerly in care have access to post-majority support services.	Percentage of eligible First Nations youth aging out of care and young adults formerly in care served by post-majority support services	First Nations
First Nations and FNCFS Service Providers are working collaboratively toward service delivery.	Percentage of FNCFS Agencies with a child and community wellbeing plan that has been co-developed with the First Nation(s) affiliated with the FNCFS Agency	FNCFS Agencies

First Nations and FNCFS Service Providers are working collaboratively as a network of support for children and families.	Percentage of First Nations and FNCFS Service Providers that produce and publicly share an annual report on the progress of their multi-year plans or child and community well-being plans	First Nations and FNCFS Service Providers
Protective factors are built, and risk factors are identified and addressed within families and communities	Percentage of First Nations children on-reserve in care	FNCFS Agencies
	Percentage of First Nations children and youth on reserve in care who came into care for the first time	FNCFS Agencies
	Percentage of First Nations children and youth re-entering care	FNCFS Agencies
	Number of reported cases of child maltreatment for First Nations on reserve	FNCFS Agencies
	Number of culturally appropriate prevention activities that have been provided to First Nations families on reserve	First Nations and FNCFS Service Providers
First Nations children and youth in care remain connected to their family, community, and culture	Percentage of First Nations children in care who are reunified with their families	FNCFS Agencies
	Percentage of First Nations children and youth on reserve in care who achieved permanency	FNCFS Agencies
	Average number of days in care	FNCFS Agencies
	Average number of changes in placement type	FNCFS Agencies
Post-majority support services are provided routinely to First Nations youth aging out of care and young adults formerly in care.	Average expenditures per First Nation on post-majority support services	First Nations
Thriving children and families are supported by First Nation community-driven child and family services.	ISC will use all indicators listed above to inform this outcome.	

Appendix 3: Program Assessment Timelines



Appendix 4: First Nations Planning Template

First Nation: _____ Served by (FNCFS Agency or province/territory): _____

Date: _____ Update for (if required): [insert fiscal year]

OVERVIEW
The Overview is intended to complement the information on specific initiatives and activities detailed below under the headings of Prevention, First Nation Representative Services and Post-Majority Support Services. May include the following: • key child and family well-being priorities • service priorities for the planning period • strategic priorities for the planning period

PREVENTION		
Initiatives and Activities	Link to FNCFS Agency Initiatives (if applicable)	Timeframes

FIRST NATION REPRESENTATIVE SERVICES		
Initiatives and Activities	Link to FNCFS Agency Initiatives (if applicable)	Timeframes

POST-MAJORITY SUPPORT SERVICES		
Initiatives and Activities	Link to FNCFS Agency Initiatives (if applicable)	Timeframes

FINANCIAL FORECAST			
Funding Component	FY 2026-2027	FY 2027-2028	FY 2028-2029
	Planned Expenditures	Planned Expenditures	Planned Expenditures
• Prevention			
• First Nations Representative Services			
• Post Majority Support Services			
• Household Supports			
• Information Technology			
• Results			

UNEXPENDED FUNDING PLAN (if applicable)

Total Amount of Unexpended FNCFS Program Funds to March 31, 2026: $

Reformed FNCFS Funding Component	Unexpended Funding	Description of Planned Activities	Fiscal Year Activities Will Be Conducted

SIGNATURES

First Nation Declaration and Signatures:

I declare that (First Nation name) has developed this FNCFS Multi-Year Plan.

Name	Title/Position	Signature(s)	Date

Appendix 5: Agency Accountability Co-Development Planning Template

CHILD AND COMMUNITY WELLBEING PLAN	
Planning Period: 2026-27 to 2028-2029	**Update for** (insert fiscal year)**:**
ORGANIZATION INFORMATION	
FNCFS Agency Name:	**FNCFS Agreement Number:**
Recipient Contact Name:	**First Nation(s) Served:**
ENVIRONMENTAL SCAN FOR EACH COMMUNITY SERVED	
Environmental scan would be based on data that would include information, insights, perspectives, etc. from the First Nation community or communities served. Topics must include the following: • circumstances affecting the well-being of children, youth, young adults and families, as well as the delivery of services • key child and family well-being priorities • child and family service priorities	

COLLABORATION WITH FIRST NATIONS
Must describe how the agency collaborated with the First Nations to co-develop the plan, and how the agency will work with the First Nations as the plan is implemented. Topics must include: • information sharing mechanisms and protocols, to assist First Nations in the delivery of services under the Reformed FNCFS Program • identify any supporting and/or complementary roles to affiliated First Nations in the delivery of services under the Reformed FNCFS Program • approach to the delivery of Prevention that defines and reflects the agency's and First Nations' respective roles, ensuring that services address needs in a holistic manner • how the agency will recognize and respect First Nations' delivery of First Nation Representative Services and Post-majority Support Services • the agency's planned capital projects, if any, to support the delivery of the Reformed FNCFS Program's funded services and activities • how the agency will notify the First Nation, in a manner that meets the standards set out in provincial and federal law, of a child's involvement with the agency • process for reporting to First Nations (at least annually) on delivery of the agency's planned activities and achievement of performance targets • timeline and process for working with First Nations to update the plan as required, including process for seeking approval of updates by each affiliated First Nation community. • process for the agency to work with First Nations to identify potential risks, develop risk management strategies, and modify plans accordingly • approval requirements and protocols for co-developed plan
AGENCY PLAN SUMMARY
The broad overview in the Agency Plan Summary is intended to complement the specific activities detailed in the Activity Plan below. Content, co-developed with affiliated First Nations, must include the following: • vision, priority, key operational and service initiatives • service needs on which the agency will focus during the planning period • governance structure, full-time staff qualifications, salary grid • linkages and alignment with First Nations' service initiatives

- potential risks identified
- strategies to manage financial, operational, governance or other risks
- budget considerations and usage

ACTIVITY PLAN			
Activity #1			
Timeframe		Budget (Source and Amount)	
Desired Outcome		Indicators	1) …
Activity #2			
Timeframe		Budget (Source and Amount)	
Desired Outcome		Indicators	1) …
Activity #3			
Timeframe		Budget (Source and Amount)	
Desired Outcome		Indicators	1) …
Activity #4			
Timeframe		Budget (Source and Amount)	
Desired Outcome		Indicators	1) …
Activity #5			

Timeframe		Budget (Source and Amount)	
Desired Outcome		Indicators	1) …

COMMUNITY-WELLNESS REPORTING INDICATORS	
Community Data and Reporting Requirements in Relation to Children Placed in Out-of-Home Care	Goals and Targets (to be discussed with First Nation community or communities)
Knowledge of Indigenous languages	
Connection (access) to land	
Community-based activities	
Spirituality	
Family reunification	
Placement within community (kin and kith)	
Stability (i.e. moves in care)	
Incidence of abuse while child is in care	
Reason for entry	
Housing	
Reason for exit	
Time to exit	
Referrals to pre- and post- natal services	
Referrals to medical services	
Referrals to mental health services	
Referrals to substance misuse services	
Referrals to family violence intervention services	
Referrals to FNCFS prevention services	
Early learning childhood education	
Numeracy and literacy targets	
Secondary education completion rate	
Post-secondary education aspirations	

COMMUNITY-WELLNESS REPORTING INDICATORS	
Optional Additional Well-being Indicators	Goals and Targets
List additional well-being indicators co-developed with affiliated First Nations	

FINANCIAL FORECAST			
Funding Component	FY 2026-2027	FY 2027-2028	FY 2028-2029
	Planned Expenditures	Planned Expenditures	Planned Expenditures
• Baseline (i.e., maintenance and operations)			
• Prevention (applicable if the FNCFS Agency is receiving prevention funding)			
• Post-Majority Support Services (applicable if post-majority support services funding is provided to the FNCFS Agency by its affiliated First Nations)			

UNEXPENDED FUNDING PLAN (if applicable)

Total Amount of Unexpended FNCFS Program Funds to March 31, 2026: $

Reformed FNCFS Funding Component	Unexpended Funding	Description of Planned Activities	Fiscal Year Activities Will Be Conducted

SIGNATURES

FNCFS Agency Declaration and Signature:

On behalf of (name of FNCFS Agency), I declare that this Child and Community Wellbeing plan has been informed by and co-developed with (list participating First Nations).

Name	Title/Position	Signature(s)	Date

First Nation Declaration and Signatures:

I declare that (First Nation name) has informed and co-developed this Child and Community Wellbeing Plan with (name of FNCFS Agency).

Name	Title/Position	Signature(s)	Date

(Add additional signature blocks as required for each participating First Nation.)

Appendix 6: Reformed FNCFS Program Schedules for Contribution Funding Agreements

In order to implement the provisions of the Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario (the "Final Agreement"), a number of flexibilities and requirements are to be incorporated into ISC's funding agreements with First Nations and FNCFS Service Providers in Ontario.

A new funding mechanism has been created to provide for both reallocation and carry-forward of funding to First Nations and FNCFS Service Providers pursuant to the Reformed FNCFS Funding Approach ("FNCFS funding"), as outlined below. This mechanism is referred to as the FNCFS Funding Mechanism. Clauses related to this mechanism have been drafted for inclusion in the funding mechanism Schedule of the First Nations and FNCFS Service Provider funding agreements.

- **Reallocation** – The FNCFS Funding Mechanism permits reallocation of FNCFS funding within the various streams of the Reformed FNCFS Program, with the following exceptions:
    - **Prevention funding for FNCFS Agencies** – Reallocation of prevention funding to protection is not permitted, except to fund least disruptive measures.
    - **Capital projects** – Reallocation of funding provided for capital projects is only permitted upon submission of a plan and its approval by ISC.
- **Carry-forward** – The FNCFS Funding Mechanism permits the carry-forward of unexpended FNCFS funding to the following fiscal year to ensure any unspent funds remain available to support the delivery of services funded by the Reformed FNCFS Program. ISC will align the duration of funding agreements to the greatest extent possible to the 9-year duration of the Final Agreement, with the funding for the initial funding period added upon initial implementation, and the funding for the second funding period following completion of the Initial Program Assessment. Carry-forward is permitted until the end date of the agreement, which may be extended prior to its expiry should the First Nation or FNCFS Service Provider identify a longer duration in its annual unexpended funding plan.

New provisions for FNCFS Agencies have been added to the Program Delivery Requirements Schedule in the areas of accountability, reporting, and the ability for FNCFS Agencies to redirect FNCFS funding to First Nations.

The sections of ISC's funding agreements detailing the funding mechanism and service delivery requirements can be found below.

Part A – FNCFS Agency Funding Agreement Model (Funding Agreement – Other) and First Nation Funding Agreement Model (Comprehensive Funding Agreement) – Funding Mechanisms and Preamble

Part B – FNCFS Agency Funding Agreement Model (Funding Agreement – Other) – Reformed FNCFS Program Delivery Requirements

Part C – First Nation Funding Agreement Model (Comprehensive Funding Agreement) – Reformed FNCFS Program Delivery Requirements

ISC National Funding Agreement Models: https://www.sac-isc.gc.ca/eng/1545169431029/1545169495474

Part A – FNCFS Agency Funding Agreement Model (Funding Agreement – Other) and First Nation Funding Agreement Model (Comprehensive Funding Agreement) – Funding Mechanisms (Schedule 2 of national models)

Funding under the FNCFS Funding Mechanism

1.1 [/:Name] may only expend Funding under the FNCFS Funding Mechanism:

a. for each of the Activities for which it is allocated in Schedule 3 [Schedule 4 for First Nation agreements] under the heading FNCFS Funding Mechanism or reallocated in accordance with this section; and
b. in accordance with the terms and conditions of this Agreement for those Activities, including those set out in the Delivery Requirements.

1.2 Subject to Schedule 4 [This cross-reference only required in FNCFS Agency model], [/:Name] may reallocate any Funding under the FNCFS Funding Mechanism as follows, provided that all Activities, funded by Funding under the FNCFS Funding Mechanism, are delivered in that Fiscal Year:

a. funding other than FNCFS capital project funding may be reallocated among any Activities listed under the FNCFS Funding Mechanism according to Schedule 3 [Schedule 4 for First Nation agreements];
b. FNCFS capital project funding may be reallocated only as per a plan submitted to and approved by Canada.

1.3 Subject to paragraph 30.2(c) [paragraph 20.2 for First Nation agreements] of the main body of this Agreement, if at the end of a Fiscal Year [/:Name] has not expended all Funding under the FNCFS Funding Mechanism for that Fiscal Year, [/:Name] may retain the unspent amount for expenditure in the following Fiscal Year where [/:Name]:

a. expends the unexpended Funding under the FNCFS Funding Mechanism:
    i. for purposes consistent with the Activities funded by Funding under the FNCFS Funding Mechanism; and
    ii. in accordance with the plan for unexpended funding included in [/:Name]'s annual report on their Child and Community Wellbeing Plan [FNCFS Multi-Year Plan for First Nation agreements] accepted by Canada;
b. expends the unexpended Funding under the FNCFS Funding Mechanism before the expiry or termination of this Agreement, including any extensions to this Agreement; and
c. reports on its expenditure of the unexpended Funding under the FNCFS Funding Mechanism in accordance with the *Reporting Guide* and Reformed FNCFS Program guidance.

Part B – FNCFS Agency Funding Agreement Model (Funding Agreement – Other) – Reformed FNCFS Program Delivery Requirements (Schedule 4 of national model)

Reformed First Nations Child and Family Services (FNCFS) Program Activities

7. Definitions

In this Schedule, the following terms have the following meanings. These definitions apply equally to the singular and plural forms of the terms defined:

“Child and Community Wellbeing Plan” means a multi-year plan developed jointly between FNCFS Agencies and the First Nation(s) they serve, as described in Reformed FNCFS Program guidance.

“Ontario FNCFS Data Secretariat” means the entity selected or established by the Chiefs of Ontario and Nishnawbe Aski Nation to support data collection and synthesis with respect to First Nations child and family services in Ontario.

“Ontario Reform Implementation Committee” means the committee established to oversee the implementation of the Reformed FNCFS Program.

8. Purpose and Application

8.1 The purpose of the Reformed FNCFS Program is to provide resources and funding to support the holistic and culturally appropriate delivery of child and family services to meet the needs of children, youth and families ordinarily resident on reserve or in the Yukon. The Reformed FNCFS Program funds eligible recipients to provide services that account for the distinct needs of First Nations children, youth and families, including cultural, historical and geographical circumstances.

9. Delivery Requirements for FNCFS Activities

9.1 [/:Name] shall administer Funding provided to [/:Name] for the delivery of the Reformed FNCFS Program in accordance with provincial legislation, the Reformed FNCFS Program's Terms and Conditions and any other current approved program documentation issued by ISC as amended from time to time.

9.2 Where full funding is not required for the delivery of provincial delegated services, Funding provided to [/:Name] for the delivery of the Reformed FNCFS Program may be transferred from [/:Name] to one or more of the First Nations it serves to support Activities included under Section 9.1 of this Schedule, including housing for the purposes of preventing First Nations children from being taken into care and of supporting reunification where housing is a barrier. Any transfer of Funding under this Section is subject to written notification in advance to Canada.

9.3 [:/Name] shall not reallocate for FNCFS prevention funding to protection Activities, unless those Activities are least disruptive measures.

10. Accountability to First Nations

10.1 [/:Name] shall co-develop a Child and Community Wellbeing Plan with the First Nation(s) it serves that will guide [/:Name]'s planning, design and undertaking of Activities to support the delivery of the Reformed FNCFS Program. The Child and Community Wellbeing Plan should be consistent with any existing relationship agreement between [:/Name] and the First Nation(s) it serves. [:/Name] shall fund co-development of the Child and Community Wellbeing Plan. The Child and Community Wellbeing Plan must include, as outlined in Reformed FNCFS Program guidance:

a. planned activities and associated expenditures of the FNCFS Agency with respect to Baseline Funding, emergency funding, and prevention funding, if any, over the Initial Funding Period;
b. multi-year financial forecasts including unexpended funds and how they will be spent;
c. plans for the realization of performance target set by the First Nation;
d. risk management strategies;
e. provisions for regular reporting by the FNCFS Agency to the First Nation;
f. mechanisms to facilitate the sharing of information, to assist First Nations in the delivery of services under the Reformed FNCFS Program;
g. provisions that recognize and respect First Nations' delivery of First Nation Representative Services and post-majority support services;
h. an integrated approach to the delivery of prevention services as between the FNCFS Agency and their affiliated First Nations, which delineates their respective roles and ensures support to families and their communities in the provision of holistic wrap-around services;
i. consideration for the supporting and complementary roles of the FNCFS Agency and their affiliated First Nations in the delivery of services under the Reformed FNCFS Program; and
j. provisions which provide for notification of First Nations of a child's involvement with [/:Name], in a manner that meets the standards set out in provincial and federal law.

