

Missanabie Cree First Nation Chief and Council Policy

August 2016



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1.0 Authority

- 1.1 The Chief and Council of the Missanabie Cree First Nation (MCFN) derive their authority to govern through election to office and receive direction from the citizens of MCFN through consultation, committees, and community meetings.

2.0 Structure

- 2.1 Chief and Council work within a legal and administrative structure. The structure includes resolutions, policies and procedures, and by-laws approved by Council and the citizenship, as well as other laws of general application, such as human rights law and labour standards law.

3.0 Accountability

- 3.1 Chief and Council are accountable to the citizenship of MCFN.
- 3.2 To ensure transparency and accountability, Chief and Council are to uphold and abide by MCFN governance codes and policies, e.g. Section 5.0 of the MCFN Administration Code

4.0 Objective

- 4.1 The objective of this Policy is to assist and direct Chief and Council in the exercise of their roles and responsibilities as the elected leadership of MCFN.

5.0 Principles

- 5.1 The second paragraph of the *Missanabie Cree First Nation Vision Statement 1998* (Schedule A) clearly outlines the expectations of the citizenship for the Chief and Council in the exercise of their leadership responsibilities.

6.0 Definitions

Community meetings: meetings that are open to citizenship with the purpose of providing information and/or consulting with the community

Consultants: one or more persons employed by the First Nation on a contract or short term basis to provide advice or services to the First Nation in a particular area of expertise. Consultants can include professional experts and advisors as well as project managers.

Council: refers to the duly elected councillors of MCFN

Council-elect: the newly-elected Chief and Council.

Fiduciary: a legal duty to act in the best interest of another party, usually concerning property and finances

7.0 Governance Roles

7.1 Roles of Chief and Council:

1. Preservation and protection of the Aboriginal and Treaty rights of MCFN
2. Protection of the individual rights of the citizenship, which includes the right to vote in elections and referendums, the right to express an opinion, and the right to access information.
3. Management of traditional land, property and other assets of the First Nation in accordance with relevant policies
4. Ensuring a balanced perspective in decision-making through the inclusion of an Elder Liaison and a Youth Representative in Council meetings as non-voting members
5. Hiring and supervision of the Band Manager
6. Overseeing program and service delivery to the community consistent with relevant regulations, policies and legislation, e.g. law enforcement, environmental, public safety and security
7. Creating entities to serve a specific purpose, e.g. economic development corporations, councils, and committees

8.0 Fiduciary Responsibility

8.1 Chief and Council have a fiduciary responsibility to always act in the best interests of MCFN and to safeguard MCFN assets held in trust for the benefit of members of the whole community.

8.2 A fiduciary duty is one which is trust-like and calls for the highest standards of honesty, loyalty, and good faith.

8.3 From the general duty of fiduciary responsibility flows the responsibility of Chief and Council to adhere to strict rules regarding conflict of interest. A fiduciary undertakes not to allow his or her interest to conflict with the duty he or she has undertaken.

8.4 Section 16 of this policy outlines clear guidelines for the disclosure, determination, and resolution of issues of conflict of interest.

8.5 If a member of Council does not meet his/her legal and fiduciary duties and responsibilities, then Council will decide whether or not to ask for that member of Council's resignation or removal from office, as per Section 13 of the MCFN Custom Election Code.

9.0 Code of Conduct

9.1 Chief and Council will agree to abide by the following Code of Conduct:

1. To strive to follow the Seven Sacred Teachings (Schedule B).
2. To maintain confidentiality on internal council matters and organizational concerns.
3. To show commitment and dedication to MCFN by being an active participant at all meetings and at special functions.
4. To be continually accountable to the citizenship and to Council.
5. To abide by all MCFN codes and policies.
6. To act in the best interest of MCFN.
7. To reflect a positive public image of MCFN.

8. To show a willingness to be open and objective in Council discussions and to respect the opinions of others even when disagreements occur.
9. To respect the lines of authority and communications established by MCFN and to realize that individual council members have no line of authority over staff, and that policies and directives are implemented by the Band Manager through authorization by Council motion.
10. To refrain from posting on any social media site any information regarding MCFN. Information should be released officially through the proper channels of communication as directed by Chief and Council.

