



Final Agreement on the Long-Term Reform of the First Nations Child and Family Services (FNCFS) Program in Ontario

Fact Sheet for FNCFS Agencies

Background

The draft Final Agreement on Long-Term Reform of the First Nations Child and Family Services (“FNCFS”) Program in Ontario (the “Ontario Final Agreement”) reached by Chiefs of Ontario, Nishnawbe Aski Nation, and Canada provides for the implementation of the reforms contained in the rejected national Final Agreement here in Ontario.

The Ontario Final Agreement commits ISC to provide \$8.5 billion over 9 fiscal years (April 1, 2025 to March 31, 2034).

KEY FACTS ABOUT THE ONTARIO FINAL AGREEMENT FOR FNCFS AGENCIES

Key facts about the draft Ontario Final Agreement for FNCFS Agencies are detailed below. The first section highlights changes related to funding and the second on changes to the non-monetary aspects of the Ontario Final Agreement.

Note: The below is conditional on the Ontario Final Agreement being ratified by Nishnawbe Aski Nation Chiefs-in-Assembly and Ontario Chiefs-in-Assembly, and approved by the Canadian Human Rights Tribunal (“CHRT”) within the 2025-26 fiscal year.

FNCFS Agency Funding Under the Ontario Final Agreement

- The Ontario Final Agreement **does not** change the way that FNCFS Agencies in Ontario are funded by the provincial government for on- and off-reserve protection, maintenance, and operations under the Ontario Agency Funding Formula. The Ontario Final Agreement **only** speaks to the funding that ISC provides to FNCFS Agencies. The amounts that FNCFS Agencies would receive from ISC under the Ontario Final Agreement are **in addition** to these amounts from Ontario.
- Ontario FNCFS Agencies continue to have access to actuals from ISC for **intake and investigation, legal fees, and building repairs** until March 31, 2026. After that, **baseline funding** will be provided to FNCFS Agencies based on the 2022-23 operations and maintenance expenditures, adjusted for inflation and population growth. Going forward, baseline funding will be adjusted to reflect inflation and population growth.

In limited circumstances, FNCFS Agencies will be able to submit a Service Provider Funding Adjustment Request should their protection and least disruptive measures funding be insufficient.

- FNCFS Agencies have been receiving a share of their affiliated First Nations’ **prevention funding** since April 1, 2022 and will continue to do so in 2025-26. Once the Ontario Final Agreement comes into effect, First Nations in Ontario can elect to receive up to 100% of its prevention funding or choose to allocate some of it to its affiliated FNCFS Agency. This means that an FNCFS Agency’s prevention funding may decrease as soon as October 1, 2026 as a result of the First Nation’s choice.

The new approach to prevention funding recognizes First Nations as leaders in carrying out prevention services and respects that First Nations are best suited to choose whether another service provider should be delivering prevention services in their communities.

- FNCFS Agencies will continue to have access to funding for **FNCFS capital** at actuals until the date the Ontario Final Agreement comes into effect. FNCFS Agencies will continue to be eligible to request FNCFS capital funding after this date, but projects will be funded out of a \$455 million pot and pursuant to a new process that will feature a prioritization framework.
- FNCFS Agencies will continue to have access to funding for **post-majority support services** at actuals until the date the Ontario Final Agreement comes into effect. After that, Agencies will receive post-majority support services funding only if an affiliated First Nation(s) decides to allocate some of its funding to the FNCFS Agency, similar to prevention funding.
- FNCFS Agencies will receive one brand new type of funding: **emergency funding**, which is split 50/50 between the First Nation and its affiliated FNCFS Agency. Note that funding in 2025-26 will be prorated based on the date the agreement comes into effect.
- In 2025-26, prevention funding and emergency funding (prorated) to FNCFS Agencies will be **adjusted for remoteness** at the lower rate. After that, any prevention, post-majority support services, and emergency funding received by an FNCFS Agency will be adjusted for remoteness according to the approach detailed in the Ontario Final Agreement.

Non-Monetary Aspects of the Ontario Final Agreement Relevant to FNCFS Agencies

- **Performance Measurement:** FNCFS Agencies will be required to report on indicators directly related to their activities to advance the outcomes of the Reformed FNCFS Program. For a complete list of the indicators and outcomes that will be used, please see Appendix 2 of the Ontario Final Agreement. This data will be shared by ISC with the Ontario FNCFS Data Secretariat.
- **Community Wellness Reporting:** FNCFS Agencies will be required to collect data on the community wellness indicators listed at paragraph 113 of the Ontario Final Agreement with respect to children placed in out-of-home care. FNCFS Agencies will report on this data to their affiliated First Nations and will share this data with the Ontario FNCFS Data Secretariat.
- **Co-Developed Child and Community Wellbeing Plan:** Every FNCFS Agency will be required to co-develop a Child and Community Wellbeing Plan with the First Nations they serve. It will be a multi-year plan, updated annually, and will cover things like how the FNCFS Agency is spending its funding (including surplus funding) and how the FNCFS Agency will work to achieve the First Nations' priorities. A template planning template can be found at Appendix 5 of the Ontario Final Agreement.
- **Alternative Dispute Resolution (ADR) Process:** The ADR process in the Ontario Final Agreement is more streamlined, less costly, and more culturally appropriate. It will handle two types of disputes, including disputes raised by First Nations and FNCFS Agencies. It is an optional process – First Nations and FNCFS Agencies can decide not to use the ADR process in the Ontario Final Agreement and to instead take their dispute to a court or to the CHRT if they choose.
- **Reform of the 1965 Agreement:** COO, NAN, and Canada are committed to working together to pursue reform of the 1965 Agreement. One of our priorities is to encourage the Government of Ontario to review its formula/funding levels to advance substantive equality.

RESOURCES

Ontario Final Agreement Fact Sheet:

<https://fncfsreform.ca/DOWNLOADS/FEB-10-2024/Ontario-Final-Agreement-Fact-Sheet-Final-Draft-Feb-5-2025.pdf>

Draft Ontario Final Agreement:

<https://fncfsreform.ca/DOWNLOADS/FEB-10-2024/Draft-Agreement-on-FNCFS-Program-Reform-in-Ontario-February-7-2025.pdf>

Comparison Between the National (Rejected) Final Agreement and the Ontario Final Agreement: <https://fncfsreform.ca/DOWNLOADS/FEB-10-2024/Comparison-between-National-Final-Agreement-and-Ontario-Final-Agreement.pdf>

Archived documents relating to the National (Rejected) Final Agreement:
<https://fncfsreform.ca/archive>

Next Steps

Information Sessions

COO and NAN will be hosting one last virtual information session on **Friday, February 21st from 10:30-12:30pm Eastern** to help First Nations and FNCFS Agencies understand the Ontario Final Agreement. To register, please visit: <https://www.chiefsmeeting.com/fncfsinfo>.

Votes at Special Chief Assemblies

The Ontario Final Agreement will be put to an approval vote by NAN Chiefs at a Special Chiefs Assembly on **February 25th**.

The Ontario Final Agreement will be put to an approval vote by Ontario Chiefs-in-Assembly at a Special Chiefs Assembly on **February 26th**.

Contact

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