10.2 [/:Name] must deliver services in alignment with the Child and Community Wellbeing Plan. Failure to establish or respect the requirements of the Child and Community Wellbeing Plan may impact the eligibility of [/:Name] to receive Funding through the FNCFS Mechanism, result in a program audit or the implementation of default remedies as outlined in Section 24 of this Agreement.

10.3 [/:Name] may update its Child and Community Wellbeing Plan annually, in partnership with the First Nation(s) it serves, to accommodate changes to its priorities and financial planning.

10.4 [/:Name] shall report to Canada and the First Nation(s) it serves annually on its Child and Community Wellbeing Plan.

10.5 [/:Name] shall report annually to the First Nation(s) it serves and to the Ontario FNCFS Data Secretariat on the following indicators with respect to children placed in out-of-home care, as funded by the Reformed FNCFS Program and as outlined in Reformed FNCFS Program guidance:

a. Knowledge of Indigenous languages
b. Connection (access) to land
c. Community-based activities
d. Spirituality
e. Family reunification
f. Placement within community (kin and kith)
g. Stability (i.e. moves in care)
h. Incidence of abuse while child is in care
i. Reason for entry
j. Housing
k. Reason for exit
l. Time to exit
m. Referrals to pre- and post- natal services
n. Referrals to medical services
o. Referrals to mental health services
p. Referrals to substance misuse services
q. Referrals to family violence intervention services
r. Referrals to FNCFS prevention services
s. Early learning childhood education
t. Numeracy and literacy targets
u. Secondary education completion rate
v. Post-secondary education aspirations

10.6 Canada may share reports produced under this Agreement with the First Nation(s) served by [/:Name].

10.7 Canada may report to the First Nation(s) served by [/:Name] and the Ontario Reform Implementation Committee on [/:Name]'s compliance with the terms of this Agreement.

11. Adjustments to Funding

11.1 Where a First Nation being served by [/:Name]:

a. notifies Canada in writing that it intends to transition to an entity other than [/:Name] for the delivery of protection services,
b. notifies Canada in writing that ISC is to change the allocation between the First Nation and [:/Name] of the prevention funding attributable to the First Nation, or
c. begins to be funded to exercise jurisdiction in the delivery of some or all aspects of child and family services pursuant to a self-government agreement, a treaty arrangement, a coordination agreement under *An Act respecting First Nations, Inuit*

and Métis children, youth and families, S.C. 2019, c. 24, or an alternative federal jurisdictional and funding process,

Canada may reduce or cancel [/:Name]'s Reformed FNCFS Program Funding by providing at least 60 days prior notice to [/:Name]. This notice will specify the Fiscal Year(s) and amounts in respect of which any such Reformed FNCFS Program Funding will be reduced or cancelled.

Part C – First Nation Funding Agreement Model (Comprehensive Funding Agreement) – Reformed FNCFS Program Delivery Requirements (Schedule 5 of national model)

8. Activities Funded by Set, Fixed, Flexible, FNCFS Mechanism or Grant Funding for ISC

ACTIVITY DELIVERY REQUIREMENTS, COST- SHARING AND ADJUSTMENT FACTORS			
ACTIVITY	**DELIVERY REQUIREMENTS**	**COST-SHARING**	**ADJUSTMENT FACTOR**
Reformed First Nations Child and Family Services Program	[/:Name] shall administer the First Nations Child and Family Services Program in accordance with provincial legislation, the First Nation Child and Family Services Program's Terms and Conditions and any other current approved program documentation issued by ISC as amended from time to time.		insert an Adjustment Factor when applicable

Appendix 7: Ontario Reform Implementation Committee Terms of Reference

1. Establishment, Purpose, and Term

1.1 The Ontario Reform Implementation Committee (the "**Committee**") is established, as described in the Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario (the "**Final Agreement**").

1.2 The Committee shall oversee and monitor the implementation of the Reformed First Nations Child and Family Services ("**FNCFS**") Program in Ontario.

1.3 The term of the Committee will be the same duration as the term of the Final Agreement.

1.4 Capitalized terms used herein but not defined shall have the meaning ascribed to such term in the Final Agreement.

2. Recommending Power

2.1 The Committee is the sole entity charged by the Final Agreement with making recommendations to Canada in regard to the Reformed FNCFS Program in Ontario.

2.2 The Committee can make recommendations in relation to the implementation of the Reformed FNCFS Program in Ontario, as provided for in the Final Agreement.

2.3 The Committee will receive input, recommendations, and/or observations from the Parties to the Final Agreement (the "**Parties**"), the following entities listed below, and any successors or additional entities constituted and/or unanimously endorsed by the Parties:

(a) NAN-Canada Remoteness Quotient Table;

(b) Ontario Remoteness Secretariat;

(c) Ontario FNCFS Data Secretariat;

(d) Systemic Review Committee; and

(e) Technical Advisory Committee.

3. Membership

3.1 The Committee shall consist of eight (8) members (each, a "**Member**") as identified in Part XIV – A. Ontario Reform Implementation Committee of this Final Agreement.

3.2 A Member appointed by a Party may be removed at any time by the Party that appointed said Member. A Party shall provide the Committee with reasonable notice of its intention to remove its appointed Member in accordance with this section. The Party shall also provide the Committee with confirmation of its replacement Member.

3.3 An at-large Member may be removed at any time by the Ontario Chiefs-in-Assembly.

3.4 Any Member may be removed at any time by agreement of at least six Members, notwithstanding paragraph 4.5.

3.5 In the event of a vacancy of a Party's Member due to resignation, removal or inability to serve, the Party who appointed that Member shall appoint a replacement Member as soon as reasonably possible and the replacement Member shall serve for the remainder of the term of the Party's incumbent Member.

3.6 In the event of a vacancy from among the at-large Members, the COO Leadership Council may appoint an at-large Member to serve on an interim basis until the Ontario Chiefs-in-Assembly appoints a replacement at-large Member.

3.7 Members appointed in the Initial Funding Period shall serve from the date of appointment until March 31, 2029. Members appointed in the Second Funding Period shall serve from the date of appointment until March 31, 2034. The above is subject to a Member being removed pursuant to paragraph 3.2, 3.3 or 3.4 or the Member indicating that they are unwilling or unable to continue as a Member. Members appointed in the Initial Funding Period may be reappointed in the Second Funding Period.

3.8 Each Member will execute the confidentiality agreement appended to these Terms of Reference as **Schedule A** prior to being appointed as a Member.

Chair of the Committee

3.9 The Committee shall have one (1) Chair (the "**Chair**") with additional responsibilities in organizing the affairs of the Committee. The responsibilities of the Chair are described in 6.3.

3.10 The Chair shall be selected by agreement of at least six (6) Members, notwithstanding paragraph 4.5.

3.11 The Chair's term shall be one (1) year. The Chair may be removed at any earlier time by agreement of at least six (6) Members, notwithstanding paragraph 4.5. Following expiry of the Chair's term or the Chair's indication that they are unwilling or unable to continue as the Chair, a subsequent Chair shall be selected. For clarity, a Chair may serve more than one (1) term.

3.12 The Chair will retain their vote as a Member of the Committee.

3.13 The Chair shall designate a Member as a Vice Chair. If the Chair is temporarily unable to carry out their responsibilities, the Vice Chair shall carry out those responsibilities during that temporary period.

4. Meetings

4.1 The Committee shall meet monthly, either in-person or virtually, unless the Committee determines that more or less frequent meetings are required. Members shall have the option of virtual attendance in all Committee meeting organized as in-person meetings.

4.2 The Administrative Team (defined below) shall provide notice to all Members regarding the date, time, and location of a Committee meeting at least two (2) weeks prior to such meeting. The notice period may be shortened to address circumstances which require less notice, as determined by the Chair, except where the Committee meeting will include a vote on any of the following, in which case the notice shall clearly communicate to Members that such a vote will take place:

(a) advice to COO on the selection of the Program Assessment Organization;

(b) a Program Assessment Opinion to be provided to Canada;

(c) an appointment to the Technical Advisory Committee or the terms of reference for the Technical Advisory Committee; or

(d) the content of the annual report on implementation of the Final Agreement.

4.3 Where possible, the Chair shall be responsible for ensuring that meeting materials are provided to all Members at least one (1) week prior to the scheduled meeting to which the materials are relevant. Meeting records and other materials that result from a Committee meeting shall be provided to all Members within two (2) weeks following the meeting.

4.4 A quorum at a Committee meeting shall be met with the attendance of at least five (5) Members or alternate Members.

4.5 Decisions by the Members shall be made by consensus. If consensus is not possible, decisions will be put to a vote and will be considered adopted if a simple majority of Members vote in favour at a duly convened meeting where there is quorum. In the event of a tie, decisions will be deferred to the next subsequent meeting of the Committee for reconsideration. Should the tie persist, the matter will be considered defeated.

4.6 Records of decision made by the Committee shall be public.

4.7 A decision made by the Committee does not necessarily reflect the view of any one Member or Party.

4.8 A Member may designate an alternate to attend any Committee meeting. For clarity, a Member’s alternate need not be the same person at each Committee meeting. An alternate shall have all the rights and privileges of the Member at the Committee meetings that the alternate attends, except that the alternate shall not be entitled to vote on:

(a) advice to COO on the selection of the Program Assessment Organization;

(b) a Program Assessment Opinion to be provided to Canada;

(c) an appointment to the Technical Advisory Committee or the terms of reference for the Technical Advisory Committee; or

(d) the content of the annual report on implementation of the Final Agreement.

4.9 At the request of any Member, non-Members may attend meetings subject to the following terms:

(a) the attendance of non-Members at meetings is subject to approval by a decision of the Committee;

(b) non-Members approved to attend Committee meetings pursuant to (a) may participate in discussions when called upon by the Chair; however, they are not entitled to a vote and cannot participate in the decision-making process of the Members described in paragraph 4.5;

(c) non-Members approved to attend Committee meetings pursuant to (a) will attend at their own expense; and

(d) prior to attending a Committee meeting, non-Members shall execute the confidentiality agreement appended to these Terms of Reference as **Schedule A**.

4.10 Notwithstanding paragraph 4.9, if a Member intends to bring legal counsel to a Committee meeting, the Member must give notice to all Members one week in advance of the meeting. All other Members shall each be entitled to invite one (1) legal counsel to the meeting.

5. Administrative Team

5.1 An administrative team consisting of employees of Indigenous Services Canada (the "**Administrative Team**") shall be established to support the operation of the Committee and the Chair in conducting the affairs of the Committee.

6. Responsibilities

6.1 The responsibilities of the Committee include:

(a) Overseeing and monitoring the implementation of the Reformed FNCFS Funding Approach in Ontario and recommending adjustments to the Reformed FNCFS Program in Ontario to Canada as provided for in the Final Agreement;

(b) Advising on the selection of and supporting the work of the Program Assessment Organization;

(c) Receiving and reviewing Program Assessment Reports from the Program Assessment Organization, preparing Program Assessment Opinions and

executive summaries, and providing Program Assessment Opinions and executive summaries to the Parties and the public;

(d) Advising on the development of guidance documents to support First Nations and FNCFS Service Providers in seeking capital funding;

(e) Receiving reports from the Ontario FNCFS Data Secretariat in relation to the implementation and efficacy of the Reformed FNCFS Program;

(f) Receiving reports from the NAN-Canada Remoteness Quotient Table;

(g) Receiving regular updates from the NAN-Canada Remoteness Quotient Table on research with Statistics Canada to improve measurement of the remoteness of communities connected to the main road network by ferry;

(h) Receiving reports from ISC on the compliance of FNCFS Agencies with their funding agreements, including compliance with child and community wellbeing plans;

(i) Jointly developing with ISC cultural humility training for ISC employees that support implementation of this Final Agreement.

(j) Establishing a Systemic Review Committee as a subcommittee and establishing its terms of reference;

(k) Receiving advice from the Systemic Review Committee of any trends of concern it finds and recommendations to address and remedy any of its findings;

(l) Establishing a Technical Advisory Committee as a subcommittee and establishing its terms of reference;

(m) Receiving technical advice from the Technical Advisory Committee on implementation of the Reformed FNCFS Program; and

(n) Publishing an annual report on the progress of the implementation of this Final Agreement to be made available to the public, which will be provided to the Parties prior to being released to the public.

6.2 The responsibilities of the Members include:

(a) making all reasonable efforts to attend meetings of the Committee or appoint an alternate to attend. In the event that a Member is unable to attend a meeting, they must advise the Chair of such and if an alternate will attend the meeting on behalf of the Member;

(b) acting in accordance with these Terms of Reference and other applicable protocols and guidance of the Committee;

(c) in the event of a personal conflict of interest, to disclose such conflict to the Committee and to recuse themself from any discussion, decision, debate, or vote on any matter in respect of which they would be in such a personal conflict of interest; and

(d) participating in the activities of the Committee and its decision-making.

6.3 The responsibilities of the Chair include:

(a) the responsibilities of Members as outlined in paragraph 6.2;

(b) developing the meeting agenda in consultation with the Committee and presiding over meetings;

(c) ensuring that the Terms of Reference and other applicable protocols and guidance of the Committee are respected;

(d) ensuring that meetings are carried out effectively, including by encouraging participation from all members, and that all relevant matters are addressed; and

(e) liaising with the Administrative Team to ensure that meetings are adequately supported.

6.4 The Administrative Team's responsibilities include:

(a) preparing and distributing meeting materials and records before and after meetings;

(b) maintaining a repository of Committee documents including meeting records, presentations, and reports;

(c) providing logistical and administrative support to the Chair and Members; and

(d) providing other support as determined by the Chair or the Committee.

6.5 In addition to the Systemic Review Committee and the Technical Advisory Committee, the Committee may form one or more sub-committees as it deems necessary to carry out its responsibilities.

7. Other Matters

7.1 These Terms of Reference complement the provisions of the Final Agreement on the mandate, membership and other aspects of the Committee. If there is a conflict between these Terms of Reference and the Final Agreement, the Final Agreement shall prevail.

7.2 Additional operational protocols or guidance may be developed by the Committee, as appropriate. If there is a conflict between an additional protocol or guidance and these Terms of Reference, the Terms of Reference shall prevail.

7.3 The Terms of Reference may be amended at any time on the unanimous agreement of the Parties.

SCHEDULE A

CONFIDENTIALITY AGREEMENT

MEMBERS AND ATTENDEES OF THE REFORM IMPLEMENTATION COMMITTEE

WHEREAS the Chiefs of Ontario, Nishnawbe Aski Nation, and Canada (the "**Parties**") entered into an agreement that resolves all outstanding issues in the *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada File No. T1340/7008* proceedings related to the reform of the FNCFS Program in Ontario, resulting in the Final Agreement on the Long-Term Reform of the FNCFS Program in Ontario dated February 26, 2025, and the related order, XX;

AND WHEREAS the Parties to the Final Agreement on the Long-term Reform of the FNCFS Program in Ontario require Members of the Ontario Reform Implementation Committee and non-Member attendees at Ontario Reform Implementation Committee meetings ("**Members and Attendees**") to preserve the confidentiality of the information which is disclosed to them for the purposes of fulfilling the Ontario Reform Implementation Committee's mandate and wish to set out in this agreement the rights, obligations, and sanctions with respect to the disclosure and use of their confidential information (this "**Confidentiality Agreement**");

NOW THEREFORE, the below signatories hereby agree as follows:

1. This Confidentiality Agreement reflects the requirements of the Parties to the Final Agreement on the Long-term Reform of the FNCFS Program in Ontario and the ongoing commitments of Members and Attendees to confidentiality.

2. The content of the discussions of the Ontario Reform Implementation Committee or information shared during its meetings, including but not limited to any proposals, documents, and/or suggestions, shall be kept confidential.

3. Members and Attendees shall not share any information or content obtained during meetings of the Ontario Reform Implementation Committee or related discussions with the public, third parties, or the media. Without limiting the generality of this provision, this includes the dissemination of information by way of live streaming, social media, electronic means, or by way of the physical sharing of documents.

4. Members are permitted to share information with their political leaders, officials, technical staff and advisors, and such other persons as agreed upon by the Committee, to the extent necessary to fulfill the mandate of the Ontario Reform Implementation Committee and keep those individuals informed of the progress in implementing the Final Agreement on Long-Term Reform of the First Nations Child and Family Services Program in Ontario. These additional people must be made aware of and agree to abide by the provisions of this Confidentiality Agreement.