9.2 Breach of this Code of Conduct will be addressed by Chief and Council as outlined in Section 9.3.

9.3 Once a breach in the Code of Conduct has been identified, the breach shall be addressed by a reminder that the Council has agreed to abide by the Code of Conduct as guided by the Seven Sacred Teachings. The process of resolving this breach is

- a. The individual council members involved can communicate with each other to resolve issue.
- b. If it can't be resolved, then Chief or Deputy Chief should be consulted.
- c. If conflict continues to be unresolved, then the rest of Council should be consulted.

9.4 If a conflict cannot be resolved by Chief and Council, the matter shall be referred to the Elder Liaison. The Elder Liaison may refer the matter to the Elders Council.

10.0 Roles and Responsibilities of the Chief:

10.1 Roles and responsibilities of the Chief include but are not limited to the following undertakings. The Chief:

1. Speaks for and expresses the opinions of MCFN when dealing with general matters of concern.
2. Is the spokesperson for Council's formal position on matters and that this position is communicated to the public as necessary in accordance with communication policy.
3. Participates as the official representative of MCFN at meetings with federal, provincial and other First Nations governments, private sector, and non-governmental organizations, as directed by Council.
4. Is MCFN's official spokesperson at ceremonial or special functions, with government officials or in business relationships or can delegate this responsibility.
5. Ensures that Council abides by MCFN codes, policies, procedures, and by-laws.
6. Calls emergency meetings of Council for business that cannot wait for regularly scheduled meetings.
7. Acts a Chairperson for Council meetings. In the absences of the Chief, Councillors shall appoint a chairperson.
8. Helps Council to be an effective team by calling meetings to support and build unity among the Council members.
9. Reviews work plans with Council to ensure that Council does the work in accordance with the strategic plan.
10. Ensures that Council's priority is consistent with the needs and direction received from the community through community meetings and committee recommendations.
11. Submits a monthly schedule, as approved by a majority of Council, of intended meetings, work, etc., to Band Manager and the Executive Assistant to Council.
12. Provides monthly reports for each Chief and Council meeting.
13. Submits a monthly newsletter article.
14. Is the official trustee of the corporations held by MCFN.

- 10.2 The Chief works with Council by:
1. Setting their meetings schedule.
 2. Works with the Band Manager and Executive Assistant to ensure agendas are prepared for Chief and Council meetings.
 3. Managing attendance at council meetings.
 4. Ensuring that council receives orientation and information to make informed decisions.
 5. Appointing committees.
 6. Planning Council sessions, such as strategic planning or public relations.
 7. Identifying opportunities for self-development and improving competencies.
 8. Developing a mutually respectful relationship with the Band Manager.

11.0 Responsibilities of Chief and Council

11.1 Roles and responsibilities of the Chief and Council include but are not limited to the following undertakings:

1. To attend all Council meetings as scheduled, to review Minutes and be prepared to take part in decision making.
2. To ensure transparency and accountability to the membership of MCFN through upholding MCFN policies, procedures, codes and By-laws.
3. To provide quarterly progress reports about their work for publication in the newsletter and an annual report to the membership.
4. To provide a monthly summary to Council of work carried out related to their work plans and portfolios.
5. To develop and implement a process to address community members' concerns, issues, or suggestions regarding the affairs of MCFN.

11.2 Chief and Council cannot contract out or delegate away their responsibilities, except in accordance with Section 11.3.3.

11.3 Strategic Direction

- 11.3.1 Chief and Council are to develop and implement a strategic plan based on direction from the citizenship.
- 11.3.2 Chief and Council will develop an individual work plan and performance measures based on the strategic plan, and their designated portfolio.
- 11.3.3 Chief and Council may delegate certain aspects of the implementation of the strategic plan to the Band Manager.
- 11.3.4 Chief and Council are responsible for monitoring, evaluating, and guiding the strategic plan.

