



FNCFS REFORM

Long-Term Reform of the First Nations
Child and Family Services (FNCFS) Program

FNCFSREFORM.CA



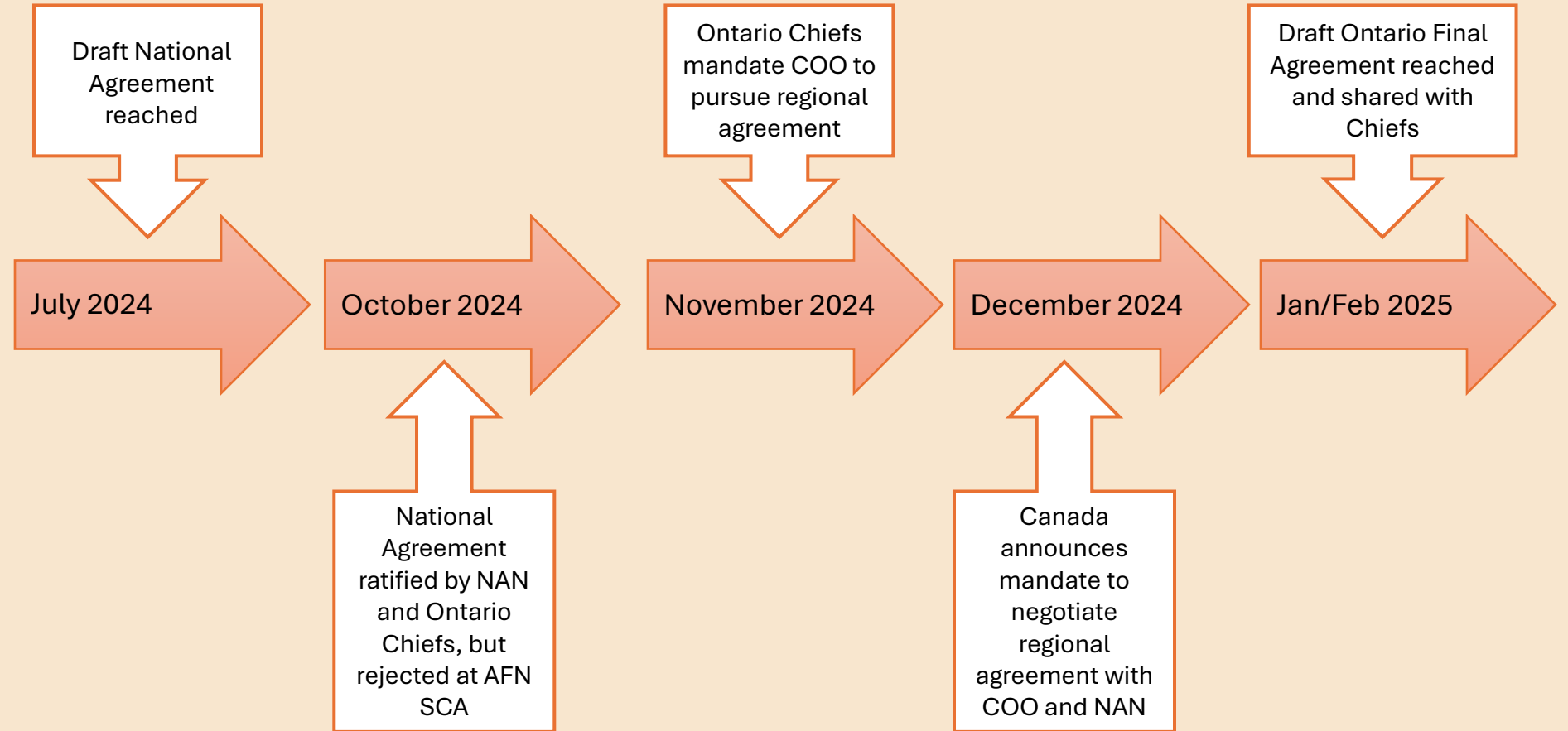
Draft Final Agreement on Long-Term Reform of the FNCFS Program in Ontario (Ontario Final Agreement)

February 21, 2025



Background – How we got here

Timeline Since July 2024





Funding Commitment

- **Total Funding:** \$8.5 billion over 9 fiscal years (Apr 1, 2025-Mar 31, 2034)
- **Additional Funding:** Administrative support, cultural humility training, program assessments, legal fees



Transition to the Reformed Funding Approach

Fiscal Year
2025-2026

Funding Outlook for Agencies in 2025-26

Access to actuals for:

- intake and investigations, legal fees, and building repairs
- Capital (until Effective Date)
- Post-majority support services (until Effective Date)

Prevention funding, adjusted for remoteness at lower rate

Some emergency funding, prorated based on Effective Date

Funding from Ontario for prevention, investigation, least disruptive measures, and protection per Ontario Funding Formula