5. Members and Attendees are free to publicly share their own aspirational views on the long-term reform of the FNCFS Program in Ontario, provided that nothing is shared in relation to the discussions, meetings, decisions, or other interactions of the Ontario Reform Implementation Committee.

6. Members and Attendees shall promptly return any information provided to them in the context of their role as a Member or attendee upon request of the Parties, upon their replacement, or upon the termination of their participation.

7. Members and Attendees shall keep all information or documents in their control and possession secure, accept full responsibility for the confidentiality of the information, and take every reasonable step to prevent unauthorized persons from examining and/or copying this information.

8. The terms of this Confidentiality Agreement survive the termination of each Member's membership and each Attendee's participation.

By executing this Agreement, the signatory represents their ongoing commitment to confidentiality and that any infringement by them of these provisions may be grounds for legal action. They further understand and accept their ongoing responsibilities and commitments set out above relating to confidential information.

Signatories:

Date:	Date:
_____	_____
Name:	Name:
Date:	Date:
_____	_____
Name:	Name:
Date:	Date:
_____	_____
Name:	Name:

Appendix 8: First Nations Child and Family Services Terms and Conditions

This document presents the amendments to FNCFS Terms and Conditions that will be made to support the implementation of the Ontario Final Agreement. The inclusion of Appendix A: Reformed FNCFS Program in Ontario as well as the underlined and highlighted amendments in the national Terms and Conditions will be implemented on the Effective Date of the Ontario Final Agreement. Note these changes are presented against updated FNCFS Terms and Conditions (effective April 1, 2025).

FNCFS Terms and Conditions: Contributions to provide children, youth, young adults, families and communities, with prevention and protection services

Table of contents

- Context
- 1. Introduction
- 2. Authority
- 3. Purpose, objective and outcomes
  - 3.1 Purpose
  - 3.2 Objective
  - 3.3 Outcomes
- 4. Eligible FNCFS funding recipients
- 5. Eligible program activities
  - 5.1 Protection: Child protection, guardianship and support
  - 5.2 Maintenance and care
  - 5.3 Prevention
  - 5.4 Post-majority support services
  - 5.5 First Nation Representative Services
  - 5.6 Supporting initiatives
- 6. Eligible expenditures
  - 6.1 Protection
  - 6.2 Maintenance and care
  - 6.3 Prevention
  - 6.4 Post-majority support services
  - 6.5 First Nation Representative Services
  - 6.6 Supportive initiatives
  - 6.7 Capital
- 7. Application requirements and assessment criteria
- 8. Method for determining the amount of funding
  - 8.1 Capital assets

- 8.2 First Nations and FNCFS Service Providers
- 8.3 Supporting initiatives

- 9. Maximum amount payable
- 10. Basis for payment
- 11. Stacking limits
- 12. Performance measurement and reporting
  - 12.1 Performance measurement
  - 12.2 Financial reporting
- 13. Official languages
- 14. Redistribution of contributions
- Appendix A: Reformed FNCFS Program in Ontario
  - A.1 Context
  - A.2 Program services, funding strategies and initiatives in Ontario
  - A.3 Eligible FNCFS funding recipients in Ontario
  - A.4 Type and nature of eligible expenditures in Ontario
  - A.5 Application requirements and assessment criteria in Ontario
  - A.6 Program funding in Ontario
    - A.6.1 Method for determining the amount of funding
      - A.6.1.1. Prevention services
      - A.6.1.2 Post-majority support services
      - A.6.1.3 First Nation Representative Services
      - A.6.1.4 Child protection services (Baseline funding)
      - A.6.1.5 Information technology funding strategy
      - A.6.1.6 Results funding strategy
      - A.6.1.7 Emergency funding strategy
      - A.6.1.8 Household support funding strategy
      - A.6.1.9 Funding adjustment
      - A.6.1.10 Supporting initiatives
    - A.6.2 Maximum amount payable
    - A.6.3 Funding mechanism approach
      - A.6.3.1 FNCFS funding mechanism ("Flexible Funding Approach")
      - A.6.3.2 Fixed funding approach
    - A.6.4 Basis for payment
      - A.6.4.1 Advance and progress payments
      - A.6.4.2 Holdbacks
  - A.7 Program planning and reporting in Ontario
    - A.7.1 First Nation Multi-Year Plan
    - A.7.2 Child and Community Wellbeing Plan
    - A.7.3 FNCFS Program plan
    - A.7.4 FNCFS Unexpended Funding Plan
  - A.8 Effective date

Context

In January 2016, the Canadian Human Rights Tribunal (CHRT or Tribunal) ordered Canada to cease its discriminatory practices and reform the First Nations Child and Family Services (FNCFS) program and the 1965 Agreement with the Province of Ontario. This order, and subsequent orders, arose from a human rights complaint filed by the First Nations Child and Family Caring Society of Canada and the Assembly of First Nations in 2007. Canada accepts the orders and acknowledges that the discriminatory funding as found by the CHRT has created various adverse impacts for many First Nations children, youth and families. More details on these decisions are available online through the Canadian Human Rights Tribunal.

On February 26, 2025, Canada, the Chiefs of Ontario and Nishnawbe Aski Nation reached a Final Agreement on Long-Term Reform of the FNCFS Program in Ontario. The agreement came into effect on [Effective Date of the Ontario Final Agreement] following approval by the CHRT. The agreement supersedes and replaces all CHRT orders relating to the FNCFS Program in Ontario. Appendix A to these terms and conditions supports the implementation of the Reformed FNCFS Program in Ontario.

Outside of Ontario, these terms and conditions continue to improve aspects of the program that were determined by the Tribunal to be discriminatory. These transitional terms and conditions are to support the implementation of the immediate measures toward reform of the child and family services program. Outside of Ontario, where there are inconsistencies between these terms and conditions and the Canadian Human Rights Tribunal decisions or decisions by any other Canadian court, in the context of the *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (T1340/7008)* matter, the orders prevail and Canada will amend these terms and conditions to comply with the applicable orders. The changes also support the broader reform of the program to address discrimination identified by the Tribunal (2016 CHRT 2) which focused on addressing the real needs of First Nations children, youth and families living on reserve or in Yukon and preventing the perpetuation of historical disadvantage.

Canada is committed to a child and family services program that promotes culturally-based and substantively equitable funding to support interventions to ensure the well-being and continuity of family, community and that cultural connections are preserved for First Nations children, including those in alternate care.

The intention is that these terms and conditions are consistent with the United Nations Convention on the Rights of the Child (UNCRC). Changes to the FNCFS Program emphasize that children and family well-being, including, the safety and best interest of child(ren) are paramount and that cultural and linguistic connections should be upheld.

Canada is committed to working with partners, including provinces and Yukon, to transition the program to be needs based, impartial and inclusive, child-centered, community-directed, and focused on prevention and early intervention.

Outside of Ontario, these Terms and Conditions are transitional in nature, and the purpose is to advance reform and help move the program toward a child, youth, young adult, family, and community focused approach to service delivery. The program intends to support the well-being of First Nations children, youth, young adults, families, and communities, and recognizes program delivery is unique and complex. A centered approach to service delivery promotes, cultural safety, reunification, repatriation, interconnectedness and seeks to prevent separating a child or youth from their family, wherever possible, while ensuring supports are in place that enable children, youth, young adults and families to thrive. Prevention programming enriches options to enhance protective factors and promote positive outcomes.

1. Introduction

The First Nations Child and Family Services (FNCFS) program oversees, administers and provides contribution funding for the ongoing provision of culturally appropriate prevention, including early intervention, and legislated protection services, including least disruptive measures, to respond to children at risk of harm or maltreatment, support family preservation and well-being, including cultural and linguistic connections for First Nations children, youth and families ordinarily resident on reserve or in Yukon. Canada recognizes the need for culturally-appropriate child and family services that would speak to the unique needs and circumstances of First Nations children and families, as defined by First Nations.

As of January 1, 2020, child and family services provided to Indigenous children must be delivered in accordance with the national principles and minimum standards set in *An Act respecting First Nations, Inuit and Métis children, youth and families* (The Act). The Act's national principles of substantive equality, cultural continuity, and the best interests of the child have been established to help guide the provision of Indigenous child and family services while supporting Indigenous groups and communities should they choose to transition toward exercising partial or full child and family services jurisdiction at a pace and time that they choose. Until an Indigenous group, community or people exercises jurisdiction utilizing the framework of the Act, agreements related to existing service providers remain valid unless the Indigenous groups and service provider concerned decide otherwise.

As of April 1st, 2022, the FNCFS Program funds post-majority support services to youth ageing out of care and young adults who were formerly in alternative care up to their 26th birthday across all provinces and in Yukon. Children are defined as persons under the age of majority, which means the age at which a person is granted the rights and responsibilities of an adult, in accordance with applicable child and family and First Nations legislation. Young adults are defined as persons

who have reached the age of majority as defined in applicable First Nations, provincial/territorial legislation and have not reached their 26th birthday.

Child and family services, including First Nation Representative Services (formerly known as Band Representative Services in Ontario), are provided in accordance with the Act as well as applicable legislation and standards of the province, Yukon or First Nation.

Funding under the FNCFS Program is available to First Nation communities who are not receiving funding through a federal funding transfer agreement for child and family related services.

In order to provide equal opportunity and achieve equitable results and outcomes, the program supports variations in service provision.

2. Authority

The FNCFS Program is delivered across Canada under the authority of the *Department of Indigenous Services Act*, S.C., 2019, c. 29, s.336., which provides the Minister of Indigenous Services with powers, duties and functions that extend to and include all matters over which Parliament has jurisdiction and that are not by law assigned to any other department, board or agency of the Government of Canada, relating to the provision of services to Indigenous individuals who are eligible to receive those services under an Act of Parliament or a program of the Government of Canada for which the Minister is responsible.

The Canadian Human Rights Tribunal orders relating to the FNCFS Program outside of Ontario include the reform of the FNCFS Program, including ceasing discriminatory practices, protocol on consultations, determination of budget, funding deficiencies, and immediate funding relief. Certain remedial orders are intended to address the discrimination identified by the CHRT and prevent its recurrence. More details on decisions are available on the Tribunal's website or by clicking on the CHRT decision links below:

- January 26, 2016, order, (2016 CHRT 2)
- April 26, 2016, order, (2016 CHRT 10)
- September 14, 2016, order, (2016 CHRT 16)
- February 1, 2018, order, (2018 CHRT 4)
- August 11, 2020 order (2020 CHRT 24)
- February 11, 2021, order, (2021 CHRT 6)
- March 17, 2021, order (2021 CHRT 12)
- January 18, 2022, order, (2021 CHRT 41)
- March 24, 2022, order, (2022 CHRT 8)

3. Purpose, objective and outcomes

3.1 Purpose

The FNCFS Program is intended to provide resources and funding to support the holistic and culturally appropriate delivery of prevention and protection services to meet the needs of children, youth and families ordinarily resident on reserve or in Yukon. The FNCFS Program funds eligible recipients to provide services that account for the distinct needs of First Nations children, youth and families including cultural, historical and geographical circumstances. Child and family services also includes post-majority support services.

3.2 Objective

The objective of the FNCFS Program is to support thriving children, youth, young adults, families and communities by funding eligible recipients, as outlined in Section 4, to deliver prevention and protection services such as child protection, guardianship and support and child maintenance and care for children and families ordinarily resident on reserve or in Yukon; and in Section 7, to deliver First Nations Representative Services.

Services under the FNCFS Program will be provided in an inclusive and impartial manner based on substantive equality to address the specific needs and circumstances of First Nations children and families living on reserve or in Yukon. Services may take into account First Nations' cultural, historical and geographical needs and circumstances, in a manner that accounts for the best interest of the child, as defined by First Nations. Funding under the program will also consider cost drivers related to inflation and increased needs or numbers of children in care and their families or children and families receiving FNCFS services; including prevention services.

The program provides access to linguistic supports such as translation or interpretation services of Indigenous languages, where appropriate, to ensure a culturally appropriate service delivery pursuant to Canada's authorities under the *Indigenous Languages Act*.

3.3 Outcomes

Indigenous Services Canada’s Departmental Results Framework consists of the department’s Core Responsibilities, Departmental Results and Departmental Results Indicators. The FNCFS Program contributes to the following Departmental Results Framework result: *Indigenous Peoples are culturally safe and socially well*.

The FNCFS Program aims to achieve the following immediate, intermediate and ultimate outcomes:

Immediate: 1 to 2 years

- First Nations and FNCFS Service Providers are informed of current and upcoming service possibilities and associated delivery requirements, including roles and responsibilities
- First Nations and FNCFS Service Providers have the resources to plan for and deliver culturally appropriate services to First Nations children, youth, young adults, and families
- First Nations and First Nation Service Providers are aware of the different roles and responsibilities of First Nations and FNCFS Agencies
- First Nations children have access to culturally adapted prevention services
- First Nations children and youth have access to a culturally appropriate environment
- First Nations children and families have access to First Nation Representative Services
- First Nations youth aging out of care and young adults formerly in care have access to post-majority support services

Intermediate: 3 to 5 years

- First Nations, FNCFS Agencies and First Nation Service Providers are working collaboratively toward service delivery
- First Nations, FNCFS Agencies and First Nation Service Providers are working collaboratively as a network of support for children and families
- Protective factors are built, and risk factors are identified and addressed within families and communities
- First Nations children and youth in care remain connected to their family, community, and culture
- Post-majority support services are provided routinely to First Nations youth aging out of care and young adults formerly in care

Ultimate: 5 years and beyond

- Thriving children and families are supported by First Nation community-driven child and family services

4. Eligible FNCFS funding recipients

The following section does not apply in Ontario. Eligible FNCFS funding recipients in Ontario and funding available to them under the Reformed FNCFS Program in Ontario are outlined in Appendix A, Section A.3.

1. **First Nation(s),** meaning a "band" as defined in subsection 2(1) of the Indian Act, RSC, 1985, C 1-5, as amended, and which is delivering services and receives funding under the FNCFS Program.
2. **FNCFS Service Provider:**
    a) **FNCFS agency,** meaning an agency established by and affiliated with one or more First Nations and fully or partially delegated or authorized pursuant to provincial or other authorities to provide legislated child welfare services on reserve.
    b) **First Nation Service Provider,** meaning an entity authorized by the First Nation to support the implementation of the FNCFS Program, and the delivery of services, on reserve, including non-delegated service providers, not-for-profit First Nation organizations, and mandated organizations (i.e. Tribal Councils or regional Indigenous organizations).
3. **Provincial and Yukon Governments,** meaning a provincial or Yukon government responsible for delivering and/or delegating the authority to deliver legislatively mandated child and family services (i.e. child protection and intervention services) in accordance with the respective jurisdiction's child and family services law.
4. **National, Regional and Local Organizations**, meaning an organization representing First Nations in Canada on a local, regional or national basis, and has a mandate to protect and promote the social and cultural interests of First Nations as they relate to the implementation and delivery of FNCFS Program.

The table below outlines the FNCFS services and initiatives available to eligible FNCFS funding recipients outside of Ontario.

FNCFS Program services and initiatives	Eligible FNCFS funding recipients
FNCFS Program services	
Child Protection Services (child protection, least disruptive measures, guardianship and support and maintenance and care)	• FNCFS agency • First Nation Service Provider, pursuant to applicable child and family legislation • Provincial and Yukon Governments
Prevention services	• First Nation • FNCFS agency • First Nation Service Provider, if requested by the First Nation(s)

Post-majority support services	• First Nation • FNCFS agency • First Nation Service Provider, if requested by the First Nation(s)
First Nation Representative Services	• First Nation • First Nation Service Provider, if requested by the First Nation(s) • FNCFS agency, if requested by the First Nation
Other FNCFS Program initiatives	
Supporting initiatives	• First Nation • FNCFS Service Provider • National, regional and local organizations

5. Eligible program activities

The following section does not apply in Ontario. Eligible program activities under the Reformed FNCFS Program in Ontario are outlined in Appendix A, Section A.2.

The following are the eligible streams of activities:

- Child protection, guardianship and support (Section 5.1): agency operations, service delivery to support the provision of protection services, multi-year planning (Section 5.1.1)
- Maintenance and care (Section 5.2): direct services related to placing First Nations children into temporary or permanent care out of the parental home
- Prevention (Section 5.3): resources to support the delivery of prevention services
- Post-majority support services (Section 5.4): resources to support the delivery of post-majority support services
- First Nation Representative Services (Section 5.5): resources to support the delivery of First Nation Representative Services
- Supporting initiatives (Section 5.6): resources to support implementation of the FNCFS Program.

