

## **Governance Pilot Project: Miawpukek First Nation**

Through its governance project Miawpukek First Nation undertook to develop a financial management code compliant with *First Nations Governance Act* requirements. Concurrently they documented the code developmental process itself with the intention of providing an organizational and governance learning tool that could be applied in future governance-related endeavors undertaken by Miawpukek and other First Nations.

The development of the Financial Administration Code was led by a working committee comprising the First Nation's General Manager, the Director of Finance, office managers of three departments, a representative of Chief and Council, and a consultant. Community input was garnered through numerous committee meetings, community consultations, meetings with First Nation managers, and a strategy session of Chief and Council. A project brochure was created and distributed to all First Nation members to support communication throughout the code development process.

Miawpukek First Nation's Financial Administration Code delineates the organizational structure of the First Nation and clarifies the responsibilities of elected officials and key financial management staff and bodies. It also codifies policies in the areas of:

- revenues and expenditures;
- awarding of the contracts;
- conflict of interest,
- remuneration of elected officials;
- First Nation corporations;
- financial information disclosure;
- appeal and redress.

The Code includes an appeal mechanism, specifying a three step process of negotiation, mediation and arbitration. In terms of its financial administration policies, Miawpukek's Code is comprehensive and detailed. It ensures that policies and guidelines are in place that can address most, or all, of the day-to-day financial matters that arise from contemporary First Nation government business.

Excerpted from *First Nations Governance Pilot Projects: Challenge and Innovation*. A Final Report Prepared for the National Centre for First Nations Governance by Carleton University Centre for Community Innovation. February 2005.

MIAWPUKEK FIRST NATION

Financial Administrative Code

A BY-LAW RESPECTING THE RECEIPT, MANAGEMENT &  
EXPENDITURES OF THE MIAWPUKEK FIRST NATION

PART 1

SHORT TITLE

1. This by-law may be cited as the "Financial Code".

## PART 2

### DEFINITIONS

#### DEFINITIONS

2. In this Code:

Act - the *Indian Act*, R.S.C. 1985, c.I-5, consolidations and amendments thereto made from time to time.

Agreement - any written contract between the Miawpukek First Nation and another party or parties, including the Federal Government, Provincial Government or a third party, pursuant to which monies are to be paid to the Miawpukek First Nation.

Annual budget - the forecast of plans for the expenditures and revenues for the forthcoming fiscal year by the Miawpukek First Nation.

Annual Assembly - the assembly held by the Miawpukek First Nation.

Appropriation - funds set aside for a specific purpose from one fiscal year to another.

Allocation - the results of the annual budgeting process.

Auditor - an accountant, licensed to practice in a specific province.

Band Property - all property, real and personal, belonging to the Miawpukek First Nation.

Chief - the duly elected Chief of the Miawpukek First Nation.

Commitment - a financial obligation resulting from an agreement between the Miawpukek First Nation and another party.

Contract - any agreement or undertaking providing for the expenditure of public money in exchange for goods and services.

Council - the duly elected officials of Miawpukek First Nation.

## **Definitions Continued**

Councilor - a duly elected member of Council.

Debt - financial obligation to repay

Department - any division or agency of the Miawpukek First Nation government and may include any corporation, board, commission or committee established under the Miawpukek First Nation.

Enactment - a regulation, by-law or resolution.

Estimates - the projection of revenue and expenditure for a fiscal year presented to the general assembly.

Finance Councilor - the elected official appointed by Council to oversee the Finance portfolio.

Fiscal year - the 12-month financial period beginning on April 1 in a year and ending on March 31 in the next year.

Funds - all monies belonging to Miawpukek First Nation and include all monies received or collected pursuant to any agreement or funding arrangement.

G.A.A.P - Generally Accepted Accounting Principles. It is the common set of ground rules used to enhance, compare accountability and help reduce fraud and misrepresentation.

General Assembly - the elected officials in assembly with the membership of the Miawpukek First Nation.

Good and Services - any purchase orders, service contracts, construction contracts, employment contracts, and any agreement or undertaking providing for payment of money by the government.

MFN - Miawpukek First Nation.

Negotiable Instrument - a cheque, draft, traveler's cheque, bill of exchange, money order, and other similar instruments.

### **Definitions Continued**

Other Public Money - funds secured through projects funded by agencies other than Federal or Provincial Government.

Regulations - a rule, ordinance, or law by which conduct is regulated and is approved by the MFN.

Resolution - a decision made at a duly convened council meeting of a quorum of elected officials of MFN.

PART 3

APPLICATION

**APPLICATION**

3. This code applies to all MFN departments and agencies in receipt of MFN Funds and Other Public Money.

## PART 4

### ORGANIZATIONAL STRUCTURE & DUTIES

#### ORGANIZATION

4. In this code, the organizational structure and duties are:
  - Elected Officials
  - General Manager
  - Director of Finance
  - Finance Department

#### COUNCIL'S ROLES & RESPONSIBILITIES

5. Council is responsible for ensuring effective and efficient administration of the financial resources of the MFN, for the benefit of its membership and will conduct business in a manner, which ensures sound financial management, by carrying out the following duties and responsibilities:
  - (a) planning and budgeting for monies and other resources for local services, capital projects and profit making ventures;
  - (b) overseeing the work of Band employees, through the General Manager, and ensuring Band employees conduct financial matters in accordance with this code and policies and procedures of the MFN;
  - (c) ensuring there is full accountability to Band members at all times and to funding agencies as required under any agreement with those agencies;
  - (d) permitting access by all Band members under the supervision of a designate, during working hours, to the Minutes of Council and General Assembly meetings, by-laws, Band Council Resolutions, budget, monthly financial statements and audit reports;
  - (e) set policies and procedures to safeguard the resources of the MFN and maximize the well being of the MFN membership; and
  - (f) the Council will receive and approve an external annual audit of the MFN.

## **GENERAL MANAGER'S ROLES & RESPONSIBILITIES**

6. The General Manager, under the direct supervision of the Council will be responsible for carrying out his/her financial responsibilities in accordance with this code and any regulations and procedures consistent with this code and approved by resolution. The General Manager will carry out, but is not limited to responsibilities and duties as follows:
  - (a) supervising and training all band staff in accordance with appropriate labour legislation and MFN personnel policy as well as ensuring staff adhere to the terms of this code;
  - (b) drafting long and short term plans for the MFN, including budgets and cash flows for operations, capital plans and human resource programs;
  - (c) reviewing and monitoring all agreements with MFN to ensure the goals and terms of these agreements are met by all parties;
  - (d) negotiating agreements, contracts and loans and making recommendations for discussion at Council meeting;
  - (e) acting as an advisor to the Finance Department and Council;
  - (f) monitoring the tendering and contracting procedures as set out in this code;
  - (g) ensuring all Senior Management have signed employment contracts or agreements prior to commencing employment; and
  - (h) reporting and recommending to elected officials on financial matters.

## **DIRECTOR OF FINANCE'S ROLES & RESPONSIBILITIES**

6. The Director of Finance reports directly to the General Manager and is responsible for performing the following:
  - (a) monitoring all financial transactions of the MFN, to ensure that each transaction is conducted in accordance with:
    - (i) the Financial Management Code;
    - (ii) the purpose for which the approved budget was intended and expenditures are authorized by the appropriate personnel;
    - (iii) contracts and other agreements which have been duly approved;
    - (iv) project/program budget and cash flow projections; and
    - (v) any requirements of the auditor.
  - (b) reviewing the records with the General Manager and reporting any variances of financial transactions to those approved by Council;



- (c) acting as an advisor to the Finance Department;
- (d) assisting the auditor by preparing financial records for the audit and by providing all available information to ensure a thorough audit;
- (e) assisting the General Manager in financial planning;
- (f) ensuring the Financial Administrative policies and procedures are adhered to;
- (g) maintaining an inventory of MFN assets as required by this code; and
- (h) reporting and recommending to the General Manager on financial matters.

### **FINANC DEPARTMENT'S ROLES & RESPONSIBILITIES**

The Finance Department oversees all financial affairs of the MFN and is responsible for:

- (a) Prescribing a chart of accounts which must be maintained on a regular basis;
- (b) prescribe a format of recording estimate of revenue and expenditures and implementing such a format across all departments in accordance with G.A.A.P;
- (c) prescribing the manner in which the finance statements are to be formatted for each account of MFN;
- (d) require from each department all necessary financial documentation necessary for carrying out the financial affairs of MFN;
- (e) the management and control of MFN Funds and Other Public Money;
- (f) the maintenance of activities of MFN;
- (g) the preparation of the annual budget;
- (h) the preparation of the annual audit of MFN;
- (i) reporting and recommending to the Director of Finance on financial matters; and
- (j) determining a method of practices and procedures, which will be recorded in a minute book.

## PART 5

### REVENUES & EXPENDITURES

#### **FUNDS AND OTHER PUBLIC MONY**

9. Funds will be allocated to the various departments by elected officials pending submission and approval of budget projections from such department.

#### **DUTY ON RECEIPTING OF PUBLIC MONEY.**

10. There is a duty by elected officials to ensure the receipting of all Funds and Other Public Money received by MFN.

#### **INVESTMENTS**

11. Elected officials of MFN have the authority to invest funds on behalf of and for the betterment of its membership. These investments will be of a non-risk nature in the form of T-Bills, Canada Saving Bonds or Guarantee Saving Investments and only when cash flow allows. Cash flow availability will be determined by the Finance Department.

#### **SETTLEMENT OF DEBT**

12. When necessary, the elected officials have the authority to enter into debt management on behalf of MFN and is responsible for reporting on such debt management.
13. The Finance Department may, subject to approval of elected officials, negotiate and accept a settlement of a debt/claim due or made/on behalf of MFN, in lieu of the full settlement of that debt or claim.

