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<b>Department Ownership</b>	Director General
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## **Micmacs of Gesgapegiag**

### **Committee Establishment and Dissolution**

### **Policy and Procedures**

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## 1. EFFECTIVE DATE

This policy and procedures was approved by Chief and Council on June 19, 2018 and is effective as of November 1, 2018. It will be reviewed at least every five years.

## 2. DEFINITIONS

“**committee**” means any standing or special committee established by Chief and Council of Micmacs of Gesgapegiag except for the Finance and Audit Committee and committees established in support of any Micmacs of Gesgapegiag’s corporations.

“**Chief and Council**” means the Chief and Council of Micmacs of Gesgapegiag;

“**core administration**” means all departments under the direct responsibility of the Director General or reporting directly to Chief and Council.

“**core administration server**” means the central server used by all departments of the Micmacs of Gesgapegiag’s Administration to save and retain documents.

“**director general**” means the person appointed Director General under section 18 of the *Micmacs of Gesgapegiag Financial Administration Law, 2017*;

“**heads of department**” means an individual responsible for a department, such as a director, who has financial and human responsibilities for the entire department and reports directly to the Director General.

“**officer**” means the Director General, the Financial Controller and any other employee of Micmacs of Gesgapegiag designated by the Council as an officer.

## 3. POLICY

Chief and Council of Micmacs of Gesgapegiag have the ultimate responsibility to establish any Standing Committee and any Special Committee they deem necessary to fulfill their mandate or to assist in meeting statutory obligations.

## 4. PURPOSE

The purpose of this Policy and Procedures is to establish an effective governance system that ensures that Committees established by Chief and Council are consistently and purposefully structured to carry out their specified functions assigned by Chief and Council or as per Micmacs of Gesgapegiag laws.

## 5. SCOPE

This Policy and Procedures applies to Chief and Council, Committees established by Chief and Council, the Director General and all heads of department. This Policy and Procedures does not apply to the following: the Finance and Audit Committee; any committee established in support of any Micmacs of Gesgapegiag's corporations; and, internal committees or working groups of the core administration.

## 6. RESPONSIBILITIES

- 1) Chief and Council are responsible for:
  - a. the establishment of any Council Committee and its mandate;
  - b. approval of the Terms of Reference for each Committee;
  - c. determining the minimum qualifications and eligibility requirements of Committee members and chairperson;
  - d. the appointment of a Chairperson or the filling of a Chairperson vacancy on any Council Committee;
  - e. approval of the amount of honorarium to be provided to each Committee's member;
  - f. evaluating the effectiveness of each Committee.
  
- 2) The Director General is responsible for:
  - a. maintaining detailed descriptions, up to date terms of reference and current membership list for each Committee established by Chief and Council;
  - b. ensuring appropriate administrative support is provided to Committee Chair(s), such as for the preparation of agendas and minutes as well as meeting venues; and,
  - c. ensuring that the agendas and minutes of all Committee meetings are available to members of Micmacs of Gesgapegiag, with the exception of in-camera meetings or sessions and, retained for a period of at least seven years [or period specified as per the Micmacs of Gesgapegiag Information Management Policy and Procedures].
  
- 3) Heads of Department are responsible for:
  - a. providing appropriate administrative support to Committee Chair and members, such as for the preparation of agendas, background material and minutes as well as scheduling of meetings and meeting venues;
  - b. ensuring terms of reference of Committee duly approved by Chief and Council are followed;
  - c. ensuring that the agendas and minutes of all Committee meetings are available to members of Micmacs of Gesgapegiag, with the exception of in-camera meetings or sessions, and retained for a period of at least seven years [or period specified as per the Micmacs of Gesgapegiag Information Management Policy and Procedures];
  - d. attending all meetings, unless excused by the Committee's Chair; and,
  - e. ensuring that honorariums are timely provided to Committee's members.

- 4) The Chairperson of a Committee is responsible for:
  - a. chairing Committee meetings and ensuring they are conducted in an efficient and effective manner;
  - b. scheduling Committee meetings as necessary and planning Committee activities to ensure that the Committee is successful in fulfilling its mandate and addressing its functions, duties and responsibilities, including working within its approved budgetary resources;
  - c. approving Committee agendas;
  - d. ensuring that minutes are prepared, approved and that they accurately reflect meeting outcomes;
  - e. identifying the necessary qualifications and eligibility criteria for Committee members;
  - f. ensuring terms of reference of Committee approved by Chief and Council are followed;
  - g. evaluating Committee members and their contributions through a verbal annual report to Chief and Council during one of their regular meetings;
  - h. recommending member removals to Chief and Council; and,
  - i. reporting to Chief and Council on behalf of the Committee.
  