5.1 Protection: Child protection, guardianship and support

The intention of protection funding is to ensure children and youth are safe, well, healthy, and living free of harm or child maltreatment, in the context of the provision of child and family services. Protection is not intended to be punitive and can be framed as a support to communities and families. Protection and prevention services are not mutually exclusive.

Least disruptive measures are measures that flow from a child maltreatment assessment or investigation and are critical to safety planning for children and families involved with child and family services and include:

- targeted actions or services that meet the threshold of risk for involvement with an FNCFS agency. These actions or services seek to prevent separating children or youth from their families or support reunification of families, while ensuring supports are in place that mitigate the risk of child maltreatment or harm; and
- supports to children, youth and families who have been identified by an FNCFS agency as being at risk, and is undergoing an assessment of child maltreatment or harm.

Child protection services are prompted when a child, ordinarily resident on reserve or in Yukon, registered or entitled to be registered under the *Indian Act*, is identified as potentially being at risk of harm or maltreatment.

Protective child and family services must be delivered in accordance with the federal Act, provincial, territorial or First Nation legislation and standards, and are funded accordingly. As of January 1, 2020, service providers delivering these services must also comply with the national principles and minimum standards set in the Act.

Eligible services and activities include:

- intake, assessment and investigation of child maltreatment reports, including after-hours services
- intervention planning implementation and evaluation to address identified risks and promote protective factors (least disruptive measures)
- after hours and crisis line services
- alternative dispute resolution services and proceedings, such as family group conferencing
- legal fees associated to child and family services, or other legal fora
- supervision orders
- guardianship, voluntary and special needs custody agreements
- adoption and customary care services
- community and stakeholder engagement and education on child and family services and child maltreatment including associated risk and protective factors
- placement development including recruiting, assessing, training, supporting, monitoring and evaluating care providers
- placement services, community liaison and outreach
- alternative care resource development, training, support and monitoring
- services to support the delivery of culturally appropriate supports and intervention services
- placement planning, development and implementation provisions, culturally-based standards that could be applied by First Nations for child welfare

5.1.1 Multi-year planning

Each FNCFS agency and service provider with an existing plan for child and family services can update this plan to outline agency/service provider's response to needs and priorities identified within the communities it serves, including how service delivery will be coordinated with other service providers, and contribute to the expected outcomes. The plans are intended to provide a better understanding of priorities and alignment with the First Nations needs over the medium-term and how to best support these priorities going forward.

Eligible activities include:

- community consultations and coordination to support the development, implementation and the delivery of child and family services
- stakeholder, and community engagement and education
- policy development to support the delivery of FNCFS programming
- design of service and delivery models including staffing requirements
- design, implementation and evaluation of change management
- development and implementation of operational plans
- strategic planning and implementation
- negotiation and implementation of agreements
- development, implementation and evaluation of service standards and outcomes
- development and implementation of cultural services and supports
- development, implementation and evaluation of emergency measures related to child, youth and family (for example, pandemic or natural emergencies that place children at higher risk of maltreatment or mental health crisis)

5.2 Maintenance and care

Child maintenance and care include the services associated to placing First Nations children into alternate care. Eligible activities and services are delivered in accordance with applicable legislation and standards and funded accordingly.

Eligible activities include:

- neurodiversity services such as special needs assessment and testing
- placement, support and supervision for children and youth in alternate care while measures are taken with the family to remedy the situation, such as kinship, foster or group care, residential treatment, support for Elders and extended family members caring for children, independent living
- family visitation, including parents, siblings and extended family members
- services for children with behavioural problems
- non-medical, time-limited services
- mental health or addiction services

- direct services and supports not covered by First Nation and Inuit Health Branch (FNIHB) or other federal or provincial programs
- other provincially approved professional services, including child representation and/or associated legal services, where funding from other sources was or will not be received, in whole or in part, to support that activity
- formal customary care, adoption and post-adoption services
- direct services to support a child's care plan
- activities to meet the needs of children in care, including land-based or cultural activities
- provision of child custody/guardianship
- reunification of children and youth in, or formerly in, care with families on reserve or in Yukon
- extension of services to facilitate the transition of First Nations youth into adulthood toward self-care and independence

5.3 Prevention

Canada funds, as of April 1, 2022, prevention at $2,500 per registered First Nation person resident on reserve and in Yukon in total prevention funding in advance of the complete reform of the FNCFS Program funding formulas, policies, procedures and agreements. Canada shall fund the $2,500 on an ongoing basis adjusted annually based on inflation and population until the reformed FNCFS Program is fully implemented.

Funds will be directed to the First Nations and/or First Nations child and family service providers(s) responsible for the delivery of prevention services. These funds shall be eligible to be carried forward by the First Nation and/or First Nations child and family service providers(s).

The development and delivery of prevention services aims to support the safety and well-being of First Nations, children, youth, young adults, families and communities, in an approach that is culturally appropriate, in their best interests, and in accordance with substantive equality.

Prevention services including at the primary, secondary or tertiary levels, are evidence-informed and culturally-appropriate, address identified risk factors, and build protective factors within families and communities. Prevention includes targeted services and activities that address structural drivers in order to mitigate the risks factors that could to place children at risk of harm and reduce the likelihood of children being taken into care. Prevention is a continuum of care that is based on the needs of the child and interventions can be included at all stages of prevention. Stages of prevention are not mutually exclusive.

Prevention projects or activities also support the implementation and operationalization of the minimum standards and principles laid out in the Act, as

well as projects and activities intended to build a greater evidence for culturally specific supports or intervention.

In promoting positive outcomes, child and family service programming may focus on building up a child, youth, young adult, or family's sense of purpose, optimism and hope, resilience, and confidence.

5.3.1 Primary prevention

Primary prevention services are aimed at the community as a whole. A community centered approach to prevention programming could include the ongoing promotion, public awareness and education of traditional child caring approaches, healthy families and child development. Activities could include those that enhance protective factors at a community-level, and help to create the network that supports family retention and healing, cultural engagement, connection, and a sense of belonging.

Eligible activities for primary prevention for the purpose of supporting the best interests of the child and substantive equality, could include:

- classes, workshops and outreach to improve family preservation and well-being, for example:
    - domestic violence healthy relationships, sexual education, and anger management awareness
    - culture, language, and nutrition classes for parents and teen parents
    - parent education programs to enhance family preservation and well-being such as nurturing adult-child relationships
    - community outreach and awareness campaigns on child maltreatment, children's rights, prevention and how and where to report suspected child maltreatment
    - financial management and independent life skills
- after hours and crisis/help line services (including chat, virtual)
- well-being services, including cultural and recreational activities, that support children and families at risk in the home and community
- coordination efforts with other relevant federal or provincial sectors or programs including addictions and mental health, income support, housing and domestic violence to support community wide information and awareness sessions

5.3.2 Secondary prevention

Secondary prevention services are activated when a child may be at risk of harm or child maltreatment and where intervention could enhance protective factors and remediate the risk.

Secondary prevention programming could include services that establish and build on secure and responsive social relationships between children and caregivers, and support parents in meeting their family's developmental, health, educational, social, cultural, and spiritual needs.

Eligible activities for secondary prevention for the purposes of supporting the best interests of the child and substantive equality, could include:

- group interventions or supports
- home visit programs for parents
- parent mentoring, parenting skills programs, in-home supports, respite care
- family counseling, guidance and assessment
- addictions treatment for parents as an alternative to taking children into care or as part of a plan for family reunification
- addictions treatment for youth as part of a plan for family remediation
- mediation and alternative resolution disputes
- coordination and references to other providers related to wrap-around services and interventions to ensure a coordinated approach based on identified needs including income support, housing, addictions and mental health
- cultural and recreational activities for children and youth at risk
- services to support reunification and repatriation of children and youth with families on reserve or in Yukon, including maintaining and enhancing community connections

5.3.3 Tertiary prevention

Tertiary prevention services target specific families when a child has been identified as at risk of harm or child maltreatment. Tertiary prevention attempts to mitigate the risks of separating a child from their family and end the crisis. Targeted, least disruptive interventions and measures, as defined in Section 5.1, refer to the most appropriate level of service needed by a family whose child(ren) is/are at risk of harm or maltreatment or where maltreatment has taken place.

Eligible activities for tertiary prevention for the purposes of supporting the best interests of the child and substantive equality, could include:

- immediate crisis interventions that are identified on the basis of the child's best interest including cultural, communal and other activities to build self-esteem and healing
- domestic violence interventions
- intensive family preservation services
- restorative intervention services
- mental health and addictions treatment for parents as an alternative to taking children into care or as part of a plan for family reunification

- mental health and addictions treatment for youth as part of a plan to remediate risk and promote family wellness

5.4 Post-majority support services

Canada shall fund First Nations and FNCFS services providers at actual cost for post-majority support services to youth in care approaching the age of majority and young adults who have transitioned out of care at the age of majority up to their 26th birthday or to the age as defined in provincial/Yukon legislation (whichever is greater), across all provinces and in Yukon.

Eligible activities, as they relate to child and family services include:

- operational and direct support services to implement a young adult's transition plan
- direct services and supports not covered by First Nation and Inuit Health Branch (FNIHB) or other federal or provincial programs
- other provincially approved professional services, including child representation and/or associated legal services, where funding from other sources was or will not be received, in whole or in part, to support that activity
- neurodiversity services such as assessment and testing
- psychological and diagnostic testing and assessment
- supports that assist First Nation youth transition into adulthood and independence, housing, food security, health and wellness activities and supports, life skills development, education activities or assistance, community and cultural (re)connection and assistance to establish family and social relationships and self-care supports
- needs-based financial support (budgeting, credit, money management)
- equitable funding to meet basic needs and access clothing and hygiene items
- livable basic income based on local realities and inflation
- financial literacy programs, planning and access to financial advisors
- financial costs and support to acquire various forms of identification (birth certificate, government ID, passports)
- financial cost and support for driver's permit and driver's education
- education mentorship and support, including education related costs
- assistance to navigate education systems and options
- professional development and skills training, and/or career path planning, tutoring and career counselling
- technology required for education
- financial support for training/certifications (i.e. first aid, food safe, childcare)
- rent and rent subsidies
- interim housing options during transition of youth to independence
- supports in viewing housing, guidance, transportation, housing related skills training

- moving costs and support
- basic household necessities, including home repairs
- basic household utilities, including internet connectivity and clean water
- life/home skills including in home supports (i.e., cooking, housekeeping, planning, life coaching)
- clothing including clothing required for employment
- personal care and hygiene including menstrual supplies
- non-insured medical, dental and allied health services prescribed by relevant professional
- sexual and gender identity health supports, i.e. education related to sexually transmitted diseases, sexual health
- funding to ensure consistent access to holistic health services, transportation to and from, support navigating health systems
- counselling and support including support for family violence
- trauma informed mental health and addictions support options
- early intervention and parenting services for youth expecting a child or who have dependents, if needed
- nutrition training, mentorship re: groceries, meal planning
- access to physical activity, recreation and sport
- rehabilitative supports, when required
- mentorship and peer supports
- family mediation and counselling
- safe reintegration into community and culture of origin, including visits to community of origin
- cultural programs, regalia and ceremony, land-based wellness
- support and guidance from Indigenous Elders and Knowledge Keepers, traditional knowledge

5.5. First Nation Representative Services

The FNCFS Program supports the functions of First Nation Representative Services when it relates to First Nations child and family service matters, including the representation and advocacy of the children's rights and collaboration with other service providers to ensure the best interest of the child.

"First Nation Representative Services" means the services delivered by a First Nation or an entity authorized by a First Nation that provide for a First Nation's participation in child and family services and child welfare processes involving its members, and which are funded under the FNCFS Program.[1]

First Nation Representative Services will be funded in accordance with the applicable guide. Funding is intended to account for First Nation-derived FNRS

[1] Pursuant to the Merits Decision and subsequent rulings, the Tribunal referred to First Nation Representative Services as "Band Representative Services" in Ontario.

mandates, the cultural needs of a child; and the need for First Nations to participate in the development a child's plan of care.

Eligible activities may include:

- serving as the main liaison, on behalf of families and communities, between First Nations and a FNCFS service provider
- providing cultural training and advice to FNCFS stakeholders
- delivering and supervising customary care
- monitoring custody agreements with FNCFS service providers; securing access to legal resources
- attending and participating in court proceedings
- receiving and responding to notices under federal and provincial legislation
- adoption, customary adoption and other forms of permanency planning
- ensuring that the cultural needs of a child are being addressed by a FNCFS service provider; and participating in the development a child's plan of care

5.6 Supporting initiatives

Supporting initiatives align with the purpose and objectives of the FNCFS Program outlined in Section 3, and include activities to support and inform the implementation of the FNCFS Program.

- Promoting of the governance of and access to evidence-based data and tools to support and inform the delivery of FNCFS programming.
- Developing and designing supports and structures to support the purpose and objective of the FNCFS Program, as outlined in Section 3.

6. Eligible expenditures

The following section does not apply in Ontario. Eligible expenditures under the Reformed FNCFS Program in Ontario are outlined in Appendix A, Section A.4.

6.1 Protection

Protective child and family services must be delivered in accordance with applicable legislation and standards, and are funded accordingly. Eligible expenditures are considered the costs necessary to operate, deliver and support the provision of child and family services and activities in the best interests of the child and in accordance with substantive equality outlined in Section 5.

Eligible expenditures include:

- staff salaries and benefits to support the direct delivery of protection services and post majority services

- employee assistance program costs
- staff travel and transportation
- staff recruitment, training and professional development costs (training, workshops)
- costs supporting orientation and training of local committees
- costs to support board and committee operations
- honoraria for Elders and Knowledge Keepers
- interpretation costs including cultural and First Nations language supports to ensure the delivery of culturally appropriate services
- paraprofessional and professional fees
- legal fees associated to child and family services, or other legal fora
- costs related to supervision orders
- after hours and crisis intervention supports
- placement development such as recruiting, assessing, training, supporting, monitoring and evaluating care providers
- costs to support the governance and central administration functions (administrative overhead and costs) such as office lease, computer and IT, utilities, insurance and janitorial and ground maintenance services to support the delivery of services
- maintenance such as general repairs, painting, plumbing, electrical
- professional dues and subscriptions, licenses, memberships, insurance fees, etc.
- costs related to development or purchase, implementation and evaluation of client information management and technology systems, data collection, data management and analysis
- costs to support the development and implementation, audits, monitoring, program evaluation
- provisions to ensure privacy, security and proper management of records
- incorporation costs and incorporation reporting costs including annual general meetings

6.2 Maintenance and care

Maintenance and care expenditures are the direct costs of placing First Nations children into temporary or permanent care out of the parental home, including foster care rates and group home rates. Eligible expenditures support services delivered in accordance with the applicable legislation and standards, and are funded accordingly.