#### **DELIQUENT ACCOUNTS**

14. Where a debt is due to MFN becomes delinquent or only partially recoverable, the Finance Department may accept a compromise of that debt and direct the balance of the debt to be written off. The delinquent debt may be written off completely.
15. The writing off of the debt does not affect the obligation of a person from whom the debt was due or the right of the MFN to recover it.

## **EXPENDITURE COMMITMENTS**

16. Each senior management responsible for expenditures for the department will notify the Finance Department of a commitment chargeable against that department's budget.
17. The senior management or appropriate person responsible for the department will not enter into a commitment unless an allocation exists or it has sufficient amount to make the commitment.

## **LEDGER**

18. The Finance Department will establish and maintain a record of all accounts with regards to all funds and other public money.
19. The Finance Department will issue timely and accurate reports of all transactions written with regards to all Funds and Other Public Money.

## **WITHHOLDING MONEY**

20. Where there is a dispute in regard to the collection or the payment of money, the money may be held, or in the case of collection, the asset may be held until the dispute has been settled.

## **ADVANCE FOR EXPENSES**

21. The Finance Department may advance money, where an immediate cash settlement is required, an employee of the MFN for the purpose of being paid for work being performed, goods supplied or services rendered in connection with the department, provided the expenses are approved by the appropriate authority.
22. An advance or portion of an advance referred to in this section which is not repaid or accounted for will be subject to collection by the Finance Department.

## **REFUNDS**

23. Where a refund or repayment of expenditure is received in the same fiscal year in which it was incurred, it is to be credited to the budget from which it was originally charged.

24. Where a refund or repayment of expenditure is received in a year other than the fiscal year in which the allocation was made, it is to be considered revenue in the year in which it was received.

#### **PAYMENT WITHHELD**

25. A payment will be withheld to ensure the completion of a contract. This payment will be recorded as a liability for the MFN and will be paid upon completion of the contract.

#### **PROCEEDS**

26. Net proceeds from the sell of MFN's property, will be receipted to Other Public Money.

#### **POWER TO BORROW RE: GUARANTEE**

27. The elected officials have the authority to guarantee loans for individuals, departments and agencies of MFN.
28. The Finance Department will make an annual report of all outstanding guaranteed loans to the elected official, naming the individual, department or agency involved.

#### **ASSUMPTION OF GUARANTEED LOANS**

29. Where MFN has guaranteed a loan, and the loan is called and the guarantee must be honored, either full or in part, the elected officials have the authority to negotiate and make payment from available funds.

## PART 6

### AWARDING OF CONTRACTS

#### **AWARDING OF CONTRACTS**

30. MFN's senior management will solicit bids for every contract, with a dollar value of over \$5,000.00 and/or a term in excess of one year.

#### **TENDERING**

31. All MFN's property which is no longer used by any of the MFN programs, will be placed on tender, following the relevant policies.

PART 7

CONFLICT OF INTEREST

**32. CONFLICT OF INTEREST**

Any person, who holds an office, including Elected officials or employment with the Miawpukek First Nation, its departments or agencies, shall not use that office or employment for personal gain to the detriment of the interests of the Miawpukek First Nation.

## PART 8

### REMUNERATION OF ECELCCTED OFFICIALS

#### 33. REMUNERATION OF ECELCCTED OFFICIALS

Elected officials will receive a honorarium. The requirement is the participants must attend the entire meeting to be eligible for any honorarium.

## PART 9

### CORPORATIONS

#### **MIAWPUKEK FIRST NATION CORPORATION**

34. All corporations, which are owned or partially owned by MFN, are financially accountable to its membership through the elected officials.
35. All MFN's Corporations will present a corporate plan and an annual budget to the elected officials prior to the commencement of the fiscal year of the corporation.
36. All capital budgets and any proposed borrowing by MFN's Corporations must be presented to and approved by the elected officials prior to any capital expenditure or borrowing being transacted.
37. The elected officials must approve all changes in the nature of the Corporation's business prior to the changes being made. All MFN Corporations will present a quarterly financial statement to the elected officials within thirty (30) days of the end of each quarter of the corporation's fiscal year.
38. All MFN's Corporations will provide an annual external audit for the elected officials approval.



## PART 10

### FINANCIAL INFORMATION DISCLOSURE

#### **PURPOSE**

39. The purpose of this code is to ensure the MFN is financially accountable to its membership by providing access to the financial records of MFN. This code outlines the specific limitations to the membership's right of access to certain financial records.

#### **ACCESSIBLE DOCUMENTATION**

40. Upon written request to the General Manager, the following documents will be made available, during regular working hours, for viewing by any member of the MFN:
- (a) the annual budget;
  - (b) quarterly financial statements;
  - (c) the external audit;
  - (d) any agreements or funding arrangements with the federal or provincial governments or with any other agency providing funding to the MFN;
  - (e) any multi-year financial plan including the planned level of debt financing;
  - (f) any annual program reports or evaluations prepared with respect to community services; and
  - (g) any criteria, policies, procedures or guidelines developed in accordance with this code.

#### **DISCLOSURE**

41. The General Manager must respond to the member within ten (10) working days from the date a request is received.
42. The General Manager must advise the member in writing:
- (a) whether or not the member is entitled to have the financial record or part of the record disclosed to him or her; and
  - (b) if access to the financial record or part of the record is refused, reasons for the refusal.

43. If the member is entitled to have the financial record disclosed to him or her and it cannot be reasonably reproduced, the member must be permitted to examine the financial record at MFN administrative offices during regular business hours of any business day.

#### **EXCEPTIONS TO DISCLOSURE**

44. The General Manager must refuse to disclose to a member or employee, financial information which:
- (a) contains legal opinions which are subject to solicitor/client privilege;
  - (b) contains other privileged documents which could reasonably expect to reveal information received in confidence from a government, First Nation, society, corporation, or harm the conduct of negotiations relating to aboriginal rights or treaties;
  - (c) would reasonably be expected to harm the financial or economic interests of MFN; or
  - (d) would be an invasion of a band member's personal privacy, including personal financial information.

#### **INTERDEPARTMENTAL DISCLOSURE**

45. Financial information may be shared between departments only if the information required is to ensure the member is complying with all eligibility requirements for financial benefits of other departments.

## PART 11

### APPEAL MECHANISM

#### **APPEAL MECHANISM/DISPUTE RESOLUTION**

46. In the event of a dispute resulting from, or relating to, this code, the parties agree to meet, negotiate in good faith and attempt to resolve the dispute amicably without litigation.
47. **DISPUTE RESOLUTION:**
- (a) if the dispute arises under this code and cannot be resolved by the persons involved within thirty (30) days, either party may enforce this dispute resolution procedure by giving written notice to the other, designating a representative or the appropriate authority to be his/her representative in his/her negotiations relating to this dispute;
  - (c) upon receipt of notice referred to in section 47(a), the party must, within five (5) business days, designate a representative, similar to the other party;
  - (d) within ten (10) business days, both representatives must enter into direct, good faith negotiation concerning the dispute; and
  - (e) if, within thirty (30) business days, after the first meeting of the representative, the parties have failed to resolve the dispute or agreed to extend the time for senior officials to resolve the dispute, the parties must agree to use a mediator, in accordance with code, to assist in resolving the dispute.

#### **MEDIATION**

48. Where a mediator is required to assist in resolving the dispute, the following rules will apply:
- (a) parties will jointly select a mediator. If the parties in the dispute are unable to agree upon a choice of a mediator, the parties will accept a mediator designated by the elected officials;
  - (b) the parties must agree to participate, in good faith, in the mediation process; and
  - (c) parties unable to resolve the dispute within thirty (30) business days from the first meeting with the mediator, may submit the dispute to arbitration pursuant to this code.

## ARBITRATION

49. if the parties agree to take the dispute to arbitration, the following will apply:
- (a) the dispute will be resolved by a single arbitrator if the parties agree on one, otherwise by three (3) arbitrators, one to be appointed by each party and a third to be chosen by the elected officials;
  - (b) the parties may agree on a procedure to be followed in the arbitration. If they cannot agree on this procedure within five (5) business days of the appointment of the arbitrator(s), the procedure will be determined by the arbitrator(s);
  - (c) the arbitrator(s) will issue a written decision within thirty (30) business days of the completion of the arbitration hearing and will provide copies of the written decision to each party and the elected officials; and
  - (d) unless otherwise agreed, or by order of the arbitrator's decisions, the cost of the arbitrator will be shared equally by the parties.
49. In the event the parties have agreed to arbitration as stated in section 48, neither party may commence litigation until in receipt of the arbitrator's decision. Where litigation is to be commence by either party, it may only be done within twenty (20) business days of written notice.

PART 12

REGULATIONS / POLICIES & PROCEDURES

**REGULATION/POLICIES & PROCEDURES**

50. The elected officials may approve such additional policies and procedures as may be necessary to give effect to the provision of this code. Such policies and procedures, when approved by the elected officials, will become part of this code and will be enforced.

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**FINANCIAL MANAGEMENT CODE**

**AWARDING OF CONTRACT**

**FINANCIAL MANAGEMENT CODE  
AWARDING OF CONTRACT  
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**POLICY:**

MFN's senior management will solicit bids for every contract, which has a dollar value of over \$5,000.00 and/or a term in excess of one year.

**PROCEDURE**

- A. Each notice of a contract will contain:
- i. a specific description of the services required;
  - ii. any minimum qualifications the contractor must possess;
  - iii. the term of the contract to be awarded, including projected start date and expiration date;
  - iv. the deadline when proposals must be submitted;
  - v. the name and address of the person authorized to answer questions regarding any aspect of the contract; and
  - vi. the date by which the contract will be awarded.
- B. Contracts will be awarded to the "lowest and/or best" contract offer, keeping in mind the MFN's labor rates on reserve. MFN follow the band Preference Policy in awarding contracts. The department will consider factors it deems relevant:
- i. skills;
  - ii. experience;
  - iii. reputation;
  - iv. financial resources;
  - v. sub-contracting; and
  - vi. the ability of the contractor to conform to the specifications contained in the contract.
- C. The appropriate senior management and the General Manager will review contract bids and make recommendations to the elected officials at a regular scheduled meeting.