11.4 Supervision of Band Manager

11.4.1 Chief and Council are to hire, supervise and provide direction to the Band Manager.

11.4.2 The relationship between the Chief and Council and the Band Manager shall be one of mutual respect, recognizing that their roles and responsibilities are complementary.

11.4.3 The roles and responsibilities of the Band Manager and Chief and Council are outlined in the MCFN Administration Code under Section 6.0.

11.4.4 The position of Band Manager is defined in detail in Schedule C under this Policy.

11.5 Protection and Management of Community Assets

11.5.1 Chief and Council are to protect and manage community assets by reviewing and following MCFN Financial Policy.

11.5.2 Chief and Council are responsible for approving all major capital expenditures, acquisitions and investments.

11.5.3 Chief and Council will place and approve an annual budget.

11.5.4 Chief and Council will ensure all assets and investments are secure.

11.5.5 Chief and Council and the Band Manager will develop policies to ensure appropriate procedures are followed to safeguard all MCFN's assets.

11.6 Review and Development of Governance Codes and Policies

11.6.1 Chief and Council shall ensure the development and review of Governance Codes and other policies which include but are not limited to the following:

1. Citizenship Code
2. Election Code
3. Administration Code
4. Lands and Resources Code
5. Employment and Personnel Policy
6. Redress Mechanisms Policy
7. Economic Development Policy/Consultant protocol
8. Chief & Council Policy
9. Conflict of Interest Policy
10. Rama Policy
11. Financial Policy

11.7 The outgoing Chief and Council and the Council-elect shall participate in the orientation session that will facilitate a smooth transition to the incoming Council-elect at the beginning of the new term. (See Section 17, Orientation.)

12.0 Governance in Council Meeting

12.1 Decision-making

- 12.1.1 Members of Council shall remain focused on agenda items and to address these items in a clear and concise way.
- 12.1.2 Members of Council shall prepare in advance for all council and committee meetings.
- 12.1.3 To pass a motion requires a majority vote in favour by the Councillors, and in the case of a tie, the Chief shall cast the deciding vote.
- 12.1.4 Each member of Council shall have the opportunity to address their concerns and voice their opinion.
- 12.1.5 Any member of Council who votes against a motion will be allowed the opportunity to record their objections.
- 12.1.6 Council meetings will be held at a minimum of once a month or according to a pre-determined schedule.
- 12.1.7 All Chief and Council meetings will be recorded by written minutes and by tape recording. The tapes will be archived for a period of seven years.

12.2 In-camera Meetings

- 12.2.1 In-camera meetings shall be noted on the agenda for Chief and Council meetings.
- 12.2.2 In-camera meetings have a legitimate purpose, but their use should be limited because in-camera meetings restrict some information to the citizenship.
- 12.2.3 In-camera meetings shall be limited to discussions such as personnel matters, commercially-sensitive business matters, or litigation.
- 12.2.4 Only the Chief and Councillors may attend an in-camera meeting. The Chief or a designated Councillor shall record the minutes.
- 12.2.5 Any decisions made at an in-camera meeting shall be recorded as part of council meeting minutes. No personal information shall be revealed.
- 12.2.6 Minutes of an in-camera meeting are sealed by Chief and Council and held by the Band Manager.
- 12.2.7 Minutes shall be held for seven years and destroyed thereafter.
- 12.2.8 Minutes shall not be unsealed unless by an order of court.

12.3 Attendance

- 12.3.1 If unable to attend a regularly scheduled Chief and Council meeting, the member of Council will inform the Executive Assistant to Chief and Council and present a viable reason for his/her absence.
- 12.3.2 A quorum of Council shall determine whether the absent Councillor or the Chief has presented a valid reason for their absence.
- 12.3.3 In accordance with the *MCFN Custom Election Code*, Section 13.1.1(a), if a Councillor or the Chief is absent without leave for three consecutive regular council meetings, Chief and Council shall meet and determine whether their position shall become vacant.