Eligible expenditures include:

- allowance for assessment
- placement development costs, such as recruiting, assessing, training, supporting, monitoring and evaluating care providers
- direct costs and supports related to a child's care plan
- costs to support children in alternative care

- purchases on behalf of children in care
- special needs assessment and testing costs
- non-medical services to children with behavioural problems
- non-medical, limited-duration services
- direct costs for a child to support services not covered by FNIHB or other federal or provincial programs
- other provincially approved, professional services and costs, including child representation and associated legal fees, where funding from other sources was not and will not be received in whole or in part to cover the costs
- costs to support the establishment and maintenance of Registered Education Saving Programs when necessary to comply with provincial legislation or policy
- costs to support formal customary care and adoption
- post-adoption subsidies and supports
- costs to support the provision of child custody or guardianship
- costs to support activities to meet the needs of children in care, including land-based or cultural activities and equipment
- costs to support the reunification of children and youth in care with families on reserve or in Yukon
- costs related to family preservation, cultural and linguistic connections and supports to ensure the provision of inclusive and impartial child and family services including needs related to disability, sexual orientation, gender diversity and other characteristics protected by law

6.3 Prevention

Eligible expenditures include:

- salary & benefits to support the delivery of prevention services
- costs related to supporting recruitment, training or professional development of prevention workers
- honorariums for Elders and Knowledge Keepers
- professional and paraprofessional services and professional fees
- professional dues and subscriptions, licenses, memberships, etc.
- general program delivery costs
- non-medical travel costs and accommodations to support the delivery of services
- court related costs for families
- travel or other costs, including addictions treatment to support the reunification and repatriation of children or youth in care or formerly in care with families on reserve or in Yukon
- costs to support governance and the central administration functions (administrative overhead and costs) such as office lease, computer and IT, utilities, insurance and janitorial and ground maintenance services to support the delivery of prevention services

- program costs and assistance to support specific needs for children, youth, and families at risk of becoming involved with the child and family services system and those already involved in the child and family services system:
    - episodic or emergency supports to assist caregivers in meeting children's and caregivers' basic needs
    - assistance for children and families to support and facilitate the maintenance and enhancement of community connections by coordinating access to culture and language programs, including one-on-one assistance to strengthen families
    - costs supporting an extension of services for youth transitioning out of the child welfare system to adulthood that are complementary to, and not covered under the provincial or territorial legislation
    - costs and supports to ensure impartial provision of child and family services for persons with distinct identities and characteristics protected by law such as persons with disabilities or 2SLGBTQQIA+ people

6.4 Post-majority support services

Eligible expenditures include:

- staff salaries and benefits to support the direct delivery of post majority care services
- employee assistance program costs
- staff travel and transportation
- staff recruitment, training and professional development costs (training, workshops)
- costs to support the central administration functions (administrative overhead and costs) such as office lease, computer and IT, utilities, insurance and janitorial and ground maintenance services to support the delivery of services
- maintenance such as general repairs, painting, plumbing, minor electrical
- interpretation costs including cultural and First Nations language supports to ensure the delivery of culturally appropriate services
- legal fees associated to child and family services, or other legal fora
- after hours and crisis intervention supports
- professional dues and subscriptions, licenses, memberships, insurance fees, etc.
- costs related to development or purchase, implementation and evaluation of client information management and technology systems, data collection, data management and analysis
- costs to support the development and implementation, audits, monitoring, program evaluation
- provisions to ensure privacy, security and proper management of records

- incorporation costs and incorporation reporting costs including annual general meetings
- costs to support eligible First Nations young adults transition into adulthood and independence, housing assistance, health and wellness activities and supports, life skills development, education activities or assistance, community and cultural (re)connection and assistance to establish family and social relationships and self-care supports

6.5 First Nation Representative Services

Eligible expenditures include:

- salaries, benefits, and costs to support the delivery of services
- human resources recruitment, training or professional development including daily honorariums for Elders and Knowledge Keepers
- paraprofessional and professional fees (such as legal services, professional dues and subscriptions, licenses, memberships, etc.)
- general program delivery costs such as non-medical travel costs, accommodations, transportation, or meals for First Nations Representatives to support the delivery of services
- program delivery costs and family support services including supporting specific needs for children, youth, and families at risk of becoming involved with the child and family services system and those already involved in the child and family services system. These include the following:
    - episodic or emergency supports to assist caregivers in meeting children's and caregiver's basic needs (child essentials of life such as food, diapers, clothing, cleaning or hygiene supplies, bedding and towels, children's furniture, car seats, etc.)
    - supports to caregivers involved with FNCFS service providers or Provincial/Yukon Child and Family Service Agencies, such as parental capacity assessments and related travel costs (when not covered by the delegated agency or FNIHB)
    - assistance for children and families to support and facilitate reunification, repatriation, maintenance and enhancement of community connections by coordinating access to culture and language programs, including one-on-one assistance to strengthen families
- overhead, administrative costs such as office rent, computer and IT, utilities, insurance to support the delivery of First Nation Representative Services

6.6 Supporting initiatives

Eligible expenditures include the costs deemed necessary to support the planned activities outlined above to achieve the expected results. Eligible expenditures support project operations, organizational functions and overhead costs, including

the administration and direct costs associated to implement activities or deliver services.

Funding may be approved and provided based on funding proposals or detailed plan(s) with a funding request.

6.7 Capital

Capital expenditures are funded in accordance with the Tribunal's orders (2021 CHRT 41) to support infrastructure and capital required to support the delivery of child and family services (as listed in Section 5 above) to First Nations children, youth and families on reserve and in Yukon.

The Capital Assets Guide sets out eligible project costs, which could include the acquisition or new construction of a building, lot servicing, or expansion to the existing office or program space aimed to support the delivery of services. Capital project development, preliminary work and assessment leading up to the completion of the capital project are also eligible.

Regarding the purchase and sale of capital assets and buildings, the FNCFS terms and conditions are consistent with those outlined in the applicable program directive.

7. Application requirements and assessment criteria

The following section does not apply in Ontario. Application requirements and assessment criteria under the Reformed FNCFS Program in Ontario are outlined in Appendix A, Section A.5.

Before entering into a contribution agreement, ISC will confirm its authorities to enter into an agreement with the recipient and to fund the proposed activities. The departmental review procedures for verifying eligibility, entitlement, and application approval (including risk assessments) are detailed in relevant departmental program directives and procedures.

Specific requirements include:

- legal entity's name, address and telephone
- provincial delegation document or certification when applicable
- for corporations: incorporating documents (articles of incorporation or Patents Letters), by-laws
- band council resolution for each community being represented or serviced by the agency, or service provider

- disclosure of any involvement of former public servants who are subject to the Conflict of Interest and Post-Employment Code for Public Office Holders or the Conflict of Interest and Post-Employment Code for the Public Service
- funding proposals or details plans with a funding request, or
- a multi-year plan identifying community's needs, planned activities, performance measures and reporting requirements, along with evidence of consultation and collaboration with communities

8. Method for determining the amount of funding

The following section does not apply in Ontario. The method for determining the amount of funding under the reformed FNCFS Program in Ontario is outlined in Appendix A, Section A.6.1.

8.1 Capital assets

Eligible capital assets are funded in accordance with 2021 CHRT 41, until such time as a new funding process is developed for the program.

8.2 First Nations and FNCFS Service Providers

Pursuant to 2018 CHRT 4 and 2021 CHRT 41, until a new funding methodology is developed, Canada is funding FNCFS agencies on actual costs for intake and investigation, legal fees, building repairs, the child service purchase amount, the full cost for small agencies, and the full cost of capital to support the delivery of child and family services and First Nation Representative Services under the program.

Pursuant to 2022 CHRT 8, the Tribunal amended the orders on actual costs to reflect that, as of April 1, 2022, prevention is funded at $2,500 per person resident on reserve and in Yukon in total prevention funding in advance of the complete reform of the FNCFS Program funding formulas, policies, procedures and agreements. Canada shall fund the $2,500 on an ongoing basis adjusted annually based on inflation and population until a reformed FNCFS Program is fully implemented.

8.3 Supporting initiatives

Funding for Supporting initiatives may be approved based on the costs necessary to implement the activities and achieve the expected results, in alignment with the detailed plan(s) or proposal(s) provided.

9. Maximum amount payable

The following section does not apply in Ontario. The maximum amount payable under the Reformed FNCFS Program in Ontario is outlined in Appendix A, Section A.6.2.

The program's funding methodology is being reformed as per the orders from the Tribunal. While the department has a temporary exception to item 8 of Appendix E of the Directive on Transfer Payments, from an operational perspective, the maximum amount payable is currently considered to be the full eligible cost of the claim of actual eligible expenditures approved by ISC, meets the reasonableness requirements included in Section 10 (Basis for payment). Once the revised funding methodology has been established, and studies completed, the department will return to the Treasury Board with a maximum amount payable that adheres to the Policy on Transfer Payments.

10. Basis for payment

The following section does not apply in Ontario. The basis for payment under the Reformed FNCFS Program in Ontario is outlined in Appendix A, Section A.6.4.

Payments will be made in accordance with federal policies as reflected in the contribution agreement, including the funding approach and conditions of payment principles. The department shall offer fixed or flexible funding to Indigenous recipients, in accordance with Appendix K of the Directive on Transfer Payments.

The reasonableness of a particular cost will be established by determining whether the expense is consistent with the CHRT legal orders and was reasonable to ensure substantive equality and the provision of culturally appropriate services, given the distinct needs and circumstances of the individual child or family, and community including their cultural, historical and geographical needs and circumstances.

Notwithstanding the above, ISC will fund, as required pursuant to CHRT orders, the following expenses when eligible recipients have not already received funding through another federal program (including another program of ISC), or any provincial, territorial or municipal government funding source for that activity:

- intake and investigations services
- legal fees
- building repairs
- full eligible agency operations costs for small agencies
- child service purchase costs
- capital expenditures for the delivery of FNCFS
- post-majority support services

In accordance with the Treasury Board of Canada Secretariat's Policy on Transfer Payments, advance payments are permitted, based on a forecast cash flow provided by the recipient and supported by the community plan. Progress payments will be subject to periodic reviews of activities and expenditures reports, as specified within the contribution agreement, which will be reviewed and validated by the department. Officials will ensure that all applicable requirements are met prior to processing a payment.

Eligible recipients may be reimbursed for eligible expenditures incurred between April 1st and March 31st of the previous fiscal year for funding agreements in place. Reimbursement of retroactive eligible expenditures requires the submission of supporting documentation in accordance with FNCFS Program guidelines and the approval of the FNCFS Program, subject to the parameters specified in both these terms and conditions and the contribution agreement.

Holdback requirements, when applicable, will be determined based on risk assessment (i.e. general assessment of the recipient and adherence to the terms and conditions of the contribution agreement) and may be up to 20% of the total contribution. This provision is not applicable to the funding of actuals and cannot lead to the Program not upholding the CHRT orders. Final payment will be contingent on the receipt by the department of the final activity, performance, and financial reports, as specified in the contribution agreement.

Funding under the FNCFS Program is targeted and cannot be used for any other purposes.

11. Stacking limits

The purpose of the clause is to promote the balance of the intended use of funds, while empowering First Nations and FNCFS service providers to leverage funds from multiple sources and support the goals of First Nations and FNCFS service providers in the delivery of programs and services.

The stacking limit is the maximum level of funding to a recipient from all sources (including federal, provincial, territorial, and municipal) for any one activity, initiative or project. The limit is 100% of eligible costs. The stacking limit will not be triggered in the case of retroactive payments ordered by the CHRT to rectify discriminatory underfunding.

It is important to note that compensation arising from the Canadian Human Rights Tribunal or the class actions (Federal Court file numbers T-402-19, T-141-20, and T-1120-21), the Children's Special Allowance or other federal child benefits, and First Nations own source revenue, are not to be considered as a source of revenue for stacking purposes.

12. Performance measurement and reporting

Data will be collected by recipients using various methods and sources, and will meet requirements set out in the reporting guide. Frequency of financial and performance reporting will be specified in the contribution agreement. All recipients will be required to report at least annually.

12.1 Performance measurement

The FNCFS Program will collect, analyze, and report on data to demonstrate performance and achievement of outcomes set out in Section 3.3 of these terms and conditions, as of fiscal year 2025-2026. To ensure that a balanced approach is implemented and that the reporting burden is minimized, funding recipients will be required to provide the department only the performance data required to demonstrate performance and achievement of program outcomes. Data will continue to be collected by recipients using various methods and sources and will meet requirements set out in the reporting guide.

The frequency of financial and performance reporting will be specified in the contribution agreement, but all recipients will be required to report at least annually on the applicable plan for Child and Family Services. Financial reviews will be conducted to ensure each recipient submits financial reports in accordance with its contribution agreement specifications. An annual audited financial statement will be required in all cases.

12.2 Financial reporting

Financial reporting requirements will be determined based on the recipient's risk assessment and the type of contribution agreement. Appropriate financial reporting obligations, including frequency, will be contained within each contribution agreement.

As per the department's Management Control Framework, annual reviews will be undertaken to ascertain whether funds provided are being expended for the purposes intended, and whether a recipient's financial situation is sufficiently stable to enable continued delivery of funded activities. Where any instability is due to the department's funding structures or levels of funding, the department will take appropriate measures to mitigate and remediate these risks. The department will respect privacy laws and regulations respecting the First Nations child and family service records of children, youth and families.

13. Official languages

Where a program supports activities that may be delivered to members of either official language community, which means where there is significant demand, the

recipient is required to provide access to services in both official languages. In addition, the department will ensure that the design and the delivery of programs respect the obligations of the Government of Canada as set out in the *Official Languages Act*.

14. Redistribution of contributions

Recipients may redistribute contributions, as per the terms of their contribution agreement. Redistributions should be done in line with program objectives, eligibility criteria and eligible expenses. In doing so, however, recipients will not act as agents of the federal government.

Where a recipient further distributes contribution funding to another service delivery organization (such as an authority, board, committee, or other entity authorized to act on behalf of the recipient), the recipient will enter into a written agreement with the organization. The recipient also remains liable to the department for the performance of its obligations under the contribution agreements. Neither the objectives of the programs and services nor the expectations of transparent, fair and substantively equivalent services will be compromised by any redistribution of contribution funding.

Appendix A: Reformed FNCFS Program in Ontario

The following elements of this Appendix are only applicable to FNCFS Program services, funding strategies, and initiatives in Ontario.

A.1 Context

On [Date of signature], Canada, the Chiefs of Ontario (COO) and Nishnawbe Aski Nation (NAN) reached a Final Agreement on Long-Term Reform of the FNCFS Program in Ontario. The agreement came into effect on [Effective Date of the Ontario Final Agreement]. This Appendix supports the implementation of the Reformed FNCFS Program in Ontario to:

- support the well-being and safety of First Nation children, youth, young adults, families and communities;
- support First Nations designed models and service delivery;
- address and mitigate structural drivers that could place children, youth and families at risk of child maltreatment;
- provide predictable and flexible funding to First Nations and FNCFS Agencies; and
- support First Nations and FNCFS Agencies in working collaboratively together to address the overrepresentation of First Nations children in care by supporting prevention focused delivery models.

A.2 Program services, funding strategies and initiatives in Ontario

The Reformed FNCFS Program in Ontario funds services that promote the cultural safety and well-being of First Nations children, youth, young adults and families, including legislated services that are prevention-focused, support early interventions and build protective factors to prevent and mitigate family involvement with child and family services. The Reformed FNCFS Program strategies provide for the delivery of enhanced FNCFS Program services, that acknowledge the unique needs, strengths, and priorities of First Nations communities and account for the cultural, historical, and geographical circumstances and needs.

The Reformed FNCFS Program in Ontario prioritizes the allocation of funding to First Nations to support their autonomy to develop, plan, invest, and deliver services based on First Nation needs, circumstances, and priorities.

FNCFS Program services	
Prevention services	**Prevention services** are evidence-informed and culturally appropriate services intended to support healthy child development, strengthen families, and promote wellbeing. Prevention needs are defined by First Nations, and services are implemented based on the well-being priorities identified by the community. Prevention services can divert families from unnecessary contact with protection services and prevent child maltreatment and harm through early and ongoing intervention and First Nation-based services that support family wellness. Eligible activities support: • Targeted services and activities that address structural drivers[2] in order to mitigate the risks factors that could place children at risk of harm and reduce the likelihood of children being taken into care. • Services and activities that support children and families at risk in the home and community. • Activities and access to programming and services that promote physical, cultural, mental and emotional safety and well-being. • Classes, workshops, and outreach to support family preservation and well-being. • Coordination efforts and referrals with other relevant federal or provincial programs to support individual, family, and community well-being. • Group, family, and individual interventions services or supports to promote community based prevention, family well-being, family reunification and/or preservation.

[2] Structural drivers means the factors that are largely out of a caregiver's control which contribute to the over-representation of First Nations children and youth in the child welfare system, including poverty, poor housing, racism – including systemic racism – and intergenerational trauma.

	• Interventions that are identified to support the child's best interests including cultural, communal and other activities to build self-esteem, resilience and healing.

Post-majority support services	**Post-majority support services** support First Nations youth in care approaching the age of majority and young adults who have transitioned out of care at the age of majority up to their 26th birthday or to the age as defined in provincial legislation (whichever is greater).
	
	• Eligible activities support the self-identified best interests of the youth leaving care or young adult formerly in care in:
	  ○ learning, education and professional development opportunities,
	  ○ financial supports to further physical, mental & social wellbeing and safe, stable, housing, such as rent, household necessities and utilities or to ensure basic needs are addressed, and
	  ○ (re)connection with land, culture, language and family and community.
	• Interventions are provided on the basis of the youth or young adult's self-identified best interests, and other activities to promote protective factors as well as family and community preservation, repatriation, and/or reunification.
	• Direct support services to implement a youth or young adult's transition plan, including services and supports not eligible through other federal or provincial programs or where funding from other sources was or will not be received, in whole or in part, to support that activity.

