



Effective Date: June 12, 2018

ESTABLISHING FINANCE COMMITTEES

Definitions

1. The following definitions apply to this Policy:
 - **Committee** - means a committee formally established by Council to perform a function with respect to Cowichan Tribes' financial management system and includes a sub-committee of the committee;
 - **Terms of Reference** - refers to a documented statement of the mandate, objectives, purpose, scope, functions and rules for the operation of a committee;
2. Please refer to Cowichan Tribes' "Definitions Guide for Policies and Procedures" for the definition of other terms used in this Policy and the associated procedures.

Policy Directive:

Cowichan Tribes shall establish the committees necessary to provide for an effective and accountable financial management system, and ensure the committees operate accordingly.

Related Cowichan Teaching

"Give thanks for what you have been given"

Applicable Legislation and Standards

3. Cowichan Tribes' practices regarding the establishment of committees for its financial management system must comply with applicable legislation, standards, and Cowichan Tribes' laws, policies and procedures, including:
 - i) Cowichan Tribes First Nation Financial Administration Law (the FAL); and
 - ii) First Nations Financial Management Board (FNFMB) Standards.
4. For other legislation and standards related to this Policy, please refer to the listing of "Applicable Legislation and Standards".

Reason for Policy

5. The objectives of this Policy include:
 - i) Providing guidelines and framework for establishing committees required to ensure an effective and accountable financial management system for Cowichan Tribes;
 - ii) Ensuring that Cowichan Tribes establishes the committees necessary to assure its financial management system operates in an effective and accountable manner;
 - iii) Ensuring committees established by Cowichan Tribes are functioning properly, and are consistently and purposefully structured, resourced, and empowered so as to enable them to effectively carry out their assigned authority and mandate;



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- iv) Monitoring and documenting the establishment and operation of committees;
- v) Providing for the dissolving of committees that are no longer warranted; and
- vi) Ensuring Cowichan Tribes complies with all applicable requirements.

Consequences of Non-Compliance with Policy

- 6. Potential consequences of non-compliance with this Policy include:
 - i) Insufficient guidelines and directions for establishing or dissolving committees;
 - ii) Lack of appropriate management and oversight over the development and operation of committees (i.e., too many committees, needed committees not established, etc.);
 - iii) Lack of purposefulness, qualifications, accountability, etc. amongst committees;
 - iv) Lack of proper records and documents on committee creation and operations; and
 - v) Breach of legislation, standards, or Cowichan Tribes' laws, policies or procedures.

Policy Application

- 7. This Policy applies to or affects Cowichan Tribes':
 - i) Chief and Council;
 - ii) Committees and committee members;
 - iii) General Manager; and
 - iv) All other persons involved in the establishment and operation of committees that are associated with the financial management system of Cowichan Tribes.

Policy Requirements

Establishing Committees

- 8. Council shall establish committees that are required to ensure its financial management system operates in an effective, accountable, and credible manner and complies with all pertinent requirements.
- 9. The prior written approval of Council is required before such committees may be established (or dissolved).
- 10. Formal terms of reference shall be established for each committee, including the committee's mandate, objectives and expected outcomes.
- 11. Individuals shall only be appointed to a committee if they possess the required qualifications for, and are eligible to be, members of the committee.
- 12. Committees and committee members must act in an ethical and accountable manner, and in the best interests of Cowichan Tribes.
- 13. The functioning of committees shall be continually monitored to ensure compliance with the committee's mandate and terms of reference, and to assess effectiveness.



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14. Members of a committee may be removed if they breach any applicable legislation, standards, or Cowichan Tribes' laws, policies or procedures.
15. All events relating to the establishment, and dissolving, of committees shall be properly recorded and all related records must be maintained in a confidential and secure manner.



Procedures: Establishing Finance Committees

Roles and Responsibilities

16. Council's responsibilities include:
 - i) Establishing the necessary committees, and their mandates, to ensure an effective financial management system for Cowichan Tribes;
 - ii) Approving the terms of reference, and determining the minimum qualifications and eligibility requirements of committee chairs and other committee members;
 - iii) Appointing a chair, and the other members, for each committee; and
 - iv) Ensuring that each committee is, and remains, effective.
17. The General Manager's responsibilities include:
 - i) Assisting in developing draft terms of reference for each committee and in the recruitment, assessment and selection of committee members, as required; and
 - ii) Ensuring that appropriate records and documents are kept and maintained with respect to the creation and operation of each committee.
18. The responsibilities of each committee Chair include:
 - i) Chairing committee meetings, and approving committee agendas;
 - ii) Effectively planning and conducting committee activities so as to ensure the committee is successful in fulfilling its mandate and expected outcomes;
 - iii) Ensuring minutes are prepared for each committee meeting, and are accurate;
 - iv) Evaluating committee members and their contributions; and
 - v) Reporting to Council on behalf of the committee.
19. The responsibilities of committee members include:
 - i) Becoming knowledgeable of the committee's mandate and functions and complying with the committee's terms of reference;
 - ii) Preparing for committee meetings by reviewing pertinent background information and acquiring adequate knowledge necessary for decision making;
 - iii) Attending all committee meetings and participating fully and frankly in the discussions of the committee; and
 - iv) Acting in the best interest of Cowichan Tribes and avoiding conflict of interest.

Establishing a Committee

20. Subject to Cowichan Tribes' laws, Council may establish a committee, or dissolve a committee (other than the Finance and Audit Committee), by passing a resolution at a duly convened meeting of Council.
21. The General Manager and the respective committee chair shall draft terms of reference for each committee and recommend them to Council for approval.



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Monitoring and Evaluating Committee Performance

32. Annually, the chair of each committee shall evaluate the committee's progress against its terms of reference, objectives, and stated outcomes. The results of the analysis shall be presented to Council in writing along with any recommendations.
33. The chair of each committee shall continually monitor the performance of the respective committee against its terms of reference, and continually monitor the performance of committee members against their terms of appointment, and wherever necessary take the appropriate actions to ensure the committee and members function effectively.

Removal of Committee Members

34. Subject to Cowichan Tribes' laws, a committee member may be removed on the recommendation of the respective committee chair if the member:
 - i) Has committed a breach of the code of conduct, confidentiality, or applicable legislation and standards;
 - ii) Has committed a breach of Cowichan Tribes' law, policy or procedure;
 - iii) Fails to perform expected duties of a committee member; or
 - iv) Is no longer qualified or eligible to be a member.

Records Management

35. Cowichan Tribes shall keep appropriate records on the establishment and operation of committees, and ensure that any related records and documents are maintained in a secure and confidential manner, in accordance with Cowichan Tribes' Records and Information Management Policy and Procedures, and Financial Records Management Policy and Procedures, including records relating to the:
 - i) Council resolution establishing or dissolving a committee;
 - ii) Creation and operation of committees (including the terms of reference, mandate, objectives, duties and responsibilities of each committee established);
 - iii) Member qualifications and eligibility requirements, and how they were satisfied;
 - iv) Appointing, or removal, of committee members, including the chair;
 - v) Agendas and approved minutes of all committee meetings; and
 - vi) Reasoning behind, and matters associated, with the dissolving of a committee.

Related Cowichan Tribes' Policies

- Code of Conduct Policy and Procedures;
- Finance and Audit Committee Terms of Reference (for example purposes);
- Financial Records Management Policy and Procedures;
- Records and Information Management Policy and Procedures;