Funding Outlook for First Nations in 2025-26

Access to actuals for:

- Capital (until Effective Date)
- Post-majority support services (until Effective Date, at which point First Nations will start receiving a direct annual allocation)

Prevention funding, adjusted for remoteness at lower rate

Some emergency, results, IT, and household supports funding, prorated based on Effective Date

First Nation (Band) Rep funding direct allocation with actuals backstop



First Nation Funding under the Ontario Final Agreement

Proposed under the
draft Ontario Final
Agreement – not
effective until approval
by Tribunal





Agency Funding under the Ontario Final Agreement

Proposed under the
draft Ontario Final
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From Government of Ontario

- Agencies continue to receive funding directly from Ontario for prevention, investigation, least disruptive measures, and protection
- Amount is calculated using Ontario's Funding Formula
- ❖ The OFA does not change the way that Agencies in Ontario are funded by Ontario

From the FNCFS Program (ISC)

- **Prevention:** in 2026/27, a portion of the First Nation's *per capita* allocation until at least October 1, 2026, adjusted for remoteness (if applicable)
- **Baseline :** based on the 2022-23 operations and maintenance expenditures, adjusted for population growth and inflation
- **Capital:** accessed through the Capital Process/ Prioritization Framework described in the OFA
- **Emergency:** split 50/50 between a First Nation and its affiliated Agency, adjusted for remoteness (if applicable)

From First Nations (if applicable)

- First Nations can choose to direct the following funds to its affiliated Agency or any other service provider(s):
 - Prevention funding
 - Post-majority support services funding



What is the same under the draft Ontario Final Agreement?

Proposed under the draft Ontario Final Agreement
– not effective until approval by Tribunal

For the program as a whole:

- ✓ First-Nations led governance and oversight
- ✓ Alternative Dispute Resolution for parties, First Nations, and Agencies
- ✓ Program Assessments mid-term and at end of term of agreement
- ✓ Reform of the 1965 Agreement

For First Nations

- ✓ Prevention funding, with First Nations decision-making over service provider
- ✓ First Nation (Band) Representative funding
- ✓ Capital funding
- ✓ Post-Majority Support Services funding
- ✓ Top-Up funding for Results, IT, and emergencies
- ✓ Remoteness Adjustment Funding (if applicable)
- ✓ Housing funding

For FNCFS Agencies

- ✓ Funding from Ontario
- ✓ “Baseline” funding from ISC for operations and maintenance
- ✓ Capital funding
- ✓ Remoteness Adjustment Funding (if applicable)



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Nishnawbe
Aski Nation
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Changes from the National Agreement (October 2024)



Governance of the Reformed FNCFS Program in Ontario

Ontario Reform Implementation Committee

3 Representatives Appointed by the Parties to the Ontario Final Agreement:

- Chiefs of Ontario
- Nishnawbe Aski Nation
- Canada

5 Representatives appointed by Ontario Chiefs-in-Assembly after an expression of interest process led by COO Leadership Council

Includes one youth representative who ideally has experience in care

- ORIC **receives information and research** and **makes recommendations** to the Parties about ongoing implementation of the FNCFS Program
- ORIC is independent of the Parties, but **accountable** to the Parties through their appointments (which can be revoked) and through reporting to the Parties
- Some of the key ORIC functions will be:
 - Initiating the **Program Assessment** process, recommending the selection of the Program Assessment Organization, and reviewing the Program Assessment Reports
 - Recommending to the Parties actions to take after the Program Assessment Reports
 - Overseeing development of **cultural humility training** for ISC employees
 - Working with the **Systemic Review Committee** and the **Technical Advisory Committee**