**FINANCIAL MANAGEMENT CODE**

**AUDITING**

**FINANCIAL MANAGEMENT CODE  
AUDITING  
PAGE 1 OF 1**

**POLICY:**

An annual external audit must be completed by an independent auditing firm within 90 days of year-end.

**PROCEDURE**

1. The external auditing firm must be engaged to provide audit for up to a maximum of five years after which a request for proposals is called.
2. A complete audit file to support each grouping of recorded transactions of the Funds or Other Public Money must be compiled by the Finance Department.
3. The elected officials must approve the draft audit before presentation to it's membership.

**FINANCIAL MANAGEMENT CODE**

**BANK DEPOSITS**

**FINANCIAL MANAGEMNET CODE**  
**BANK DEPOSITS**  
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**POLICY:**

Deposits of Funds or Other Public Money must be made at least once a month to the appropriate financial institution.

**PROCEDURE**

1. All cash must be reconciled to supporting documentation.
2. Deposit slips are completed.
3. The cash and deposit slip is taken to the financial institution for deposit.
4. The deposit book has to be initialed by the depositor.
5. The deposit book is returned to the Finance Department for verification.

**FINANCIAL MANAGEMENT CODE**

**BANK TRANSFERS**

**FINANCIAL MANGEMENT CODE**  
**BANK TRANSFERS**  
**PAGE: 1 of 1**

**POLICY:**

All bank transfers must contain the signature of two authorized signing officers.

**PROCEDURE:**

1. If money is to be transferred from one bank account to another, it may be done on the financial institution online service. Transfers may also be made by faxing proper documentation containing authorized signatures to the financial institution. The appropriate Finance Manager must be given the original to file and record.
2. An appropriate form letter to be completed for all transfers.



**FINANCIAL MANAGEMENT CODE**

**BENEFITS AND PENSION**

**FINANCIAL MANAGEMENT CODE  
BENEFITS & PENSION  
PAGE 1 OF 1**

**POLICY:**

All employees must participate in the group plans offered by the employer.

**PROCEDURE:**

1. It is mandatory for all full-time employees to participate in both the group insurance plan and the pension plan offered by the employer.
2. It is mandatory for all seasonal employees to participate in the group plan
3. The pension plan is considered optional for seasonal workers.
4. The group insurance plan includes an extended health plan which is optional for all employees.

**FINANCIAL MANAGEMENT CODE**

**BUDGETS**

**FINANCIAL MANAGEMENT CODE  
BUDGETS  
PAGE: 1 of 1**

**POLICY:**

All proposed budgets for the up-coming fiscal year must be submitted to the Director of Finance to review and/or revise, in consultation with senior management where necessary, prior to being submitted to the elected officials.

**PROCEDURE:**

1. Proposed annual budgets and cash flows must be completed by each department and submitted to the Director of Finance.
2. The Director of Finance will review each respective budget for verification of calculation, inclusion of supporting documentation and a detailed description of budget requests.
3. If there is a need for revisions, the Director of Finance will consult with the appropriate senior management and revisions will be made.
4. The Director of Finance will submit the annual budget projections for the up coming fiscal year to the elected officials for review and approval.

**FINANCIAL MANAGEMENT CODE  
BUDGETS  
PAGE: 1 of 1**

**POLICY:**

The elected officials must approve budgets before they are honored by the Finance Department.

**PROCEDURE:**

1. The elected officials, at a duly convened Council meeting, must approve the annual budget projections.
2. Once approval has been given for the budget projections, these projections may be entered into the accounting system for the upcoming fiscal year.
3. No project is to operate without an approved budget projections for the upcoming fiscal year.

**FINANCIAL MANAGEMENT CODE**

**BUSINESS CREDIT**

**FINANCIAL MANAGEMENT CODE  
BUSINESS CREDIT  
PAGE: 1 of 1**

**POLICY:**

Businesses, partially or wholly owned by MFN and departments and its departments may apply for credit. Credit applications must have the approval of the Director of Finance and the General Manager.

**PROCEDURES:**

1. Established Business
2. The full balance is to be paid within 30 days.





**FINANCIAL MANAGEMENT CODE  
BUSINESS MEETING EXPENSE  
PAGE: 1 of 1**

**POLICY:**

Business Meeting Expenses incurred while traveling must be paid for and will be reimbursed when receipts are approved. Senior Management and Elected Officials are the only personnel authorized to incur such expenses.

**PROCEDURE**

1. Expenses incurred during business meetings include breakfast, lunches, dinner, and non-alcoholic beverages.
2. Expenses for business meetings must be paid for by the employee and reimbursed for same when receipts are approved.
3. Expenses incurred in the form of gifts for business purposes must be approved by the appropriate authority.
4. Senior Management are the only personnel authorized to incur Business Meeting Expense.

**FINANCIAL MANAGEMENT CODE**

**CELL PHONES**

**FINANCIAL MANAGEMENT CODE  
CELL PHONE  
PAGE 1 OF 1**

**POLICY:**

MFN employees required to use a cell phone for business will be provided with same.

**PROCEDURE:**

1. Cell phone use for personal business must be limited to urgent matters only.
2. It is the responsibility of the senior management to monitor cell phone use.
3. Senior management will periodically review the choice of billing options, considering:
  - i. demonstrated need for cellular telephone for each specific user; and
  - ii. the most economical billing option for each specific user

**FINANCIAL MANAGEMENT CODE**

**CHEQUE CASHING**

**FINANCIAL MANAGEMENT CODE  
CHEQUE SIGNING  
PAGE: 1 of 1**

**POLICY:**

Cheques may be cashed for an individual if he/she is making a payment on a receivable.

**PROCEDURES:**

1. A minimum of \$50 payment on receivable must be made when requesting a cheque to be cashed.
2. If a receivable is up to date or non-existence, the cheques may be changed pending cash flow availability.

**FINANCIAL MANAGEMENT CODE**

**CHEQUES REPLACEMENT**

**FINANCIAL MANAGEMENT CODE  
CHEQUES REPLACEMENT  
PAGE 1 OF 1**

**POLICY:**

MFN will replace a lost or destroyed cheque.

**PROCEDURE:**

1. The Finance Department must be informed of lost or destroyed cheques
2. The Finance Department must verify the cheque in question has not already cleared the Financial Institution.
3. The Finance Department will issue a stop payment on the lost or destroyed cheque.
4. The replacement cheque will be issued.

**FINANCIAL MANAGEMENT CODE**

**CHEQUE SIGNING**



**FINANCIAL MANAGEMENT CODE  
CHEQUE SIGNING  
PAGE: 1 of 1**

**POLICY:**

All cheques must be signed by two signing officers and have approved, supporting documentation attached.

**PROCEDURE:**

1. Cheque and supporting documentation is to be forwarded to a person with signing authority.
2. Supporting documentation is checked to verify amounts and authorization.
3. Documentation is initialed to show verification of amount and authorization.
4. Cheque has to be signed by the authorized signing officers.

**FINANCIAL MANAGEMENT CODE**

**CONFIDENTIALITY**

**FINANCIAL MANAGEMENT CODE  
CONFIDENTIALITY  
PAGE 1 OF 2**

**POLICY:**

Information acquired during the course of employment pertaining to any person must be considered confidential.

**PROCEDURE:**

1. Confidentiality means that under no circumstance will a member of MFN members discuss with any member of the community, Band Council, staff, or uninformed agency any personal financial information pertaining to any person.
2. Any breach of confidentiality will be addressed by the appropriate senior management and will result in disciplinary action.

**FINANCIAL MANAGEMENT CODE**

**CONFLICT OF INTEREST**

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## **1.0 BACKGROUND**

Conflict of interest, or the appearance of a conflict of interest, created by the financial or personal interests of an employee or elected official is one of the most sensitive public issues in the provision of public services or governance.

The Miawpukek First Nation has been actively engaged in the process of addressing the issue of conflict of interest among employees and elected officials since 1987.

The first documented attempt to provide guidelines for conflict of interest is contained in section 17 of the Miawpukek Band By-Laws (1987). Section 17 addresses those situations where a council member is deemed to have a pecuniary interest in a matter before council.

The next attempt to address the issue of conflict of interest took place when the Miawpukek First Nation developed a personnel manual in the 1987-88. This was later followed by the adoption of more detailed policies in 1996.

All three attempts however were silent on defining the circumstances under which a conflict of interest could occur.

A discussion document dated May 17, 1999, circulated to all Directors and Managers, provides a definition of the term Conflict of Interest adapted from Black's Law Dictionary as being a "clash" between public interest and the private pecuniary interest of the individual concerned. This is further refined in a draft policy statement of the MFN (undated), which states that Conflict of Interest is defined "as a situation in which regard for one duty leads to disregard of another or might reasonably be expected to do so." With reference to disqualification of a public officer to perform his sworn duty, the concept refers to a clash between the interest of the person concerned or the pecuniary interest of friend(s) or immediate family. A conflict of interest may be real or perceived.

This document establishes the circumstances which constitute a conflict, provides guidelines for the structure and composition of the Conflict of Interest Committee, identifies the steps to be followed in the review of a complaint, clarifies supplementary employment and provides definitions to support the guidelines.

## **2.0 PURPOSE**

The purpose of the Conflict of Interest Policy is to protect employees, contractors, joint venture partners and elected officials from becoming involved in a conflict of interest situation through clear and specific guidelines which must be followed.

No employee shall directly, or indirectly, maintain any outside business or financial interest, or engage in any outside business or financial activity, which conflicts with the employee's work related responsibilities and duties, and may adversely affect the services and/or business interests of the Band, for which the employee is responsible, unless first approved by the Miawpukek First Nation.

All new employees hired by the Miawpukek First Nation must disclose to Chief & Council any outside business interests in which they hold part or full ownership, either by way of shares, partnerships or owners's equity, to determine if these business interests may potentially place the employee in conflict with Band operations.