First Nation Representative Services	**First Nation Representative Services** (sometimes referred to as Band Representative Services or Band Designate) support First Nations when children, youth, young adults, and families from their community are involved, or at risk of involvement, with the child and family services system. First Nation Representative Services will be First Nations-defined and may include engaging with child and family services providers and participating in child and family service matters as set out in provincial, territorial and federal child and family services laws. First Nation Representative Services supports programming that is substantively equal and culturally-informed and that helps families access supports that foster the connection of First Nations children, youth, and families with the lands, languages, cultures, practices, customs, traditions, ceremonies and knowledge of their First Nation. Eligible activities support: • Serving as the main liaison, on behalf of families or communities, between First Nations, FNCFS agencies and/or the Government of Ontario on the basis of the child's best interests (defined by the First Nation) including interventions that mitigate risks and build protective factors, and activities that promote the child's safety, and the child's connection to their community and culture, family preservation, reunification and/or permanency planning. • Support discussions, planning, and/or coordinating and advocacy when a child and family has involvement with child and family services, including Indigenous dispute resolution approaches and court proceedings.

	• Ensuring that the cultural needs of a child are being addressed, which includes participating in the development of a child and family's plan of care. • Collaborative service planning and delivery with other FNCFS Service Providers. • Serving as a point of contact and responding to notices and performing the functions of a First Nation Representative as set out under federal and provincial legislation and as laid out in *An Act respecting First Nations, Inuit and Metis children, youth and families*.
Child protection services	**Child protection services** that form part of Child and Family legislation and are to be delivered in accordance with the national principles and minimum standards set in *An Act Respecting First Nation, Inuit and Métis children, youth and families*, and applicable provincial or First Nation legislation, regulations, policies and standards and as outlined below. Child protection services are linked to an assessment of risk, conducted by personnel delegated by the provincial or First Nation child and family services legislation, to ensure identified children and youth are safe, well, healthy, and living free of harm or child maltreatment. Child protection services include: **Maintenance and care:** Services associated with placing and maintaining the care of children in out-of-home or alternate care arrangements. **Least disruptive measures:** Measures that flow from a child maltreatment assessment or investigation and are critical to safety planning for children and families involved with child and family services and include: • targeted actions or services that meet the threshold of risk for involvement with an FNCFS agency. These actions or services seek to prevent separating children or youth from their families or support reunification of families, while ensuring supports are in place that mitigate the risk of child maltreatment or harm; and • supports to children, youth and families who have been identified by an FNCFS agency as being at risk, and is undergoing an assessment of child maltreatment or harm. **Operations:** Resources used by an organization to deliver child and family services in line with provincial and First Nation legislation, regulation, and policies as well as planning activities. Eligible activities support: • Intake, intervention, planning, implementation, evaluation, assessment and investigation to address reports of identified risks to children, including after-hours services, and the continuation of services to facilitate the transition of youth into adulthood. • Alternative dispute resolution services and coordination with a child and family's network of support. • Legal services, child representation, or other activities related to child protection proceedings.

	• A range of alternate custody, and kin care arrangements, agreements, and/or orders to ensure the safety and wellbeing of the child(ren) and supports for the family and care providers. • Placement services including recruiting, assessing, training, educating, supporting, monitoring and evaluating alternate care providers. • Interventions that are identified on the basis of the child's best interests including cultural, land-based, communal and other activities and access to programming to promote protective factors and family preservation or reunification. • Collaborative service delivery planning, implementation, evaluation and assessment with other service provider(s). • Direct mandated services and supports not eligible through other federal or provincial programs or where funding from other sources was or will not be received, in whole or in part, to support that activity. • Other activities that support the delivery of the legislated mandate of child protection services in accordance with applicable provincial or First Nation legislation, and the national principles and minimum standards set in *An Act Respecting First Nation, Inuit and Métis children, youth and families*
Reformed FNCFS Program funding strategies	
Information technology funding	Funding supports recipients with their IT needs to implement and deliver services and activities listed in the FNCFS Program Services outlined in Section A.2 of this appendix above.
Results Funding	Funding supports recipients in implementing the performance measurement, framework as outlined in Section A.8.2 of this appendix, to support the FNCFS Program Services outlined in Section A.2 of this appendix above.
Emergency funding	Funding supports recipients in responding to unanticipated circumstances or situations affecting activities funded by the FNCFS Program. Emergency funding supports First Nations and FNCFS Service Providers with unexpected situations (wildfire evacuations, the introduction into care of a few children with very high needs, a community crisis) that might make it difficult for a First Nation or an FNCFS Service Provider to deliver the FNCFS Program Services outlined in Section A.2 of this appendix above.
Household support funding	Funding supports First Nations in meeting the basic needs of families, particularly those needs that, if left unmet, could lead to children being placed in care, may result in a family being involved in the child welfare system or that may prevent a family from reuniting. Funding supports service-delivery and activities to help mitigate effects that may lead to involvement of a child in the child welfare system.
Other FNCFS Program initiatives	
Supporting initiatives	**Supporting initiatives** support the governance and implementation of the Reformed FNCFS Program in Ontario. Eligible activities support: • Promotion of the governance of and access to evidence-based data and tools to support and inform the delivery of FNCFS programming.

	• Developing and designing supports and structures to support the purpose and objective including the implementation of the Reformed FNCFS Program in Ontario.

A.3 Eligible FNCFS funding recipients in Ontario

While the Reformed FNCFS Program in Ontario considers First Nation children, their families, and the First Nation community to be the ultimate beneficiaries of these funds, a funding recipient is an entity that has met the eligibility, and the application and assessment criteria outlined in these terms and conditions and has signed a funding agreement with Indigenous Services Canada (ISC) to deliver an eligible child and family service, funding strategy or initiative.

Consistent with the recipients defined for the FNCFS Program in Section 4 of these terms and conditions, the eligible recipients in Ontario are:

1. **First Nation(s)**, meaning a "band" as defined in subsection 2(1) of the *Indian Act*, RSC, 1985, C 1-5, as amended, and which is delivering services and receives funding under the FNCFS Program.
2. **FNCFS Service Providers**
    a) **FNCFS agency**, meaning an agency established by and affiliated with one or more First Nations and fully or partially delegated or authorized pursuant to provincial or other authorities to provide legislated child welfare services on reserve.
    b) **First Nation Service Provider**, meaning an entity authorized by the First Nation to support the implementation of the FNCFS Program, and the delivery of services, on reserve, including non-delegated service providers, not-for-profit First Nation organizations, and mandated organizations (i.e. Tribal Councils or regional Indigenous organizations).
3. **National, Regional and Local Organizations**, meaning an organization representing First Nations in Canada on a local or regional basis, and has a mandate to protect and promote the social and cultural interests of First Nations as they relate to the implementation and delivery of the FNCFS Program.
4. **The Government of Ontario**, meaning the provincial government responsible for delivering and/or delegating the authority to deliver legislatively mandated child and family services (i.e. child protection and intervention services) in accordance with the respective jurisdiction's child and family services law.

Program services, funding strategies and initiatives	**Eligible FNCFS funding recipients**
FNCFS Program services	

Prevention services	• First Nation • First Nation Service Provider, if requested by the First Nation(s) • FNCFS agency
Post-majority support services	• First Nation • First Nation Service Provider, if requested by the First Nation(s) • FNCFS agency, if requested by the First Nation(s)
First Nation Representative Services	• First Nation • First Nation Service Provider, if requested by the First Nation(s) • FNCFS agency, if requested by the First Nation(s)
Child protection services	• FNCFS agency • First Nation Service Provider (pursuant to applicable child and family legislation) • The Government of Ontario
Reformed FNCFS Program funding strategies	
Information Technology Funding	• First Nation
Results Funding	• First Nation
Emergency Funding	• First Nation • FNCFS agency
Household Support Funding	• First Nation
Other FNCFS Program initiatives	
Supporting initiatives	• First Nation • First Nation Service Provider • Regional and Local Organizations

Where a First Nation receives funding for services pursuant to a jurisdictional agreement, including a coordination agreement related to *An Act Respecting First Nations Inuit and Metis children, youth and families*, S.C. 2019, c. 24, that First Nation and its affiliated FNCFS Service Providers and the Government of Ontario shall not receive FNCFS Program funding under the Reformed FNCFS Program Funding Approach in Ontario outlined in Section A.6.1 of this appendix for the services for which they are receiving funding under the jurisdictional agreement.

A.4 Type and nature of eligible expenditures in Ontario

Eligible expenditures are those direct costs necessary to support the activities as outlined in Section A.2 of this appendix under Program Services and Initiatives, which can include the following:

- Salaries, employee benefits, and costs related to supporting recruitment, training or professional development.

- Consultants, qualified professionals, paraprofessional services and fees, including honoraria for Elders, Knowledge Keepers, and others.
- Insurance, legal, banking, audit and evaluation fees.
- Purchase, installation and maintenance of IT hardware and software and internet services, subscriptions or upgrades.
- Operation and administrative costs, including transportation, necessary to support the implementation and the delivery of child and family services, as outlined in Section A.2 of this appendix. International travel may be an eligible expenditure, and is subject to ISC pre-approval.
- Costs that support the Reformed FNCFS Program Planning and Reporting in Ontario, as outlined in Section A.7 of this appendix, including the capture, analysis and reporting of data.
- Consultation and engagement to support the development, implementation and evaluation of plans, service delivery models and standards.
- Other costs that support the purpose and objective of the FNCFS Program may be considered eligible based on the direct link to supporting the FNCFS Program Services and Initiatives, subject to FNCFS Program approval.
- Capital assets that support the delivery of Program Services outlined in Section A.2 of this appendix and pre-approved by ISC through the plans as outlined in Section A. 7 of this appendix, including unexpended funding plans.
    - The Government of Ontario is not eligible to receive capital funding under the FNCFS Program.

A.5 Application requirements and assessment criteria in Ontario

Before entering into a funding agreement or initiating an amendment, ISC will confirm eligibility and entitlement of recipients in accordance to the Reformed FNCFS Program in Ontario terms and conditions outlined in this Appendix and the departmental directives by conducting risk assessments, including an assessment of the recipient's accountability and capacity to administer and manage FNCFS funding in alignment with the Directive on Transfer Payments. The risk assessment will cover elements such as:

- governance structure;
- organization for purposes of program management, financial and administrative experience, and capacity to deliver programs;
- processes and procedures for program management and financial control;
- accountability mechanisms for transparency, disclosure, responsibility and redress; and
- financial position.

General Program Requirements:

Information required by ISC for all funding recipients includes:

- Legal entity's name, address and telephone number.
- First Nation legislated delegation documentation or certification, when applicable.
- Incorporating documents (articles of incorporation or Patents letters), when applicable, and by-laws.
- FNCFS Program Plan as outlined in Section A.7.1 of this appendix below.
- Band Council Resolution (or comparable documentation) for each First Nation being represented or served by the First Nation Service Provider, when applicable.
- Disclosure of any involvement of former public servants who are subject to the Conflict of Interest and Post-Employment Code for Public Office Holders or the Conflict of Interest and Post-Employment Code for the Public Service.

Additional documentation may be requested by ISC to assess new funding recipients for the purpose of determining funding eligibility and approaches under the FNCFS Program. Based on the assessment criteria and requirements outlined above in Section A.5 of this appendix, ISC will conduct ongoing reviews prior to issuing funding to ensure recipients continue to meet the FNCFS Program's eligibility. As applicable, ISC will also conduct annual reassessments of funding recipients' accountability and capacity, including their funding entitlement. This reassessment may result in adjustments, offering either more or less flexibility to the funding approach used and the manner in which funds are provided.

A.6 Program funding in Ontario

A.6.1 Method for determining the amount of funding

As part of the method for determining the amount of funding, the Reformed FNCFS Program in Ontario funding contains a number of adjustments, including remoteness, inflation and population. Any references included in these terms and conditions should be read in accordance with the funding adjustment details outlined in Section A.6.1.9 of this appendix.

A.6.1.1 Prevention services

Starting in fiscal year 2025-2026, funding for prevention services will be calculated by multiplying the amount of $2,655.62 by the total population, plus the amount necessary to provide to each First Nation a minimum of $75,000. This funding will be adjusted annually for inflation and to account for the increased costs of delivering services in remote First Nations in Ontario.

As of [Effective Date], a First Nation may give a written notice to ISC directing the manner in which to allocate the prevention funding attributable to the First Nation. Such notice needs to be submitted to ISC by the September 30th prior to the fiscal

year to which the prevention funding is applicable. Until and unless a First Nation provides such written notice to ISC, prevention funding will continue to be split based on the approach to allocating prevention funding among First Nations and FNCFS Service Providers for 2025-2026.

Non-affiliated First Nations:

First Nations that are not served by a FNCFS agency will receive all prevention funding attributable to that First Nation.

A.6.1.2 Post-majority support services

As of [Effective Date][3], funding to support post-majority support services will be directed to First Nations, or, as otherwise requested by the First Nation(s) as outlined in Section A.3 of this appendix. This funding will be adjusted annually to account for the increased costs of delivering services in remote First Nations.

A First Nation's funding is determined using the following calculation:

a) Multiply 80% by the post-majority segment of the individual First Nation's population data based on ISC's Indian Registration System (IRS), as outlined in Section A.6.1.9, the post-majority segment being comprised of youth and young adults between the age at which a youth can voluntarily exit care and the age at which a young adult's eligibility for post-majority support services ends;
b) Estimate the number of individuals eligible for post-majority support services for the First Nation and in Ontario, and divide the First Nation's estimate by Ontario's estimate, the estimates being projections based on children in care data recorded in ISC's Information Management System / Data Management System;
c) Multiply (a) by 1 + (b);
d) Divide (c) by the sum of (c) for all First Nations in Ontario eligible to receive funding under the Reformed FNCFS Program in Ontario;
e) Multiply $75,000, adjusted for inflation, by the number of First Nations in Ontario eligible to receive funding under the Reformed FNCFS Program in Ontario, and subtract that amount from the total annual funding available for post-majority support services;
f) Multiply (d) by the difference in (e);
g) Add $75,000, adjusted for inflation, to (f).

[3] As outlined in Section A.8, ISC will continue to meet its obligations until [Effective Date of the Ontario Final Agreement] for funding agreements in place, including actual costs incurred by [Effective Date of the Ontario Final Agreement] for post-majority support services, which are subject to the FNCFS Terms and Conditions.

A.6.1.3 First Nation Representative Services

Starting in fiscal year 2026-2027, funding will be provided to each First Nation at its highest annual amount of First Nation Representative Services funding received between fiscal year 2019-2020 to fiscal year 2023-2024. This amount will be adjusted annually for inflation and to account for the increased costs of delivering services in remote First Nations.

A.6.1.4 Child Protection Services (Baseline Funding)

Starting in fiscal year 2026-2027, baseline funding will be provided to eligible FNCFS funding recipients as outlined in Section A.3, and based on:

- For FNCFS agencies, baseline funding will be based on 2022-2023 actual expenditures funded directly by ISC and incurred for intake and investigation, legal fees, and building repairs. Funding will be adjusted for population and inflation. In subsequent years, baseline funding will continue to be adjusted annually for population and inflation; and,
- For the Government of Ontario, operations and maintenance expenditures will be reimbursed for services on reserve further to the federal-provincial agreement.

A.6.1.5 Information Technology Funding Strategy

Funding for information technology (IT) equals 6% of a FNCFS agency's baseline funding or the provincial baseline funding. This funding will be adjusted to account for the increased costs of delivering services in remote First Nations.

A.6.1.6 Results funding strategy

Funding for results equals 5% of a FNCFS agency's baseline funding, or the provincial baseline funding. This funding will be adjusted to account for the increased costs of delivering services in remote First Nations.

A.6.1.7 Emergency funding strategy

Funding for emergency equals 2% of a FNCFS agency's baseline funding or the provincial baseline funding.

For First Nation served by an FNCFS agency, funding will be shared equally with 50% being provided to the FNCFS agency and 50% proportionally allocated among the First Nations affiliated with that FNCFS agency.

First Nations not served by an FNCFS agency will receive 100% of this funding.

This funding will be adjusted to account for the increased costs of delivering services in remote First Nations.

A.6.1.8 Household supports funding strategy

As of [Effective Date], funding for household supports will be provided to First Nations. This funding will be adjusted annually for inflation, and to account for the increased costs of delivering services in remote First Nations.