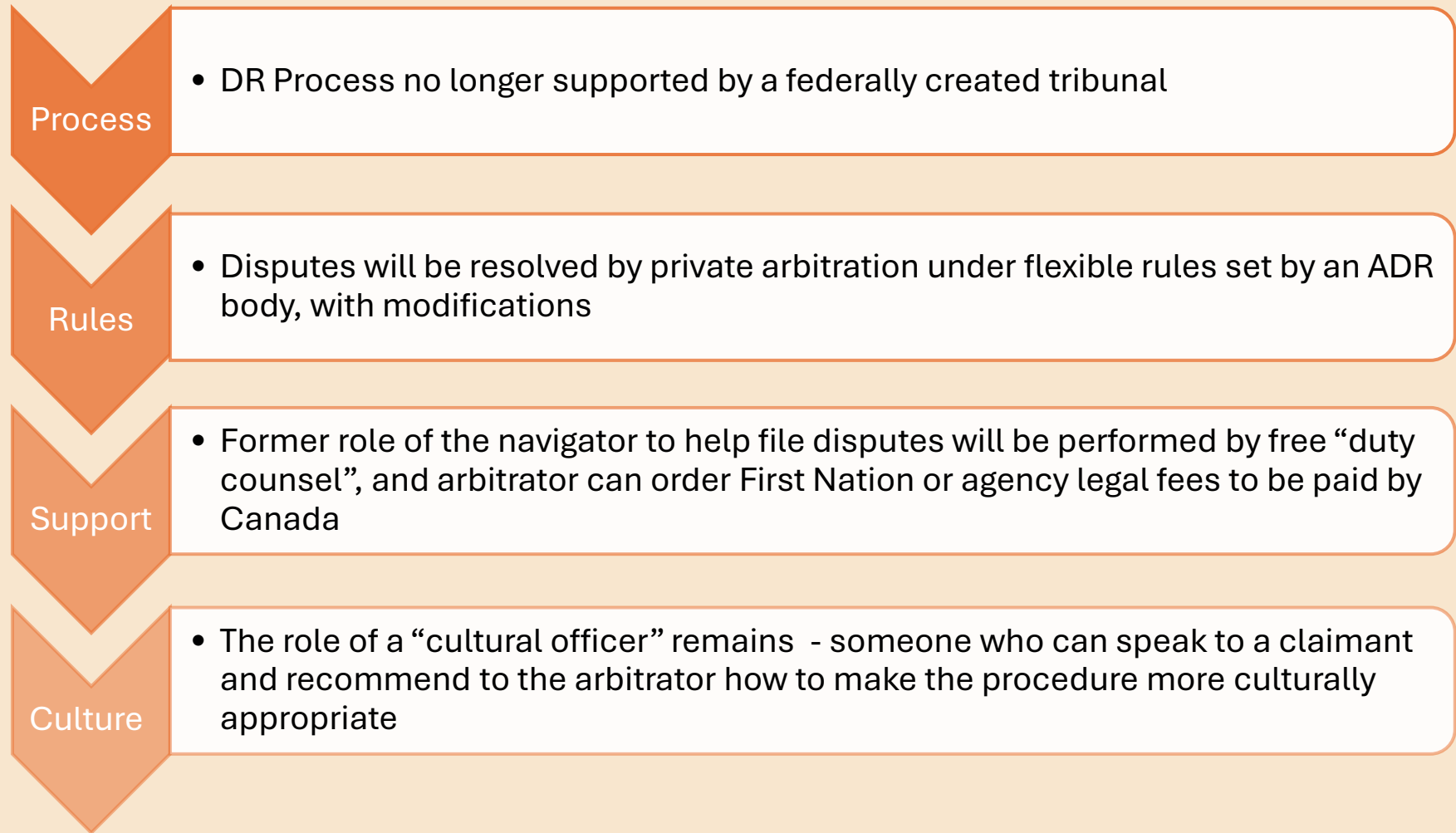


Dispute Resolution – Ontario-only process

Some changes to process, not substance

Dispute resolution process **for the Parties** is mandatory about almost all issues that arise under the agreement

Dispute resolution process for **First Nations and Agencies** remains optional, with ways to make the process accessible and more culturally appropriate





Funding Differences under the Ontario Final Agreement

Proposed under the draft Ontario Final Agreement – not effective until approval by Tribunal

Differences in the Reformed FNCFS Funding Approach under the draft Ontario Final Agreement

First Nation (Band) Representative Services Funding: First Nations are funded at the highest annual amount received over five fiscal years, 2019/20 – 2023/24 adjusted for inflation and population growth

Post-Majority Support Services Initiative Funding: Funding to support initiatives to raise awareness of and enable youth aging out of care to access post-majority support services



Data Management under the draft Ontario Final Agreement

- Creation of the Ontario FNCFS Data Secretariat
- Continued collaboration between COO and ICES – the Institute for Clinical Evaluative Studies