All current employees who start a new venture or business are obligated to first consult with the Conflict of Interest Committee to determine if the proposed activity is in conflict with their duties for the Miawpukek First Nation. It is important to emphasize that the Conflict of Interest Guidelines are not meant to unfairly discourage legitimate competition with enterprises owned or operated by the Band, by Band members who wish to exploit an economic opportunity.

To avoid situations that could be interpreted as conflicting with their assigned duties and responsibilities, employees are prohibited from participating in the following, each of which constitutes an interest conflict:

- Divulging or releasing any confidential information for the purpose of fostering personal financial gain or financial gain for a member of the employee's immediate family.
- Engaging in any business transaction or private arrangement for personal financial gain or financial gain for a member of the employee's immediate family, which accrues from or is based on the employee's official position or on confidential information gained by reason of the employee's position.
- Soliciting, accepting, or agreeing to accept anything of value under any circumstances which could reasonably be expected to influence the manner in which the employee performs work or makes decisions.

- Granting or making available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to others under similar circumstances.
- Representing or acting as agent for any private interests, whether for compensation or otherwise, in any transaction where the state has a direct and substantial interest and which could reasonably be expected to result in a conflict between the private interests of the employee and the employee's official state responsibilities.
- Having any substantial interest in, or having a member of the employee's immediate family have such interest in, any business or industry concerning which the employee directly, in a significant decision-making capacity, participates on behalf of the Band in the regulation, enforcement, auditing, licensing, or purchasing of any goods or services.

### **3.0 COMPOSITION AND STRUCTURE OF THE COMMITTEE**

The Miawpukek First Nation Conflict of Interest Committee shall be comprised of 4-6 individuals that have training and knowledge in the area of conflict of interest.

The Committee shall be comprised of representatives from the following constituencies:

- Conne River Health & Social Services;
- St. Anne's School;
- Band Administration Office; and
- Community.

The structure of the committee shall include a Chairperson and Secretary.

The Conflict of Interest Committee shall administer and apply the Conflict of Interest Policy with respect to all band departments and elected officials;

Committee decisions must be approved by a quorum of the members.

The Committee shall maintain proper documentation and filing of all conflict of interest issues and matters relating to employees and elected officials;

The Committee shall make available for the public record, the nature of disclosed business interest only in terms of the nature of the business and their findings with regard to whether or not there has been a conflict of interest. All other information regarding the business interests



that have been disclosed to the Committee in helping them determine if the employee/elected official shall be notified of the Committee's findings.

The committees findings shall be final but the committee shall be open to hear additional information.

Records will be kept in a locked storage cabinet. There will be two keys to the storage cabinet. The Chair of the Conflict of Interest Committee, and the secretary, shall each possess a key.

#### **4.0 REVIEW PROCESS**

Referrals or Complaints will be accepted in person and anonymously. To ensure that all persons have access to the process the Committee shall undertake the following actions:

- establish a drop box at the Band Administration Building;
- set up an email address to receive complaints online;
- designate a telephone number connected to voice mail or an answering machine.

All referral and complaints are to be kept confidential. An individual who is the subject of a complaint cannot request a copy of the complaint that has been filed against him or her.

Once a business, or other interest is disclosed, the Committee shall review the information and conduct an initial screening. The screening is an informal fact gathering stage and must be concluded within 30 days with a determination on whether or not a conflict of interest situation exists. The affected party shall be notified of the Committee's findings.

The following findings and courses of action may be taken.

Finding	Action
No Conflict	Where a review is conducted and there is a finding of no conflict then the Committee shall take no action other than advise of same.
Perceived Conflict	Where the Committee identifies a perceived conflict then it will require the employee, contractor, or elected official to clearly document their activities and then the Committee will make a written finding that the conflict is perceived rather than real.
Real Conflict	The Committee can propose a course of action to modify the conflict or place restrictions on activities to negate the conflict.



## 6.0 COUNCIL PROCEEDINGS

Whereas Chief and Council conduct the business of the Band, in trust for the membership, it is important that not only the Chiefs and Councillors not be in a conflict of interest, they must also be perceived as not being in a conflict of interest.

The Chief as Chairperson shall determine if in fact there is a Conflict of Interest and request that the councillor abstain from discussion and/or voting on the matter at hand. It should be noted that each instance may be different and degree of Conflict of Interest will vary. It is also recognized that the size of the community, the large degree of family relationships and the fact that the Band council is the largest employer provides an atmosphere in which a Conflict of Interest is likely to arise.

A councillor (including Chief) shall not vote on or speak to a matter before the Council where:

- the councillor has an interest in the matter distinct from an interest arising from his or her functions as a Councillor;
- the councillor has a monetary interest directly or indirectly in the matter;
- an immediate family member\* of the councillor has an interest in the matter;
- the councillor is an officer, employee, owner of an incorporated or unincorporated company, or other association, that had an interest in the matter.

In those instances where a company, or association, in which a Chief or Councillor has a monetary interest, is bidding on Band business and it is only such business within the reserve, then the Council will require a comparative bid from a firm outside the reserve to ensure the protection of the Council and the bidder.

Nothing in this Policy shall conflict with, or supercede, the contents of Section 17 of Band By-Law # 1-87, (Attached) unless the policy is passed as an amendment to the By-Law.

## **APPENDIX A - DEFINITIONS**

Employee - Includes any individual who is employed by the Miawpukek First Nation on a temporary or permanent basis in full time, part time, or casual employment, or whom is employed by a contractor to the Miawpukek First Nation.

Employer - Includes the Miawpukek First Nation and all of its entities including St. Anne's School, Conne River Health & Social Services, and any other organization or business in which the Miawpukek First Nation holds a majority interest.

Contractor - Includes any individual or legal entity retained by the Miawpukek First Nation where there exists an arrangement of financial compensation for goods or services provided.

Joint Venture Partner - Includes any individual, or legal entity, with whom the Miawpukek First Nation has structured a business arrangement whereby the MFN hold an equity position by virtue of cash investment or ownership of assets.

Immediate Family - Includes the employee's spouse, children, parents or foster parents, parents-in-law, brothers, sisters, and any individual for whom the employee maintains the legal Power of Attorney or whose financial or physical care is the principal responsibility of the employee.

## APPENDIX B - BAND BY-LAW 17 (87)

### Disclosure of Interest

17. (1) A council member shall disclose to the council any pecuniary interest that he has in any matter before the council and shall not take part in deliberations of the council on that matter nor vote on that matter

(2) Where a disagreement arises as to whether a council member has a pecuniary interest in a matter before the council, the council shall decide by vote whether the council member has such an interest, and the council member in question may not take part in that vote.

(3) Where the council decides, pursuant to subsection (2) that a council member has a pecuniary interest in a matter before the council, the council member in question shall not take part in the deliberations or the council on that matter nor vote on that matter.

(4) Where, pursuant to subsections (1) to (3), the chairman is prohibited from taking part in deliberations and from voting, he may nevertheless continue to act as chairman.

(5) In the case of the proposed contract with the Band, a council member shall disclose his interest at the council meeting at which the question of entering into the contract is first taken into consideration, or, if the council member is not, at the date of that meeting, interested in the proposed contract, at the next meeting or the council held after he becomes so interested.

(6) Where a council member becomes interested in a contract with the Band after it is made, he shall disclose his interest at the first council meeting held after he becomes so interested.

(7) Without limiting the generality of subsection (1) and subject to subsection (8) a council member shall be deemed to have a pecuniary interest in a matter before the council where he has an interest in an enterprise or in a partnership, company, or corporation having or proposed to have a contract or dealings with the band.

(8) A council member shall be deemed not to have a pecuniary interest in the case of any contract made:

(a) by or on behalf of the band to give the council members or any of them security for advances or by way of indemnity;

(b) between the band and any of the following of which the council member is a member or director, namely, the MicMac Development Corporation and Miawpukek Band School Board or of which a majority of the members

are beneficiaries under the Agreement or a corporation controlled by any body.

(9) Subject to this section, a council member may be or become a member of any company in which the Band may be interested as vendor, purchaser, shareholder, and otherwise and no such council member shall be accountable for any benefits received as shareholder or director of such company.

**FINANCIAL MANAGEMENT CODE**

**CREDIT CARD PURCHASES**



**FINANCIAL MANAGEMENT CODE  
CREDIT CARD PURCHASES  
PAGE: 1 of 1**

**POLICY:**

All personal items purchased on a band credit card must be reconciled, identified as personal and repaid upon return.

**PROCEDURES:**

1. Visa statements are to be paid immediately.
2. As per current financial policy, all receipts will have to be attached to a copy of the paid visa statement. Once the expense codes and approvals are obtained, the amount will be journalized from the visa clearing account.
3. This must be done monthly and must have zero balances at year-end.
4. Outstanding receipts will be deemed as personal amounts and will be set up as a receivable and deducted via payroll.

**FINANCIAL MANAGEMENT CODE**

**DATA INPUT**

**FINANCIAL MANAGEMENT CODE  
DATA INPUT  
PAGE: 1 of 1**

**POLICY:**

Data input, containing supporting documentation, must be completed on a daily basis.

**PROCEDURE**

1. All data which must be input into the accounting system to record all transactions must have supporting documentation.
2. Documentation must be approved where applicable.
3. This information, if required, must be transferred to proper prescribed forms.
4. The output from the accounting systems is reconciled to the original data.

**FINANCIAL MANAGEMENT CODE**

**DISTRIBUTION OF PAYROLL CHEQUES**

**FINANCIAL MANAGEMENT CODE  
DISTRIBUTION OF PAYROLL  
CHEQUES  
PAGE: 1 of 1**

**POLICY:**

Payroll cheques must be ready for distribution by 4:00 p.m. on Thursday of each week.