A First Nation's household supports funding is determined using the following calculation:

The First Nation's population	*multiplied by*	The percentage of the First Nation's population below the Low-Income Measure-After Tax (LIM-AT)	*divided by*	The total population below the LIM-AT of all First Nations eligible to receive funding under the Reformed FNCFS Program in Ontario	*multiplied by*	The Reformed FNCFS Program in Ontario's total annual funding for household supports

A.6.1.9 Funding adjustments

The Reformed FNCFS Program in Ontario funding contains a number of adjustments for specific components of the program. These adjustments are calculated and applied as follows:

• **Remoteness adjustment funding**
Where a First Nation's 2021 Index of Remoteness score is 0.40 or greater, funding will be upwardly adjusted based on the Remoteness Quotient Adjustment Factor methodology.
• **Inflation**
Funding will be adjusted for inflation annually, in accordance with the Consumer Price Index (CPI) measured over the twelve-month period ending September 30th of the applicable fiscal year. In no event shall any such adjustment be less than zero.
• **Population**
The population of a First Nation will be determined as follows: • The registered on-reserve or on Crown land population will be drawn from the Indian Registration System (IRS), as of September 30th of the year preceding the year in respect to which the population adjustment will apply. For example, ISC will use the IRS population on September 30, 2024 to adjust funding for the 2025-26 fiscal year. • For the purpose of an FNCFS agency or First Nation Service Provider, population will be the sum of the populations of the First Nations to which it is affiliated.

- The approach to calculating population described herein may vary where a First Nation has a self-government agreement or a modern treaty.
- Where a component of the Reformed FNCFS Funding Approach is to be adjusted for population but is not calculated on a per capita basis, funding will be adjusted annually by an amount proportional to the previous fiscal year's change in the First Nation's or the FNCFS Agency's population. For clarity, the previous fiscal year's change in population will be measured over a one-year period to September 30th of the fiscal year preceding the fiscal year in respect to which the population adjustment will apply.

A.6.1.10 Supporting initiatives

Funding may be approved and provided based on detailed plan(s) or proposal(s) and budget which support the FNCFS Program's purpose and objective.

A.6.2 Maximum amount payable

The maximum amount payable will be based on the FNCFS recipient's funding allocation, pursuant to the Reformed FNCFS Funding Approach in Ontario as outlined in Section A.6, and shall not exceed $150,000,000 per recipient per fiscal year.

A.6.3 Funding mechanism approach

Funding will be provided using the flexible funding approach, in accordance with the Directive on Transfer Payments, and in alignment with the principles of the FNCFS Program.

Where an eligible recipient as identified in Section A.3 does not qualify for the flexible funding approach, ISC will use a fixed funding approach, and inform and work with the recipient to assist them in meeting the requirements for a flexible funding approach based on the results of the assessment completed.

A.6.3.1 FNCFS funding mechanism ("Flexible Funding Approach")

In alignment with Section A.6.3, when eligible for the Flexible Funding Approach, ISC will enter into multi-year(s) flexible agreement. Within the Flexible Funding Approach:

- Recipients may redirect funding *in year* between the funded Program Services, Funding Strategies and Initiatives as outlined in Section A.2, with the following exceptions:
    - Redirection of prevention services funding to child protection services is not permitted, except to fund least disruptive measures; and
    - Redirection of child protection services funding is not permitted given that funding is provided to support mandated legislative services which include operations, maintenance and least disruptive measures.

- Recipients may retain unexpended funding at year end to continue to support the implementation of the Reformed FNCFS Program in Ontario and the delivery of child and family services in the following year(s), subject to ISC's review and approval of unexpended funding plans submitted by funding recipients. FNCFS agencies, in working with their First Nation, may identify all or a portion of unexpended funding to support First Nation(s) in addressing housing adequacies as one of the structural drivers leading First Nations children into care.

    - ISC will support recipients in the transfer of funds to ensure accountability and compliance with the funding obligations and reporting requirements outlined below in Section A.7.
    - As required, ISC may amend flexible funding agreements, prior to expiry, to align with the timelines identified in the unexpended funding plans.

A.6.3.2 Fixed funding approach

Where an eligible recipient is not eligible for the Flexible Funding Approach, ISC will provide funding through a fixed funding approach. Fixed funding agreements are one year agreements that support recipients in delivering the Reformed FNCFS Program in Ontario. Within the fixed funding approach:

- Recipients may only spend funding on the Reformed FNCFS Program in Ontario Service, Funding Strategy or Initiative for which it was received, meaning it may not redirect funding in year to other Reformed FNCFS Program in Ontario Services, Funding Strategies or Initiatives outlined in Section A.2.
- Recipients may retain unexpended funding to support the objectives of the FNCFS Program in the following year, based on an ISC approved unexpended funding plan and provided that unexpended funds are used for the purpose of which they were originally intended for, as outlined in Section A.2.

A.6.4 Basis for payment

Payments will be issued to recipients based on the eligibility to receive funding under the Reformed FNCFS Program in Ontario terms and conditions outlined in this Appendix, and in alignment with the terms and provisions of the funding agreement. Accordingly, and in line with the Directive on Transfer Payments, payments may be based on one or a combination of the following, as specified in the funding agreement:

- Reformed FNCFS Funding Approach in Ontario outlined in Section A.6.1;
- reimbursement of eligible expenditures;
- proposal, plan and budget supporting eligible activities and services as outlined in Section A.2; or,
- achievement of predetermined performance expectations or milestones.

A.6.4.1 Advance and progress payments

Advance Payments are permitted, based on the cash flow requirements, as forecasted by the recipient and supported by the FNCFS Program Plan.

Progress Payments are subject to periodic reports of activities and expenditures incurred. ISC will process payments in accordance to funding agreement provisions, including cash flow requirements, and as applicable, funding recipient's planning and reporting obligations.

A.6.4.2 Holdbacks

Holdbacks may be up to 20% of the total FNCFS Program funding allocated within the funding agreement. Final payment will be contingent on the receipt and approval by the department of the final activity, performance, and financial reports, as specified in the funding agreement.

A.7 Program planning and reporting in Ontario

Planning is intended to provide a better understanding of how the Reformed FNCFS Program in Ontario is addressing child, youth, family and community well-being priorities through a collaborative and coordinated approach to service delivery.

Reporting requirements and frequency will be outlined in funding agreements, and will be based on departmental practices and FNCFS Program Assessment criteria. All recipients will be required to report on funding, including Unexpended Funding Plans.

A.7.1 First Nation Multi-Year Plan
Who: First Nations *First Nation Multi-Year Plan* outlines the details regarding the implementation of activities or specific initiatives for which funding is provided for, in alignment with the FNCFS Program's Purpose and Objectives, and includes the planned expenditures for each funded services as outlined in Section 4.
A.7.2 Child and Community Wellbeing Plan
Who: FNCFS agencies and First Nation Service Providers *Child and Community Wellbeing Plan:* FNCFS agencies and First Nation Service Providers will develop their plan in consultation with their affiliated First Nation(s). The plan must include environmental scans for each First Nation served, identification of the First Nation's needs, activities, planned expenditures for the provision of each child and family services for which funding is provided, concrete objectives that align with the purpose and objectives of the FNCFS Program, risk management strategies, performance measures and reporting requirements. and include how service delivery will address the unique factors of the First Nation, be coordinated with other service

providers and how it contributes to the Outcomes outlined in Section 3.3 of these terms and conditions.
A.7.3 FNCFS Program plan
Who: Regional and local organizations The FNCFS Program plan and budget includes the activities to be undertaken over the course of the agreement. Plans must include activities that support the FNCFS Program objectives, and outline the results to be achieved.
A.7.4 FNCFS unexpended funding plan
Who: All In addition to the plans listed above all recipients must submit, when an unexpended balance remains at the end of the fiscal year, an unexpended funding plan. The plan must include key child and family well-being, services and strategic priorities on which the unexpended funding will be spent and how it contributes to the Outcomes outlined in Section 3.3 of these terms and conditions.

A.8 Effective date

This Appendix is effective as of [Effective Date as per subparagraph 4(x) of the Ontario Final Agreement].

In order to support the transition to the Reformed FNCFS Program in Ontario, ISC will continue to meet its obligations until March 31, 2026 for funding agreements in place, including actual costs for operations and maintenance and First Nation Representative Services incurred by March 31, 2026, which are subject to the FNCFS Terms and Conditions: Contributions to provide children, youth, young adults, families and communities, with prevention and protection services. ISC will also continue to meet its obligations until [Effective Date of the Ontario Final Agreement] for funding agreements in place, including actual costs for post-majority support services incurred by [Effective Date of the Ontario Final Agreement], which are subject to the FNCFS Terms and Conditions.

Appendix 9: Housing Allocation Example

Illustrative Example of How ISC will Calculate a First Nation's Housing Funding Allocation

The example below illustrates how ISC will determine the amount of a First Nation's housing amount under PART IX – HOUSING FUNDING of this Final Agreement.

First Nation A's Housing Funding Allocation
Please note that First Nation A is not a real First Nation

First Nation A's Population: 2,721 (on reserve, as recorded in the Indian Registration System as of December 31, 2023)
First Nation A's 2021 Index of Remoteness Score (Census 2021): 0.47
First Nation A's Percentage of Population in an Overcrowded Dwelling (Community Well-Being Index 2021): 16%

Calculation: Multiply First Nation A's population by its remoteness score and its overcrowded percentage: 2,721 x (1 + 0.47) x (1 + 0.16) = 4,639.8. This is First Nation A's housing score.

Total Population of Ontario First Nations Eligible for Housing Funding: 99,745 (on reserve, as recorded in the Indian Registration System as of December 31, 2023)
Sum of Housing Scores of Ontario First Nations Eligible for Housing Funding: 169,844. This is the total population of 99,745 multiplied by the respective remoteness scores and the overcrowded percentages of all First Nations eligible for housing funding.

Calculation: Divide First Nation A's housing score by the sum of the housing scores of Ontario First Nations eligible for housing funding: 4,639.8 / 169,844 = 0.027

Total Housing Funding Available from 2024-2025 to 2027-2028: $346.1 million
Base Housing Funding Per First Nation: $250,000
Number of First Nations Eligible for Housing Funding: 127

Calculations:

- From the total housing funding available, subtract the total amount required to provide base housing funding to each eligible First Nation: $346.1 million – ($250,000 x 127) = $314.3 million.
- Multiply the remaining housing funding of $314.3 million by the ratio between First Nation A's housing score and the sum of all housing scores: $314.3 million x 0.027 = $8.59 million
- Add the base housing funding to that amount: $8.6 million + $250,000 = $8.84 million.

In this example, First Nation A would receive $8.84 million in housing funding over 2024-2025 to 2027-2028. Over the three fiscal years of 2025-2026 to 2027-2028, First Nation A would receive $8.84 million minus the housing funding received in 2024-2025.

Appendix 10: Remoteness Quotient Adjustment Factor Methodology

This appendix explains how ISC will calculate the RQAF of First Nations and FNCFS Agencies for the purpose of adjusting Reformed FNCFS Program funding to account for the increased costs of delivering child and family services in remote First Nations.

The RQAF combines features of two approaches for estimating increased costs due to remoteness – NAN's Remoteness Quotient and ISC's Cost Adjustment Factor. The Remoteness Quotient uses specific cost data from FNCFS Agencies in Ontario. The Cost Adjustment Factor uses generic shipping cost data from Canada Post and estimates of labour costs based on the National Joint Council – Isolated Post and Government Housing Directive. The RQAF aims to combine the subject- and region-specific data of the Remoteness Quotient and the Canada-wide application of the Cost Adjustment Factor.

The appropriate RQAF calculation for a First Nation depends on data quality and availability. The Remoteness Quotient's data from FNCFS Agencies serving NAN First Nations allows ISC and NAN to calculate a more accurate estimate of remoteness costs – a more accurate RQAF – with respect to child and family services for a subset of NAN First Nations (specifically, those connected by all-weather road to the main road network). The data show that, to arrive at RQAF values for those First Nations, the First Nation's Cost Adjustment Factor should be multiplied by 1.089.

The RQAF does not benefit from comparable data for other First Nations, which necessitates a more general approach for those First Nations. ISC and NAN compared estimates of remoteness costs for First Nations in Ontario using child and family services data and estimates of the same costs using the Cost Adjustment Factor. That comparison indicates that, in general and in contrast to the situation for road-connected NAN First Nations, the Cost Adjustment Factor's cost estimates are slightly too high when applied to child and family services. The data show that, to arrive at RQAF values for all First Nations except for road-connected NAN First Nations, the First Nation's Cost Adjustment Factor should be multiplied by 0.879.

The formula for the Cost Adjustment Factor is as follows:

> (0.709 * a community's 2021 Index of Remoteness score) + (0.704 * 1 if the community is not connected by road to Canada's main road network, and 0 if the community is connected)

The NAN-Canada Remoteness Quotient Table, with the support of the Ontario Remoteness Secretariat, may continue to develop the RQAF, including by collecting child and family services cost data from other areas of the country.

Calculation of the Reformed FNCFS Program's Remoteness Adjustment

1) To determine the adjustment of a First Nation's funding for remoteness, Canada shall take the following steps:
    a. Using the Index of Remoteness based on 2021 Census data, produce a list of the 2021 Index of Remoteness scores of all First Nations eligible to receive funding under the FNCFS Program in Ontario;

b. For First Nations with a 2021 Index of Remoteness score at or above 0.40 ("Remoteness-Eligible First Nations"), determine if the First Nation is connected to Canada's main road network by an all-weather road;
c. Calculate the RQAF of each Remoteness-Eligible First Nation by the formula:
    i. if the First Nation is a member of NAN and is connected by all-weather road to Canada's main road network: (0.709 * the First Nation's 2021 Index of Remoteness score) * 1.089; or
    ii. if the First Nation is any other First Nation: [(0.709 * the First Nation's 2021 Index of Remoteness score) + (0.704 * 1 if the First Nation is not connected by all-weather road to Canada's main road network, and 0 if the First Nation is connected)] * 0.879, and
d. Multiply the Remoteness-Eligible First Nation's RQAF by its funding for prevention, First Nations Representative Services, information technology, results, emergency, household supports, and post-majority support services.

2) To determine the adjustment of an FNCFS Agency's funding for remoteness, Canada shall take the following steps:
    a. Calculate the population-weighted average RQAF of all First Nations affiliated with the FNCFS Agency, assigning an RQAF of 0 where an affiliated First Nation's 2021 Index of Remoteness score is less than 0.40; and
    b. Multiply (a) by the FNCFS Agency's funding for prevention and emergency.

Illustrative Examples of the RQAF Calculation

The table below illustrates the calculation of the RQAF for four fictional First Nations and for a fictional FNCFS Agency affiliated with those four First Nations.

	Population	2021 Index of Remoteness	Road Connected	NAN First Nation	Calculation	RQAF
First Nation A	500	0.55	Yes	Yes	(0.709*0.55) * 1.089	42%
First Nation B	1,000	0.67	No	No	[(0.709*0.67) + (0.704*1)] * 0.879	104%
First Nation C	2,000	0.45	Yes	No	(0.709*0.45) * 0.879	28%
First Nation D	1,200	0.28	Yes	No	N/A	0%
FNCFS Agency X	4,700 (total of First Nation population)	N/A	N/A	N/A	43% * (500/4,700) + 104% * (1,000/4,700) + 28% * (2,000/4,700) + 0% * (1,200/4,700)	39%

Appendix 11: Funding and Administration of Capital Commitments

This appendix details how ISC will administer capital funding under the Reformed FNCFS Program in Ontario. It specifies the process by which ISC will determine approval of capital projects, the funding sources from which ISC will fund approved capital projects, and the timelines for approval following the Effective Date.

First Nations and FNCFS Service Providers will be able to submit capital requests under the 2021 CHRT 41 process until the Effective Date. Beginning on the Effective Date, First Nations and FNCFS Service Providers will no longer be able to submit requests under the 2021 CHRT 41 process.

Approval Process

- Where a capital request is submitted before the Effective Date, ISC will apply the 2021 CHRT 41 approval process to determine if the request is approved. The 2021 CHRT 41 approval process will apply to that request until ISC approves the request or otherwise makes a final determination, even if such determination is made after the Effective Date.
- Where a capital request or proposal is submitted after the Effective Date, ISC will apply the "Priority Ranking Framework" (PRF) process to determine if the request or proposal is approved. Under that approval process, ISC will assess requests or proposals against a standard set of criteria (the PRF) and use their assessment scores to determine whether and in what order to fund requests and proposals.
    - **Exception:** For capital projects with design funding approved under the 2021 CHRT 41 approval process, requests for construction or completion funding shall not be subject to the PRF approval process. ISC will approve such requests if they meet the eligibility criteria under the Terms and Conditions of the Reformed FNCFS Program and are supported by sufficient documentation, as specified in ISC guidance developed with input from the Ontario Reform Implementation Committee. The PRF will apply only to determine the fiscal year in which the request will be funded.
- Funding for approved requests and proposals and the timing of that funding are subject to annual and overall availability of funding from the Final Agreement's total capital funding of $455 million.