- 5) Committee members are responsible for:
  - a. preparing for meetings for those Committees of which he or she is a member by reading reports and background materials prepared for each meeting and acquiring adequate information necessary for decision making;
  - b. becoming knowledgeable of the Committee functions;
  - c. participating fully and frankly in the discussions of the Committee;
  - d. attending all Committee meetings; and,
  - e. avoiding conflicts of interests and complying with conflicts of interest policies and procedures established by Chief and Council or under Micmacs of Gesgapegiag laws.

## **7. PROCEDURES**

- 1) Establishing / Dissolving of a Committee
  - a. Chief and Council may establish or dissolve a Committee, other than the Finance and Audit Committee, by passing a Band Council Resolution.
  - b. Chief and Council will also establish Terms of Reference regarding the Committee's mandate, objectives and expected outcomes and will approve the amount of honorarium to be provided to each Committee's member.
  - c. For each Committee, the Director General and the Committee's Chairperson will develop and recommend to Chief and Council for approval Terms of Reference which will include, at a minimum, the following:
    - i. mandate
    - ii. detailed role and responsibilities
    - iii. the maximum of members which will be five (5) including minimum number of councillors and women and, any requirements for specific experience, skills, knowledge or expertise;
    - iv. appointment and removal of members (including reasons for removal);

- v. term of the Committee and members;
- vi. quorum;
- vii. voting rules;
- viii. meeting and reporting obligations; and,
- ix. procedures.

## 2) Appointment of Committee Member

- a. Chief and Council will appoint a Committee chairperson.
- b. The Director General or the relevant Head of Department will develop and implement a recruitment strategy to fill Committee vacancies.
- c. Committee members will be elected during the Annual General Assembly (AGA) of registered members of Micmacs of Gesgapegiag.
- d. The Chairperson will recommend to Chief and Council the appointment of individuals to the Committee based on the Committee's approved Terms of Reference and the results of the elections during the AGA.
- e. Chief and Council will ensure that individuals appointed to any Committee are neither head of a department (such as a director), manager or officers within the Micmacs of Gesgapegiag's core administration.
- f. Chief and Council could approve a bi-election for committee's membership when: 1) a committee can not have quorum because of the resignation or dismissal of committee's members; or, Chief and Council established a new committee and members need to be appointed as soon as possible. In these situations, the Chair of the committee will work with the Director General and the relevant Head of Department to organize such election based on the approved terms of reference of the said committee.

## 3) Monitoring and evaluating Committee performance

- a. Annually, the Chairperson will evaluate the Committee's progress against its Terms of Reference, objectives, and stated outcomes. The results of the analysis will be presented to Chief and Council verbally at the beginning of the fiscal year.
- b. The Chairperson will continually monitor the performance of Committee members against their terms of appointment.

## 4) Removal of Committee Members

- a. Subject to the Committee's Terms of Reference, a Committee member may be removed by Chief and Council on the recommendation of the Committee Chairperson.

## 5) Information Sharing with members

- a) Once a Committee is established by Chief and Council, the relevant Head of Department will ensure that approved terms of reference are available on the Micmacs of Gesgapegiag's website.
- b) Following the appointment of the Committee's Chairperson or member, the related Head of Department will inform members of Micmacs of Gesgapegiag.
- c) The relevant Head of Department will also ensure that approved agendas and minutes of any Committee's meeting, with the exception of in-camera meeting or session, are posted on the Micmacs of Gesgapegiag's website.

6) Information Management

- a) The relevant Head of Department will ensure that the following documents are saved on the Core Administration's server: terms of reference; approved agendas and minutes of any Committee's meeting; and, all documents used during any meeting to support discussions and decisions.
- b) The relevant Head of Department will also ensure that above mentioned documents will be retained on the Core Administration's server for a period of at least seven years [or period specified as per the Micmacs of Gesgapegiag Information Management Policy and Procedures].

**8. ATTACHMENTS**

None