**PROCEDURE:**

1. Upon completion of payroll, the cheque is placed in an envelope, sealed and placed in the care of the Receptionist.
2. When an employee has direct deposit of payroll cheques, the record of earnings' statement must be folded and stapled with the employee's name on the outside and placed in the care of the Receptionist.
3. Payroll cheques are to be given to the employee, or designate with written authorization from the employee.

**FINANCIAL MANAGEMENT CODE**

**FINANCIAL STATEMENTS**

**FINANCIAL MANAGEMENT CODE  
FINANCIAL STATEMENTS  
PAGE: 1 of 1**

**POLICY:**

All financial statements must be submitted to the elected officials on a quarterly basis.

**PROCEDURE:**

1. All financial statements, in draft, must be completed within ten (10) working days of the end of each month.
2. The Director of Finance and Finance Manager monitors all financial data through a review of the monthly statements.
3. Each quarter, the Director of Finance summarizes the monthly financial statements for the elected officials.
4. The Director of Finance, through this monitoring of the monthly financial statements, may discover transactions which she/he requires clarification by the appropriate senior management.

**FINANCIAL MANAGEMENT CODE**

**FUNERAL EXPENSES**



**FINANCIAL MANAGEMENT CODE  
FUNERAL EXPENSES  
PAGE 1 OF 1**

**POLICY:**

For MFN Band members living on-reserve, MFN will assist with the cost funeral expenses. MFN, also will assist immediate family members with their expenses of returning to the reserve for the funeral.

**PROCEDURE:**

1. Documents must be submitted for funeral expenses up to the maximum of \$3,000 for band members who reside on reserve.
2. MFN will pay up to a maximum of \$1,000 to assist in covering travel expenses for per family members of the deceased returning to the reserve. Receipts must be submitted before any monies are issued for reimbursement for such travel expenses.

**FINANCIAL MANAGEMENT CODE**

**HIRING MEMO**

**FINANCIAL MANAGEMENT CODE  
HIRING MEMO  
PAGE 1 OF 1**

**POLICY:**

A hiring memo, must be submitted to the payroll department before an employee may be added to payroll.

**PROCEDURE:**

1. The hiring memo must contain all pertinent information, which includes:
  - i. Name
  - ii. Address
  - iii. Social Insurance Number
  - iv. Birth Date
  - v. Start Date of employment
  - vi. End Date of employment
  - vii. Billing Department
  - viii. Rate of Pay
  - ix. Who will be submitting timesheet
  - x. Number of hours per week
  
2. The hiring memo must be signed by the authorized personnel.

FINANCIAL MANAGEMNET CODE

INVOICING

**FINANCIAL MANAGEMENT CODE  
INVOICING:  
PAGE: 1 of 1**

**POLICY:**

Invoices must be submitted to the Finance Department by noon of the next business day.

**PROCEDURE:**

1. All invoices are to be submitted to the Finance Department by 12:00 noon the following day.
2. If there are discrepancies, the Receipts Clerk has the authority to contact the appropriate personnel to address inaccurate, unclear information.

**POLICY:**

Invoices from the Finance Department must be authorized by memo from the appropriate personnel.

**PROCEDURE:**

1. Senior Management must forward to the Finance Department, a memo outlining detailed instruction for invoicing. This memo must include the name, amount and the account in which the revenues are to be placed. This memo must be authorized.
2. The Finance Department must complete the invoice and send to the appropriate person or business within five working days of notification.

**FINANCIAL MANAGEMENT CODE**

**JOURNAL ENTRIES**

**FINANCIAL MANAGEMENT CODE  
JOURNAL ENTRIES  
PAGE: 1 of 1**

**POLICY:**

Journal entries must be approved by a person in a higher authority than the employee doing the entry.

**PROCEDURE:**

1. A special form for journal entries is to be used.
2. Any journal entries to be input into either module of the accounting computer system must be approved by a person in higher authority than the employee doing the entry.
3. This approval must be indicated by signature.
4. This authorization does not have to be given prior to entry, recognizing the urgency for some entries; it must be reviewed on a monthly basis. This review will ensure authorization and accuracy of the journal entry.



**FINANCIAL MANAGEMENT CODE**

**LOANS TO BAND MEMBERS**

**FINANCIAL MANAGEMENT CODE  
LOANS TO BAND MEMBERS  
PAGE: 1 of 1**

**POLICY:**

The MFN may approve loans to its members based on individual cases and pending cash flow availability.

**PROCEDURE:**

1. Each loan request will be based on an individual needs assessment.
2. Loans may only be approved by Director of Finance, General Manager or elected officials in a duly convened meeting.
3. Individual limits are based on a maximum of \$500.00.
4. If the loan is not paid in 30 days, 2% interest must be added to the monthly balances until collected in full.
5. Failure to repay as agreed will result in payroll deductions of 20% of gross pay.

**FINANCIAL MANAGEMENT CODE**

**MINISTERIAL GUARANTEES**

**FINANCIAL MANAGEMENT CODE  
MINISTERIAL GUARANTEES  
PAGE 1 OF 1**

**POLICY:**

For qualified applicants, the MFN will provide support and a BCR enabling the applicants to obtain guarantee or conventional mortgage through a financial institution for Aboriginal people with a sum of all guarantees being not greater than 10% of FUND per fiscal year.

**PROCEDURE:**

1. The applicant must be an employee with stable and secure employment with a minimum household income of \$45,000 (i.e. individual and /or spouse not eligible for homebuilders grant).
2. The applicant must have an excellent credit record with MFN and must have an excellent credit rating with a recognized credit rating agency (ie Equinox). MFN and Canadian Imperial Bank of Commerce will carry out its own risk assessment and base its decision on the results of the risk assessment.
3. The applicant and his/her spouse (if applicable) shall be co-borrowers of the mortgage.
4. The applicants must be pre-qualified by Canadian Imperial Bank of Commerce (i.e. contingent qualification) before MFN will consider the application. Qualification by Canadian Imperial Bank of Commerce by way of a letter of intent is required but will not necessarily result in approval by MFN.
5. The MFN will accept applications contingent upon the above conditions being met and in considering the overall financial situation of MFN.
6. The sum of all the Ministerial Guarantee must not be greater than 10% of Funds per year.
7. On any default, the house will become property of the MFN.

**FINANCIAL MANAGEMENT CODE**

**NSF CHEQUES**

**FINANCIAL MANAGEMENT CODE  
NSF CHEQUES  
PAGE: 1 of 1**

**POLICY:**

Non-Sufficient Fund Cheques are to be replaced within seven (7) working days of written notice to the issuer.

**PROCEDURE:**

1. When it is found an individual has written a Non-Sufficient Fund Cheque to the band, he/she will be written a letter stating he/she has seven days to repay the Non Sufficient Fund Cheque, plus any applicable charges.
2. If payment is not received, a notice will be sent to all band businesses to inform them that no cheques are to be accepted from the individual involved.

**FINANCIAL MANAGEMENT CODE**

**PREFERENCE**

**FINANCIAL MANAGEMENT CODE  
PREFERENCE POLICY  
PAGE: 1 OF 1**

**POLICY:**

For the purpose of awarding contracts, preference will be given to:

- i. Band Members living on reserve;
- ii. Band Members living off reserve; and
- iii. Non Band Members.

provided relevant factors are present.

**PROCEDURE:**

1. When questioned, persons bidding on contracts must provide proof of residency.



**FINANCIAL MANAGEMENT CODE**

**PURCHASE ORDERS**

**FINANCIAL MANAGEMENT CODE  
PURCHASE ORDERS  
PAGE: 1 of 1**

**POLICY:**

All purchases require a purchase order, signed by the appropriate personnel.

**PROCEDURE:**

1. Purchase Orders will be given to the manager of the business and the numerical sequence given will be recorded and reconciled when the purchase orders are returned.
2. The Purchase Order must be returned to the Financial Department to be reconciled.
3. Purchases above twenty-five thousand dollars (\$25,000.00) although within budget projections must be approved in consultation with the Director of Finance.

**FINANCIAL MANAGEMENT CODE**

**QUIK CHEQUES**

**FINANCIAL MANAGEMENT CODE  
QUIK CHEQUES  
PAGE: 1 of 1**

**POLICY:**

Quik cheques can be processed outside regular cheque run.

**PROCEDURE:**

1. Approved requests for quik cheques can be processed within 24 hours.
2. Requests for quik cheques must contain properly approved documentation.

**FINANCIAL MANAGEMENT CODE**

**RECEIPTING**

**FINANCIAL MANAGEMENT CODE  
RECEIPTING  
PAGE: 1 of 1**

**POLICY:**

All Funds and Other Public Money received by the Finance department must be receipted.

**PROCEDURE**

1. Two people from the Finance Department will be dedicated to accepting money and providing receipts.
2. All money received must be reconciled with the receipts at the end of each day.
3. In the event of discrepancies with the reconciliation, the person receipting the money is responsible to replenish the shortage.

**FINANCIAL MANAGEMENT CODE**

**ELECTED OFFICIALS  
REMUNERATION**

**FINANCIAL MANAGEMENT CODE  
ELECTED OFFICIALS  
REMUNERATION  
PAGE: 1 OF 1**

**POLICY:**

Elected officials will receive an honorarium of \$50 per meeting up to a maximum of \$150 per month.

**PROCEDURE:**

The requirement is that the participants must attend the entire meeting to be eligible for any honorarium.



**FINANCIAL MANAGEMENT CODE**

**SEVERANCE**

**FINANCIAL MANAGEMENT CODE  
SEVERANCE  
PAGE 1 OF 1**

**POLICY:**

Employees who leave full-time or seasonal employment due to termination, retirement or resignation will be entitled to receive a severance package of one (1) week of pay for every year of service to the organization.