Funding Source

- Where ISC approves a capital request before the Effective Date, ISC will draw the funding for the request from a funding source outside the Final Agreement.
- Where ISC approves a capital request or proposal on or after the Effective Date, ISC will draw the funding for the request or proposal from the Final Agreement's total capital amount of $455 million. ISC will draw the funding for such a request or proposal from the Final Agreement's total capital amount regardless of the approval process applied to the request or proposal.

Timelines

- For fiscal year 2026-2027, capital requests or proposals to which the PRF approval process applies will be submitted as part of capital plans submitted by January 30, 2026.
- A capital plan will be submitted by September 30, 2026 for the 2027-2028 fiscal year and then by September 30 of each subsequent year. ISC will assess capital

plans between September 30 and the beginning of the following fiscal year. ISC will make a final determination on requests or proposals within that timeframe.

Appendix 12: Modifications if the Effective Date is after March 31, 2026

This appendix details the necessary changes to the Final Agreement if the Effective Date is after March 31, 2026.

1. If the Effective Date is on or before March 31, 2026, the dates and the fiscal years in the paragraphs given in the Final Agreement apply as written, without modification. For clarity, total funding in fiscal year 2025-2026 set out in Appendix 1 for information technology, results, emergency, household supports and remoteness adjustment will be reduced as described in paragraphs 54(b), 54(c), 54(h)(i), 54(h)(ii) and 54(h)(iv) if the Effective Date is later than April 1, 2025. The funding amounts set out in paragraphs 5 and 7 will be likewise reduced.

2. If the Effective Date is in fiscal year 2026-2027, this Final Agreement will be modified as follows:

    a) all funding in the column “2025-26” of the financial table in Appendix 1 will be removed. Funding amounts that are described in the Final Agreement as for the Initial Funding Period, nine fiscal years or the Term of the Final Agreement will be consequently reduced and references to nine fiscal years will be shortened to eight fiscal years. For greater clarity, funding amounts to be consequently reduced include funding amounts in paragraphs 5, 7, 27, 28, 44(f)(ii), 86, 104, 128 and 309;

    b) the date of April 1, 2025 will be brought forward by one year in paragraphs 4(ll), 4(nnn), 5 and 17;

    c) the date of March 31, 2026 will be brought forward by one year in paragraphs 18(b)(i), 26, 44(b)(iv)b, 54(b), 54(c), 54(e)(i) and 54(h)(ii);

    d) the date of April 1, 2026 will be brought forward by one year in paragraphs 44(d)(ii), 54(a)(iii), 54(e)(ii), 54(h)(v) and 55;

    e) the date of September 20, 2026 will be brought forward by one year in paragraphs 54(a)(ii) and 54(e)(i);

    f) the date of October 1, 2026 will be brought forward by one year in paragraph 44(d)(ii) and 44(d)(iii);

    g) fiscal year 2025-2026 will be brought forward to fiscal year 2026-2027 in paragraphs 10(a), 22, 23, 44(b)(iv), 44(b)(iv)a, 44(b)(vi), 44(b)(vi)a, 44(d)(iv), 50, 54, 54(a)(i), 54(a)(ii), 54(b), 54(c), 54(d), 54(e)(i), 54(f)(i), 54(g)(i), 54(g)(ii), 54(h)(i), 54(h)(ii), 54(h)(iii), 54(h)(iv) and 309;

    h) fiscal year 2026-2027 will be brought forward to fiscal year 2027-2028 in paragraphs 18(b)(i), 18(b)(ii), 26, 44(d)(ii), 50, 56(b) and 56(d);

    i) amounts in paragraphs 22 and 23 will be adjusted for inflation;

    j) the amount in paragraph 54(g)(ii) will be the amount for “Post-Majority Support Services” under the column “2026-27”; and

    k) the amount in paragraph 82 will be reduced by the amount for housing in the column “2025-26” in the financial table in Appendix 1, the text “2025-2026” will be deleted from 82, and the amount calculated in paragraph 83 for an

individual First Nation will be reduced by the housing amount the First Nation would have received in fiscal year 2025-2026 had the Effective Date occurred in fiscal year 2025-2026.

3. If the Effective Date is in fiscal year 2027-2028, this Final Agreement will be modified as follows:

    a) all funding in the columns “2025-26” and “2026-27” of the financial table in Appendix 1 will be removed. Funding amounts that are described in the Final Agreement as for the Initial Funding Period, nine fiscal years or the Term of the Final Agreement will be consequently reduced and references to nine fiscal years will be shortened to seven fiscal years. For greater clarity, funding amounts to be consequently reduced include funding amounts in paragraphs 5, 7, 27, 28, 44(f)(ii), 86, 104, 128 and 309;

    b) the date of April 1, 2025 will be brought forward by two years in paragraphs 4(ll), 4(nnn), 5 and 17;

    c) the date of March 31, 2026 will be brought forward by two years in paragraphs 18(b)(i), 26, 44(b)(iv)b, 54(b), 54(c), 54(e)(i) and 54(h)(ii);

    d) the date of April 1, 2026 will be brought forward by two years in paragraphs 44(d)(ii), 54(a)(iii), 54(e)(ii), 54(h)(v) and 55;

    e) the date of September 20, 2026 will be brought forward by two years in paragraphs 54(a)(ii) and 54(e)(i);

    f) the date of October 1, 2026 will be brought forward by two years in paragraph 44(d)(ii) and 44(d)(iii);

    g) fiscal year 2025-2026 will be brought forward to fiscal year 2027-2028 in paragraphs 10(a), 22, 23, 44(b)(iv), 44(b)(iv)a, 44(b)(vi), 44(b)(vi)a, 44(d)(iv), 50, 54, 54(a)(i), 54(a)(ii), 54(b), 54(c), 54(d), 54(e)(i), 54(f)(i), 54(g)(i), 54(g)(ii), 54(h)(i), 54(h)(ii), 54(h)(iii), 54(h)(iv) and 309;

    h) fiscal year 2026-2027 will be brought forward to fiscal year 2028-29 in paragraphs 18(b)(i), 18(b)(ii), 26, 44(d)(ii), 50, 56(b) and 56(d);

    i) amounts in paragraphs 22 and 23 will be adjusted for inflation;

    j) the amount in paragraph 54(g)(ii) will be the amount for “Post-Majority Support Services” under the column “2027-28”; and

    k) the amount in paragraph 82 will be reduced by the amount for housing in the columns “2025-26” and “2026-27” in the financial table in Appendix 1, the text “2025-2026” and “2026-2027” will be deleted from 82, and the amount calculated in paragraph 83 for an individual First Nation will be reduced by the housing amounts the First Nation would have received in fiscal year 2025-2026 and 2026-2027 had the Effective Date occurred in fiscal year 2025-2026.

4. If the Effective Date is in fiscal year 2028-2029, this Final Agreement will be modified as follows:

    a) all funding in the columns “2025-26”, “2026-27” and “2027-28” of the financial table in Appendix 1 will be removed. Funding amounts that are

described in the Final Agreement as for the Initial Funding Period, nine fiscal years or the Term of the Final Agreement will be consequently reduced and references to nine fiscal years will be shortened to six fiscal years. For greater clarity, funding amounts to be consequently reduced include funding amounts in paragraphs 5, 7, 27, 28, 44(f)(ii), 86, 104, 128 and 309;

b) the date of April 1, 2025 will be brought forward by three years in paragraphs 4(ll), 4(nnn), 5 and 17;

c) the date of March 31, 2026 will be brought forward by three years in paragraphs 18(b)(i), 26, 44(b)(iv)b, 54(b), 54(c), 54(e)(i) and 54(h)(ii);

d) the date of April 1, 2026 will be brought forward by three years in paragraphs 44(d)(ii), 54(a)(iii), 54(e)(ii), 54(h)(v) and 55;

e) the date of September 20, 2026 will be brought forward by three years in paragraphs 54(a)(ii) and 54(e)(i);

f) the date of October 1, 2026 will be brought forward by three years in paragraph 44(d)(ii) and 44(d)(iii);

g) fiscal year 2025-2026 will be brought forward to fiscal year 2028-2029 in paragraphs 10(a), 22, 23, 44(b)(iv), 44(b)(iv)a, 44(b)(vi), 44(b)(vi)a, 44(d)(iv), 50, 54, 54(a)(i), 54(a)(ii), 54(b), 54(c), 54(d), 54(e)(i), 54(f)(i), 54(g)(i), 54(g)(ii), 54(h)(i), 54(h)(ii), 54(h)(iii), 54(h)(iv) and 309;

h) fiscal year 2026-2027 will be brought forward to fiscal year 2029-2030 in paragraphs 18(b)(i), 18(b)(ii), 26, 44(d)(ii), 50, 56(b) and 56(d);

i) amounts in paragraphs 22 and 23 will be adjusted for inflation;

j) the amount in paragraph 54(g)(ii) will be the amount for “Post-Majority Support Services” under the column “2028-29”; and

k) PART IX – Housing funding will be struck.

5. For greater clarity, Canada shall not provide retroactive funding for any period before the Effective Date in relation to any funding that is to be provided on or after the Effective Date.

AGREEMENT RESPECTING FUNDING FOR FIRST NATION REPRESENTATIVE SERVICES OFF-RESERVE IN ONTARIO

among

HIS MAJESTY THE KING IN RIGHT OF CANADA

As represented by the Minister of Indigenous Services

(hereinafter “Canada”)

and

CHIEFS OF ONTARIO

(hereinafter “COO”)

and

NISHNAWBE ASKI NATION

(hereinafter “NAN”)

RECITALS

WHEREAS Canada is of the view that funding for First Nation Representative Services off-reserve in Ontario is the responsibility of the Government of Ontario;

AND WHEREAS the Government of Ontario does not currently provide funding to First Nations for the provision of First Nation Representative Services;

AND RECOGNIZING the value and importance of First Nation Representative Services to First Nations and their citizens;

NOW THEREFORE, in consideration of the mutual agreements, covenants, and undertakings set out herein, the Parties agree as follows:

ARTICLE 1 – INTERPRETATION

1.01 Definitions

(1) The following definitions apply to this Agreement:

(a) **"1965 Agreement"** means *The Memorandum of Agreement Respecting Welfare Programs for Indians* entered into between Ontario and Canada, as amended.

(b) **"Agreement"** means this Agreement Respecting Funding for First Nation Representative Services Off-Reserve in Ontario.

(c) **"Agreement-in-Principle"** means the Agreement-in-Principle on Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle executed between the Assembly of First Nations, the First Nations Child and Family Caring Society of Canada, Canada, COO and NAN dated December 31, 2021.

(d) **"Days"** means calendar days.

(e) **"First Nation"** means a "band" as defined in subsection 2(1) of the *Indian Act*, RSC, 1985, C I-5, as amended, that is located in Ontario.

(f) **"First Nation Representative Services"** (sometimes referred to as Band Representative Services) means the services delivered by a First Nation Representative, which are advocates for First Nations in matters relating to the delivery of services to their citizens by a child welfare agency.

(g) **"FNCFS Program"** means the First Nations Child and Family Services Program, provided by the Minister of Indigenous Services as authorized by the *Department of Indigenous Services Act*, S.C.

2019, c. 29, s. 336, or any successor legislation, and which provides funding for and direction in the delivery of child and family services to support the safety and well-being of First Nations children, youth, and families, ordinarily resident of a reserve, or any successor federal program or policy.

(h) **"ISC"** means Indigenous Services Canada and any successor department thereto.

(i) **"Ontario"** means the province of Ontario.

(j) **"Parties"** means Canada, COO, and NAN.

ARTICLE 2 – OFF-RESERVE FIRST NATION REPRESENTATIVE SERVICES

2.01 COO, NAN, and Canada recognize the value and importance of First Nation Representative Services.

2.02 Canada is of the view that funding First Nation Representative Services off-reserve in Ontario is the responsibility of the Government of Ontario.

2.03 COO, NAN, and Canada shall approach the Government of Ontario together to seek provincial funding for First Nation Representative Services off-reserve and will use the opportunity of discussions on reforming the 1965 Agreement to raise First Nation Representative Services funding as a significant priority.

2.04 In order to provide time for negotiations with the Government of Ontario and outside of the FNCFS Program, Canada shall fund First Nations in Ontario at their actual costs for the provision of First Nation Representative Services to First Nations children and families residing off-reserve until March 31, 2027 based on the criteria set out in paragraph 2.05, or an earlier date on which the Government of Ontario begins to fund First Nation Representative Services for First Nations children and families residing off-reserve.

2.05 The FNCFS Program's terms and conditions for First Nation Representative Services on-reserve will apply to First Nation Representative Services off-reserve, except the requirement that the recipient of services reside on-reserve. Funding requests for First Nation Representative Services off-reserve in Ontario will include appropriate supporting documentation to demonstrate that requested funding is reasonable and consistent with the principle of substantive equality.

2.06 Notwithstanding paragraph 2.05, ISC may issue further guidance or other documents that set out how it will assess funding requests for First Nation Representative Services off-reserve.

2.07 ISC will assess funding claims within 21 days of receiving a complete application in accordance with paragraphs 2.05 and 2.06.

2.08 Funding for First Nation Representative Services off-reserve will not be part of the FNCFS Program.

ARTICLE 3 – TERM

3.01 This Agreement is effective as of April 1, 2025, and shall terminate on March 31, 2027, unless the Parties agree to another date.

ARTICLE 4 – GENERAL

4.01 This Agreement, including all appendices, constitutes the entire agreement between the Parties with respect to the subject matter hereof and cancels and supersedes any prior or other understandings, commitments and agreements between the Parties, including the Agreement-in-Principle. There are no representations, warranties, terms, conditions, undertakings, covenants, or collateral agreements, express, implied, or statutory between the Parties with respect to the subject matter hereof other than as expressly set forth or referred to in this Agreement.

4.02 The provisions of this Agreement will be governed by, and be interpreted in accordance with, the laws of Ontario and the laws of Canada.

4.03 The Parties may only amend the terms of this Agreement upon unanimous consent in writing.

4.04 Any funding commitment made by Canada under this Agreement is subject to the terms of the funding agreement through which the funding is provided.

4.05 Any and all funding commitments by Canada or amendments agreed to by the Parties in this Agreement remain subject to annual appropriation by the Parliament of Canada, as required, or other necessary approval processes required by the Government of Canada.

4.06 Save as may otherwise be agreed between the Parties, the Parties shall keep confidential the discussions and all communications, whether written or oral, made in and surrounding the negotiations leading to this Agreement.

4.07 Any information provided, created, or obtained in the course of implementing this Agreement shall be kept confidential and shall not be used for any purpose other than as set out in this Agreement, unless otherwise agreed by the Parties or as required by law.

4.08 The Parties acknowledge that documents, communications, and records relating to the Agreement may be subject to the *Access to Information Act* (R.S.C., 1985, c. A-1) and the *Privacy Act* (R.S.C., 1985, c. P-21) as amended from time to time or other related legislation or legal obligations.

4.09 Where the context or construction requires, all words applied in the plural shall be deemed to have been used in the singular, and vice versa.

4.10 The division of this Agreement into articles, sections, and paragraphs, and the insertion of headings are for reference only and shall not affect the interpretation of this Agreement.

4.11 This Agreement may be signed in identical counterparts, each of which constitutes an original, and such counterparts taken together will constitute one agreement. The signatures of the Parties need not appear on the same counterpart, and executed counterparts may be delivered by facsimile or in electronically scanned form by electronic mail.

[Remainder of page intentionally left blank; signature page follows]

AGREEMENT RESPECTING FUNDING FOR FIRST NATION REPRESENTATIVE SERVICES OFF-RESERVE IN ONTARIO

among

HIS MAJESTY THE KING IN RIGHT OF CANADA

As represented by the Minister of Indigenous Services

and

CHIEFS OF ONTARIO

and

NISHNAWBE ASKI NATION

The Parties have signed this Agreement this 26th day of February 2025.

FOR CHIEFS OF ONTARIO

Ontario Regional Chief Abram Benedict

FOR NISHNAWBE ASKI NATION

Grand Chief Alvin Fiddler

FOR HIS MAJESTY THE KING IN RIGHT OF CANADA

The Honourable Patty Hajdu, Minister of Indigenous Services