Ontario
FNCFS Data
Secretariat



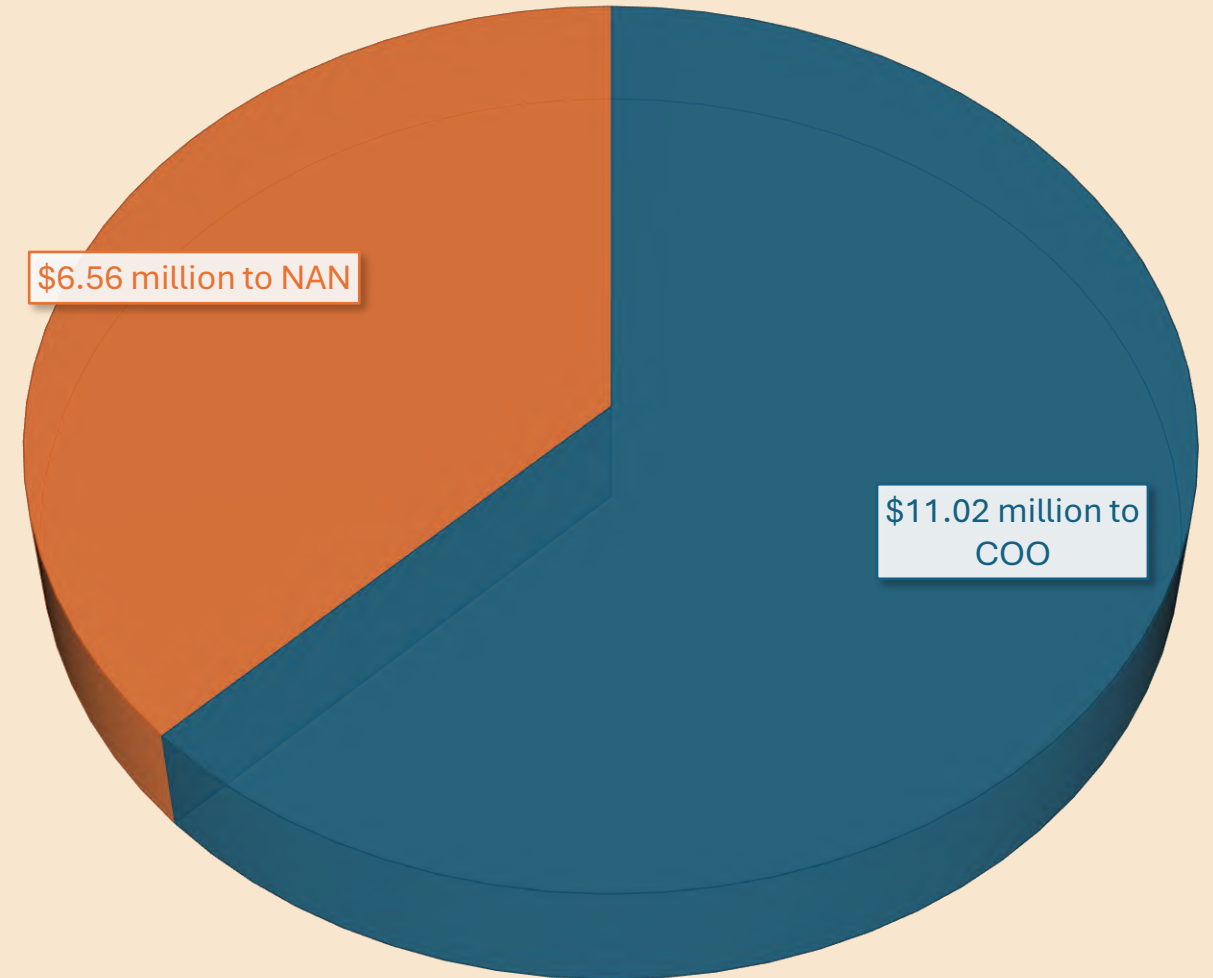
COO and NAN Implementation Funding

NAN and COO both receive implementation funding under the Ontario Final Agreement

TOTAL FUNDING (9 YEARS FROM APR 1, 2025 TO MAR 31, 2034)

What is the funding for?

- Fulfill roles and responsibilities under the OFA (including for COO, RFP process for Program Assessments, contract administration, etc.)
- Role in the Ontario FNCFS Data Secretariat and data collection and analysis
- Implementation-related research
- Ongoing engagement with regions
- Staff/ contract roles related to implementation of the OFA





Road to Approval and Implementation

Next Steps

Approval Votes:
Special Chiefs
Assemblies on
February 25 and
26, 2025

Tribunal Motion:
Seeking approval
of Ontario Final
Agreement and
end of Tribunal
oversight

**Tribunal Decision
and any appeals**

**Implementation
of the reforms in
the Ontario Final
Agreement**

The Ontario Final Agreement is conditional on Tribunal Approval and would come into effect 60 days after being approved by the Tribunal.

Parties' target effective date is by **March 31, 2026**. If we do not have Tribunal approval by then, there are funding implications for fiscal year 2025-26.



Other Agreements Re: 1965 Reform and off-reserve FNRS Funding

1

Trilateral Agreement on Reform of the 1965 Agreement - 5 Year Agreement

Agreement to work with Canada to approach Ontario about 1965 Agreement reform

- **Principles for reform:**
 - Substantive Equality
 - COO and NAN participation in discussions with Ontario
- **Subject Matters for Reform:**
 - All subject matters under the 1965 Agreement not just child and family services
 - Government of Ontario's funding levels, including for remoteness
 - First Nations- focused and led program and service delivery

2

Agreement on First Nation Representative Services Off-Reserve Funding – 2 Year Agreement

- Canada will continue to fund FNRS Off-Reserve using the actuals process, funded through Jordan's Principle and according to the Jordan's Principle terms and conditions
- COO and Canada will approach Ontario to fund FNRS off-reserve



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Meegwetch!
Nia: Wen!