**PROCEDURE:**

1. This policy is effective from 1987 to present for current employees.
2. The amount of full-time or cumulative years for seasonal workers will be calculated based on the number of years worked from 1987 to present.
3. Should an individual acquire employment after receiving a severance package he/she will be considered as a first time employee at the commencement of the present employment.
4. The employee must sign a waiver stating that he/she will take no further action against the MFN with respect to the termination of employment.
5. Employees transferring from one department to another within the agency will not qualify for a severance package but will continue to accumulate years of severance.

FINANCIAL MANAGEMETN CODE

**TENDERING**

**FINANCIAL MANAGEMENT CODE  
TENDERING  
PAGE 1 OF 2**

**POLICY:**

All MFN property, which is no longer used by any of MFN programs, will be tendered to the public in conjunction with the MFN's preference policy.

**PROCEDURE:**

1. Tendering and quotes are the responsibility of the senior management under whose budget the item was originally charged.

**INVITATION TO TENDER**

2. An invitation to tender must contain the following:
  - i. sufficient details to identify the item(s) being tendered;
  - ii. the hour and date of closing of tenders;
  - iii. the department offering the tender;
  - iv. if a security deposit is required, the amount of such a deposit must be specified;
  - v. where applicable, minimum bids will be required;
  - vi. tenders are to be returned in a sealed envelope addressed to a designated person of the MFN and clearly marked "tender for...";
  - vii. the tender must be submitted to the department and the person who has initiated the tendering.

**REVIEWING TENDERS:**

1. Upon receipt of the sealed tender, the time and date will be recorded and the same is stored in a locked cabinet until such time to designate.
2. At the time designed, the appropriate senior management will open all tenders in the presence of the General Manager and/or elected officials.
3. When all tenders are open, the same is read aloud, giving the name of the bidder and the bid amount.
4. Minutes will be recorded stating:
  - i. name of the person who submitted the tender;

- ii. date of bid received; and
- iii. the amount of bid.

- 5. If the highest bidder is not accepted, the reasons are to be recorded in the minutes taken direct the awarding of the tender.

**AWARDING OF TENDERS:**

- 1. On acceptance of a tender, a contract is signed by both parties with a copy of the tender attached.
- 2. The appropriate senior management is responsible for ensuring the contract is honored.
- 3. In the event of a tie bid, the bidders involved will be notified and asked to resubmit their tenders within three (3) working days of notification date.
- 4. In the event the highest bidder declines, the tender will be offered to the second highest bidder and so on.
- 5. In the event there are no bids, the tender will be advertised for public sale stating the asking price or nearest offer, within a two-week period. All offers must be submitted in writing.

**FINANCIAL MANAGEMENT CODE**

**TIME SHEETS**

**FINANCIAL MANAGEMENT CODE  
TIME SHEETS  
PAGE: 1 of 1**

**POLICY:**

Time sheets must be signed by appropriate personnel and submitted to the Finance Department no later than noon on Tuesday of each pay week.

**PROCEDURES:**

1. Time sheets must include the hours worked, indicating any leave taken, name of employee.
2. Timesheets must be signed by the appropriate authority.
3. Timesheets must be submitted to the Finance Department no later than noon on Tuesday of each week.
4. Timesheets not received by the time indicated will be processed as time permits but will not be given priority over other tasks necessary to complete the payroll process.

**FINANCIAL MANAGEMENT CODE**

**TRAVEL AND ACCOMMODATION**



**FINANCIAL MANAGEMENT CODE  
TRAVEL AND ACCOMMODATION  
PAGE: 1 of 1**

**POLICY:**

MFN will reimburse Band members/employees traveling on approved Band business based on Federal Government rates. Elected Officials and the General Manager are required to travel separately due to the possibility of unforeseen circumstances.

**PROCEDURES:**

1. All trips must be authorized before it can take place.
  - a) All airline tickets required will be arranged by the department of the employee.
  - b) All expenses will be recorded on the band travel claim form.
  - c) Advances in the amount of 85% may be approved by the direct supervisor if he/she are authorized to sign travel claims. If not, the next supervisor in line with such signing authority must approve the advance.
  - d) If an advance is issued, all receipts as well as a report on the trip must be submitted before the 15% is paid out.
2. If private vehicles are used, the Federal Government mileage will be approved. If gas is purchased at the Gas Bar in lieu of mileage then a Purchase Order must be used.

3. Accommodations:

Anyone traveling on approved MFN Business will request government rates. A list of suggested accommodations could be obtained at the Band Administration Office

Hotel – Government rate

Private Accommodation – will be based on current Federal Government Rates.

4. Incidental Allowance:

Daily – allowances are based on current Federal Government Rates.

5. Meals:

Breakfast – Based on Current Federal Government Rates.

Lunch – Based on Current Federal Government Rates.

Dinner – Based on Current Federal Government Rates.

Total *(No receipts are required for meal allowance)*

6. Chief's Travel:

All Chief's travel must be reviewed and approved by General Manager.

7. Group Travel:

Where more than one person is traveling on the same day to the same event, cost to the organization should be minimized.

Two people per vehicle would be approved for mileage per trip. If the person involved wish to travel in separate vehicles, the mileage will be shared between the individuals.

Hotel rooms may be shared where the employee is comfortable.

Group travel is exempted to Elected Officials and General Manager as stated in policy.

8. Reimbursement Travel:

Travel to be reimbursed by sponsoring agencies must be high-lighted on expense claim form and must include contact person.

**FINANCIAL MANAGEMENT CODE**

**US EXCHANGE**

**FINANCIAL MANAGEMENT CODE  
US EXCHANGE  
PAGE: 1 of 1**

**POLICY:**

The MFN must provide current bank exchange rates less 10%, when dealing with currency other than Canadian dollar.

**PROCEDURE:**

1. Band exchange rates must be verified on a daily basis.
2. The rate of exchange will be calculated, less 10%. This is to minimize loss for MFN if rates are to change before funds are deposited.

**FINANCIAL MANAGEMENT CODE**

**WAGE GARNISHMENT**

**FINANCIAL MANAGEMENT CODE  
WAGE GARNISHMENTS  
PAGE 1 OF 1**

**POLICY:**

Garnishment of wages can only be between registered MFN members and MFN entities.

**PROCEDURE:**

1. Upon receipt of a court ordered judgment, the Finance Department may collect funds through payroll deductions.
2. Upon receipt of proper documentation from the Finance Department, garnishment may be made against the employee.

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## MIAWPUKEK BAND FINANCIAL POLICY REVIEW

### INTRODUCTION

Miawpukek First Nation has developed processes to deal with the financial issues that arise as a consequence of their daily governmental and business activities. The difficulty is that the processes are often comprehensive and may be neither well defined nor well documented. Also, the documentation that does exist has often been created by different persons at different times for different purposes. In these situations, no satisfactory answer can be given when a question arises as to the procedure to be followed or whether the proper procedure has been followed.

As part of the continuing efforts of the Miawpukek First Nation to ensure sound financial management practises and procedures, MFN has undertaken code development in the area of financial management and accountability in that much of the code requirements in this area is already undertaken by the Miawpukek Band. Now the financial management and accountability code is developed; the process overview approach will serve as a model and template for the Miawpukek Band to develop other codes.

### PROCESS

The Miawpukek First Nation in conjunction with the Department of Indian Affairs embarked on a local legislative process on a scale that has not been attempted before. Similar legislative processes in a federal or provincial context normally provide for lengthy discussions and consultations assisted by technical and legal resources as well as a rigorous drafting process. A Working Committee was comprised with the following objectives.

## **A. Terms of Reference for Working Committee:**

The Working Committee shall oversee the project as a whole and actively work with the project consultant in attaining the “**Project Outcomes**” and “**Project Methodology**” as listed below:

## **B. The Miawpukek Band’s FNGA project will yield the following project outcomes:**

1. A principal project outcome will be a First Nations Governance Act code for financial management and accountability. Not only will the aforementioned code be developed specific to the Miawpukek Band, but also a template and model will be an end product that can be used by other First Nations.
2. In addition to #1 above, the developmental approach and community consultation approach will be documented and captured. The developmental and consultation approach will serve as a model for the Miawpukek Band in further code/law development and for other First Nations.
3. Items #1 and 2 above will be documented and will be available to Band members, administrative staff, and future community leaders as a record of the code development and the “spirit and intent” underlying and informing the code development. As well, the end product will be made available to other First Nations.
4. The Miawpukek Band will undertake a component/task-oriented approach to code development. As such each code will include sub sets of guidelines, rules and/or policies that will eventually be worked into the final version of the code. Thus another project outcome will be various guidelines or policies. These outcomes will be documented individually before being integrated into the final code. The individual guidelines, rules, and/or policies will be of benefit to other First Nations in code

development. The sub set of guidelines, rules and/or policies shall include, but will not be restricted, to the following:

- A. Rules pertaining to loans to band members;
- B. Rules pertaining to the remuneration of Chief and Council;
- C. Conflict of Interest Guidelines;
- D. Rules and authorities for Band administration and its relationship with council with respect to financial matters and signing authority;
- E. Debt and debt management, deficit management and limitations;

### C. FNGA Working Committee Composition

The Committee shall comprise of:

- A. The General Manager of The Miawpukek First Nation as Chairperson
- B. Two representatives from MFN's Finance Department
- C. One representative from Chief and Council
- D. One representative from Conne River Health and Social Services
- E. One representative from St. Anne's School
- F. One band member at large

In total the Working Committee hosted eleven committee meetings, ten off reserve consultations, one director and managers meeting and a session with Chief and Council. A brochure was developed for information purposes. This brochure was forwarded to all membership both on and off reserve.

Initially, the Working Committee reviewed all existing policies and procedures as it relates to financial management and accountability of the Miawpukek First Nation. The following is a synopsis of discussions. This overview is to highlight the practices of Miawpukek First Nation where applicable and offer suggestions to assist other First Nations with policy development.

## **1.0 Budgetary Process**

The budgetary process is considered to be both a crucial and necessary strategy for almost any organization. Budgets allow for the timely and effective use of all resources, and ensure that programs stay within financial parameters, that is, without getting into a deficit situation. They ensure that cash flows are properly accounted for, and help with monitoring of programs and services. The budgetary process involves setting out, on paper, the priorities of the organization. It usually involves all senior decision-makers, and requires that everyone have the most up-to-date and accurate information available regarding the financial matters to be discussed. Budget planning can be seen as a results-

based management practice which advocates responsibility and decision-making.

The budget process can be quite complicated, usually involving a significant amount of knowledge of not only financial matters, but also being able to grasp the interrelatedness of funding arrangements and programming. However, given the complexity above, it is still essential that the process be as transparent as possible so as to allow for community input. Budget decisions should be explained clearly to community members, and any written statements must be simplified in order to allow for the widest possible understanding.

### **1.1 Responsibilities**

The ultimate responsibility for financial matters pertaining to the Miawpukek Band lies with the Chief and Council. However, this does not mean that budgets should be prepared in a vacuum; as stated above, senior staff, as well as community members should become part of the process. This could take the form of public meetings or a posting of information in prominent locations.

More specifically, portfolio holders, directors, program managers and program staff prepare budget estimates (see Preparation below) for review and approval by Chief and Council. Throughout this entire process, the General Manager and/or the Financial Officer should be actively involved with all levels of personnel, so as to promote continuity, and to lend support and expertise whenever possible.

## **1.2 Preparation and Approval**

The budget preparation process is usually quite lengthy, and should be started well in advance of any deadlines. It generally begins with a budget planning meeting for each program, during which program staff state their needs, in writing, on a separate written form, for the coming fiscal year. A good basis for budgeting is an examination of the previous year's budget; this will aid in determining shortfalls and areas that could provide savings for the Band. After this initial meeting, staff should begin preparing itemized budgets, which contain significant detail. These budgets should include such things as personnel needs, supplies, equipment, travel, etc. All items should be costed out. Included also should be such things as projected program expenditures, salaries and benefits, operating costs and maintenance and building costs.

After staff has prepared detailed budgets, another meeting should be held which includes staff, program managers, the appropriate Portfolio Director, Comptroller and the Band Manager. Budgets should be presented, and then discussed item by item. Everyone should have the opportunity to discuss his or her particular budgets, and a consensus must be reached on an overall budget. This will mean that not everyone will receive the budget levels they had anticipated, and compromises will have to be made. These types of meetings must take place for every program that is administered or operated by the Band.

Once the budgets have been finalized by the Directors and Program Managers, the General Manager and the Financial Officer will present them to Chief and Council for debate and approval. The Chief and Council may approve each budget entirely, partially, or reject them and ask for modifications. It is important for the General Manager and Financial Officer to present the budgets, since he or she was involved with the budget process at the last level, and as such, may understand ideas or justifications behind any particularly contentious budget items or issues.

### **1.3 Monitoring**

Chief and Council will monitor all facets of budgeting, including salaries, travel, monthly statements, cash flows, etc. on a monthly basis. If shortfalls or savings

are identified, appropriate measures should be recommended. It is also important for variance reports to be presented on a monthly basis. These reports should be presented to Council. Promotions should be voted on, and recorded in the Council minutes. Departmental or Agency funding should only be spent for purposes outlined in any agreements. Where funding flexibility is allowed between programs, any transfers from one program to another should be approved by Chief and Council.

### **2.0 Budget Reporting and Control**

It must be the goal and mission of every Band to maintain strict controls over financial matters to ensure that funds are spent appropriately, and to guard against any over-expenditures which may result in placing the Band in a deficit situation. To further this aim, at the beginning of each fiscal year, all funding arrangements must be analysed in conjunction with the budgetary process outlined above. In this manner, proper allocations can be made for each program. Program staff should prepare and present monthly statements to their program manager, who will in turn pass along monthly program statements to the Director. The Program Director should meet with the Financial Officer to review the monthly statements, and compare them to the yearly budgets that were

previously submitted. Notes should be made regarding any discrepancies, and ought to be followed by a meeting with the appropriate staff for explanation and clarification. The finalized monthly statements will be presented to Chief and Council for approval and explanation. Appropriate action in relation to any budget over or under expenditures will be formalized at that time.

### **3.0 Accounting and Data Management**

With the proliferation of personal computers, accounting has quickly become an electronic task that requires specialized skills. Band accounting staff should avail themselves to all available training. However, while accounting has changed considerably in its technical operation, the principles have remained the same. A strong accounting system will ensure that Band financial obligations are met, and that accurate records are kept.

Generally, accounting staff should be well trained in the areas of accounting principles, data management, file and record keeping and systems. In this manner, accurate information regarding financial matters can quickly be provided to Chief and Council, such as payment of invoices, salaries, expenditures and receipt of funds. It is the responsibility of the accounting staff to keep up-to-date records for such purposes; and to store these records in a safe manner.

Financial authorities and cheque signing privileges must be clearly stated, in a written policy, to avoid any possible misunderstandings. Miawpukek Band requires at least two signatures on each cheque, one being the Financial Officer, as that person usually has required information regarding any cheques that should or should not be issued. It is also customary for a cheque requisition form to be signed by the Financial Officer. On a precautionary note, the person who makes out the cheques should not be one of the persons with signing authority; this will safeguard both the Band's finances and the person's liability.

#### 4.0 Payment Processing

The Band should have a clearly stated accounts payable policy, available in writing to anyone who requests it. It should be policy to promptly pay all invoices received, usually within thirty days, to avoid paying any interest charges. Also, some companies offer discounts for prompt payment, which should provide another incentive. After an invoice is received, it should be passed on to the Financial Officer. The Financial Officer will check all the components of the invoice for accuracy before authorizing payment. Should a discrepancy be detected, the Financial Officer will be responsible for contacting the invoicing company to rectify the problem.

Once a payment has been authorized by the Finance Department, a cheque

should be requisitioned and mailed or delivered to the appropriate supplier by the due date indicated. The payment should be recorded in the computerized accounting package that is in use by the Band. This should automatically change the ledger readings to reflect an accurate account history.

#### 5.0 Cheque Issuance

The policy of cheque issuance should be used in conjunction with the policy of payment processing. A stub should be attached which contains all the pertinent information such as salary, deductions, loan repayments, etc. It is also of primary importance to keep all blank cheques in a locked storage cabinet.

Certain other procedures must be taken into account when developing a policy for the issuance of cheques. For instance, all cheques must be numbered sequentially so as to be accounted for, cheques should never be issued blank or post-dated, and lost or stolen cheques should be reported immediately and a stop payment order issued to the bank. Also further safeguards should be put in place such as cancelling all cheques that have not been presented in the six-



month period after issuance should be cancelled, and a new cheque issued only on the request of the payee.

## **6.0 Debt Management**

A financial management plan must be set out which contains detailed information on how the Band will reduce, and eventually eliminate, its debt. Chief and Council must endorse such a plan, and it must be accepted by funding agencies. In general, Bands that are in a deficit situation should review their budgets at the beginning of the fiscal year to ascertain if savings can be realized in program areas, and if so that surplus should be applied against the debt. It is also important for debt management that variance reports to be generated on a monthly basis

## **7.0 Travel Benefits/Claims**

Miawpukek Band should have a clearly defined travel policy. This policy should be approved by Chief and Council and made available to all employees in writing. New employees should be briefed on the policy during the orientation process. Miawpukek Band will use federal travel rates, and all travel is usually recommended by a supervisor and approved by the Financial Officer.

### **7.1 Authority**

Miawpukek Band will establish a clear travel policy for all of its employees. The first step is to develop an authorization procedure. Whatever process is chosen, it should be presented to all employees, in writing, during their orientation. Travel should be kept to a minimum, and all costs should be budgeted for in the budget process for each program. All attempts should be made to secure funding from other sources, i.e., government, associations, etc.

## 7.2 Procedures

Once the travel has been authorized, travel arrangements should be made using the most economical means possible. This may mean the person taking their own vehicle rather than renting one or sharing expenses with another employee or even sharing travel arrangements with someone travelling to the same location. Also, all arrangements should be as far in advance as possible, especially if travelling by air to ensure that all possible saving can be realized. A travel itinerary should be completed for each person who is travelling. This should include such information as dates and times of departures and arrivals, hotel information, including telephone numbers, and meeting locations and contact detail. The itinerary should be given to the secretary well in advance of the actual travel date.

## 7.3 Travel Advances

Travel advances may be given to employees before they leave, granted that they have filled out an appropriate travel advance form. Advances should never exceed the actual total cost for the travel. Within one week of returning, the employee must complete a travel claim form, including a record of all expenses incurred which are verified by receipts. The amount of the travel advance will then be deducted from the total travel claim. If the travel claim is for less than the amount of the advance, the employee will be required to submit payment to the Band immediately. Further travel advances will not be issued to an employee if they have failed to either complete past travel claim forms, or still owe monies resulting from previous travel.

## 8.0 Salary Advances and Loans

The issue of salary advances and loans has been a contentious one for this Band in the past, especially given that this has been a frequent practice. However, as Bands move toward more accountable financial objectives, this issue must be evaluated to ensure that proper guidelines are followed. To guard

against any possible abuse or misuse of salary advances and loans, a guideline must be formulated and followed. Below will be some basic criteria which could be followed when developing a policy for salary advances and loans.

### **8.1 Salary Advances**

As noted above, salary advances can become a major problem for Band administrations. Many Bands have adopted a policy whereby no salary advances are to be issued to any employee. While this may work in some situations, it is not always feasible. As a guideline, full-time Band employees will not receive an advance equalling more than the equivalent of one month's wages. Part-time or seasonal employees will not receive an advance more than the equivalent of two weeks wages. Full-time employees must repay the

advance within a two-month period, and part-time or seasonal must repay all salary advances within one month. In all cases, no advances will be given to any employee with an outstanding balance from a previous advance.

### **8.2 Loans**

As with the practice of giving salary advances, loans have been a problem for First Nation governments. It is for this reason that a strict loan policy should be developed, and most important, applied equally to all. One tactic or direction that the Miawpukek First Nation have taken on this issue is to not provide loans to community members. It should also be noted that monies received from a Department or Agency for specific objectives, such as education, should never be used for the purpose of providing loans.

If a Chief and Council decides that they do wish to issue loans to their members, a strict loan policy must be adopted. This may include such items as level of loans allowed, i.e., not exceed \$1,000. The person receiving the loan should be required to remit a repayment schedule, which includes the required

number of post-dated cheques. All loans should be approved by the General Manager, and recorded in written form. All payments made on the loan should also be recorded and receipts given as proof of payment. This information should be made available to Chief and Council. Loans that are in arrears should be presented to Chief and Council so that they can decide on any remedial action. It should be part of the policy to identify an acceptable payment plan, which is applied universally to all loan recipients. Also, all loans must be paid in full by the end of the Band's fiscal year.

## **9.0 Honoraria**

A policy on honoraria for elected officials or senior Band staff representing the community must be established by Chief and Council in a responsible manner, and should be included as part of the budgetary process. The Miawpukek First Nation has included in their policy the requirement that participants must attend the entire meeting to be eligible for any honoraria. If the sponsoring agency is covering the expenses for the meeting, no further honoraria will be available.

## **10.0 Payroll Administration**

Salaries rates paid to employees should be approved by Chief and Council, and provided in writing to each employee during their orientation process. Pay days should be established (i.e., weekly, bi-weekly), and adhered to. All employees will be provided with a pay stub detailing their salary rate and any applicable deductions. This has to be placed in an envelop or stapled overview for privacy reasons.

Those employees that are on salary should be required to submit a payroll sheet detailing their time of arrival and departure, which they sign as verification.

Based on the information provided, the payroll clerk will then make appropriate adjustments to the cheque. For those employees paid on an hourly basis, a time

sheet detailing all the hours they have worked should be submitted, also with their signature.

Payroll clerks should be knowledgeable regarding payroll administration and deductions. Deductions may include CPP, EI, income tax (if applicable), Indian Pension Plan Fund and any group insurance plan. Deductions may also include any loans or salary advances that are in arrears.

## 11.0 Audits

An audit is basically a summary of all the financial activities undertaken by a Band during a given time period, usually annually. An audit provides a means of showing Band members and funding agencies that fiscal resources are being

used and administered in a responsible manner. In most cases the auditor

comes from an outside agency in order to provide the auditing service with a sense of objectivity. All audits must be conducted in a timely manner, within 90 days of a Band's fiscal year end which is normally March 31.

Detailed financial statements should be prepared annually for all Band operated activities. The auditor will be appointed by the Chief and Council and must hold a recognized accounting designation. The audit and statements must be prepared using generally accepted accounting principles. The audited financial statements must include the following information:

- balance sheets;
- statements of revenue and expenses for all activities;
- schedules of surpluses or deficits for each activity, detailing transfers and prior year balances
- a consolidated balance sheet and statement of revenue and expenses, and surpluses or deficits, if a Band is in debt
- statement of change in financial position.

Included in the audited statements should be the auditors opinion in relation to the veracity of the financial statements as a reflection of the Band's financial position, and any recommendations he or she may feel is advisable. The auditors must present a draft to Chief and Council, and make themselves available to answer any questions regarding the audit report.

In order to reduce the amount of time required by the auditor, and thus the cost, the Band administration should collect and prepare as much information as possible before the auditor begins the audit. Such information required may include:

- receipts and payment journals or logs;
- general ledger;
- signed minutes;
- BCR's;
- cancelled cheques, bank statements and cheque stubs or duplicates;
- receipt books;
- all funding arrangements;
- payment vouchers and invoices;
- bank deposit books;
- payroll sheets and T4 forms issued;
- grant application;
- grant approval letters;
- accounts receivable;
- accounts payable;
- inventory;
- schedules of salaries, honoraria, travel and other benefits Chief, Council or employees may have received;
- all journal entries made;
- pension plan information; and
- list of assets purchased

Chief and Council must review the audit, and approve it. Chief and Council must sign it. The audit must be available to the community members. The completed audit must be sent to all funding agencies. Chief and Council should also make every effort to follow-up on recommendations made by the auditor, or suggestions made by community members concerning the audit.

## **12.0 Fixed Asset Control**

A comprehensive inventory must be kept of all Band assets. This list should include such items as office furniture, office equipment, buildings and building materials, vehicles, maintenance equipment and machinery. This list should be reviewed and updated at least annually, and must include the cost and date of purchase for each item, or the date and sale price if an item has been sold. As a general rule, all serial and/or model numbers should be recorded and kept with the pertinent asset. The Financial Officer should also maintain an assets list that includes the location of each asset, the responsible person for each asset, and the date of the last inspection.

The Financial Officer should conduct random audits of all Band assets to verify their existence and condition. If any item is deemed missing, damaged, beyond repair, or obsolete, it should be reported to Chief and Council who may decide to authorize a write-off, or begin an investigation into any missing items. The Finance Department should also use the list to ensure that adequate insurance coverage has been purchased for all Band assets.

An attempt should be made to ensure the security of Band assets. This may involve following local fire codes for all buildings and structures, and maintaining adequate insurance coverage. All equipment should be locked in safe storage, and access given only to authorized personnel. Access should only be given to appropriate staff members, and they should be instructed in security measures.

## **13.0 Financial Control for Band-Operated Businesses**

All Band-operated business should be treated as separate entities from the Band for budgeting, reporting and financial purposes. Therefore, Band-operated businesses should endeavour to formulate their own financial policies. These policies could be constructed along the same lines as those of the Band, and as outlined in this sample policy document. Band businesses must be included in any Band audits and included on consolidated revenue and expenditures statements, if the Band is in debt. Once completed, the policy must be presented to Chief and Council for input and approval.

#### **14.0 Tendering and Contracts**

Since most Bands purchase a wide variety of goods and services, with a wide variety of costs, during a fiscal year, it is important to have a firm policy in place

regarding the tendering of goods and services, and for the contracting process.

The policy should be clear, concise and easy to understand. It should be written in plain language and should be accessible to all staff members.

The policy should be reviewed and updated as needed.

##### **14.1 Tenders**

The tendering process should begin by designating appropriate purchasing thresholds for staff members. Usually, small purchases (less than \$1,000) would

only require the approval of a Program Manager. Larger purchases (up to

\$5,000) must be approved by a Director. All purchases over that amount must

be approved by Chief and Council.

The policy should be clear, concise and easy to understand. It should be written in plain language and should be accessible to all staff members.

For the purpose of tendering, all items under the smallest limit can be purchased without tendering, although every effort should be made to ensure that the best value for money is attained. Capital purchases up to the intermediate level should be made by invited tender, that is, by asking a number of suppliers to send quotes on the item, and from the quotes the most appropriate supplier can be selected. For items over that level, a public tendering process should be initiated.



Whether it is an invitation to tender, or a public tender, all tender documents include information that contains enough detail for the supplier to make an appropriate bid. The tender documents should clearly state the time and date of the closing, time, date and place of opening, the location all tenders are too sent to, and the amount of any security deposit if necessary. Also included should be the name of a contact person who can answer any questions regarding that particular tender. It is usual for the tender package to also contain the evaluation criteria, so that suppliers will know what they are being evaluated on.

The returned tenders must be in a sealed envelope, and the tender name or number clearly marked on the outside. These must be received by the time and date specified in the tender; no allowance will be made for late tenders. The tenders should be opened at the given time and place; and the opening should be open to the public. All tenders received should be opened and the tender title, number, date of bid and amount shown should be recorded. The lowest tender is usually the one accepted, and if not, the reasons should be clearly recorded. After a tender has been chosen; and both parties agree to all terms and conditions as set out in the tender and the suppliers bid, a contract for goods or services should be entered in to. All unsuccessful bidders should be sent a notification thanking them for their interest and stating the successful bidder as soon as possible.

## **14.2 Contracts**

Upon approval of the recommended supplier by Chief and Council, a contract should be prepared and signed by both parties. The contract should clearly states all the requirements and responsibilities of both parties. It should include information on completion or delivery dates, reporting requirements and terms of payment.

## **15.0 Project Management**

Project management is the approach used to manage a project within the constraints of time, cost and performance targets. Project management provides a focus on deliverables, by providing the project with technical management, scheduling, cost control and task allocations. Most projects require a project manager who is responsible for project integration with other on-going activities, strategic planning, resource allocation, project quality, and time, cost and risk management.

## **16.0 Office Procedures**

Office procedures are essential to any successful and well-run organization.

These provide a set of standards and rules by which all employees are expected to operate. Many of the items associated with an office procedure policy are not

directly related to financial management; however, elements such as petty cash and receipt and deposit of funds are fundamental to a sound fiscal policy; and as such are included below.

### **16.1 Petty Cash**

Petty cash is usually a fund, which contains a small amount of money that is used for paying small incidental expenses. The Financial Department, in conjunction with Chief and Council, should set the amount of the fund, and designate an employee to be responsible for it. This employee will have to keep detailed records of starting and end balances, as well as receipts for all disbursements from the petty cash fund. The fund should not be used for paying regular items, which would usually be paid for by cheque, nor should it be used to cash pay cheques for other employees. It will also be the responsibility of the employee to ensure the safe storage of the petty cash fund.

### **16.2 Receipt and Deposit of Funds**

All cheques received should be deposited as soon as possible; any funds that have not been deposited should be kept in a locked cabinet until the next deposit

is made. In preparation for deposit, an appropriate deposit slip should be completed. The slip must contain the following information: date, account name and number, list of all cheques with amounts, list of all cash to be deposited, total deposit (cheques + cash), and a signature. The Finance Department should be responsible for completing these forms, or at the very least, verifying the information. The deposit should be made on the date indicated, and the person depositing the funds should ensure that the bank date-stamps and signs the deposit slip.