13.0 **Management of Committees and Boards**

- 13.1 Council can establish committees and boards to complete specific tasks or undertake specific responsibilities.
- 13.2 Management of committees shall be in accordance with Section 6.5 of the *MCFN Administration Code*. Management of boards shall be in accordance with Section 6.6 of the Administration Code.
- 13.3 Committees and boards can be established to conduct certain tasks in order to make recommendations to Council on specific issues, such as; budgets, grievance, gathering workshops, appeals, etc.
- 13.4 Council shall approve Terms of Reference and work plans.

14.0 **Consultants**

- 14.1 Consultants include professional experts and advisors as well as project managers.
- 14.2 Council shall adhere to the Tendering Policy as stated in the MCFN Financial Policy.
- 14.3 Council shall exercise its responsibilities of due diligence in the engagement of consultants to provide advice or services to the First Nation.
- 14.4 Council will confirm that the consultant is qualified by:
 - a. checking their references and contacting previous employers
 - b. checking their professional credentials, and
 - c. reviewing their portfolios or previous projects
- 14.5 Council will ensure that prospective consultants are subject to a rigorous interview process
- 14.6 If there is a concern about the work being undertaken, Chief and Council will ensure that a second opinion is sought.

15.0 Oath of Office

- 15.1 Before assuming the responsibilities of office, the council-elect shall take the Oath of Office.
- 15.2 The Oath of Office (Schedule D) shall be administered by a representative of the Elders Council and shall normally take place at the Annual Gathering during an assembly of the citizenship on the day following Election Day.
- 15.3 All elected officials shall read and sign the Confidentiality Policy and the Oath of Confidentiality (Schedule E).

16.0 Conflict of Interest

16.1 Purpose

The purpose of Section 16 is to outline a Conflict of Interest Policy that will safeguard the interests and reputation of the Missanabie Cree First Nation (MCFN) and the Chief and Council of MCFN.

This policy will identify situations that present potential conflicts of interest and provide a procedure to appropriately manage conflicts in accordance with legal requirements and the goals of accountability and transparency in MCFN's operations.

16.2 Application

In order to support the maintenance of good relationships, and to ensure accountability and transparency, all conflicts of interest and appearances of a conflict of interest will be managed through the application of this policy.

The policy shall apply to MCFN Chief and Council.

16.3 Definition of Conflict of Interest

16.3.1 For the purposes of this policy, a conflict of interest is defined as a situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of their decision-making responsibilities as MCFN Chief and Council.

16.3.2 Definitions

Conflict of Interest – the Chief or Councillor will have a conflict of interest when he or she has the potential to personally benefit from their professional duties.

Real – a real conflict of interest is when the Chief or Councillor is in a position to personally benefit from a decision they have made.

Potential - a potential conflict of interest is when the Chief or Councillor is in a position to personally benefit from a decision they have the potential to make.

Perceived- a perceived conflict of interest is when there is a public perception that the Chief or Councillor may benefit from a decision they have the potential to make.

Immediate Family - Immediate family for this Policy is defined as a person's closest biological and non-biological family such as parents, children, siblings, step-parents, step-children, step-siblings, mother-in-law, father-in-law, sister-in-law, brother-in-law, spouses, aunts, uncles, nieces, nephews, grandparents, and grandchildren.

- 16.3.3 Being in a situation of conflict of interest does not mean that the person involved is guilty of any kind of misconduct. When it is pointed out that a person may be in the position of conflict of interest, it does not mean that the person lacks ethics or integrity.
- 16.3.4 A conflict of interest or the appearance of a conflict of interest should be resolved without delay to protect the reputations of the individual(s) involved as well as MCFN.
- 16.3.5 Examples:

It is not expected that this policy will cover every circumstance involving conflict of interest. However, a conflict of interest or the appearance of a conflict of interest may arise in the following situations:

 - a. The Chief or a Councillor or a member of their immediate family has a personal, material, financial or business interest in a transaction or matter under consideration by MCFN.
 - b. The Chief or a Councillor or a member of their immediate family has a personal, material, financial or business interest in a company or entity that is entering or has entered into a business relationship with MCFN.
 - c. The Chief or a Councillor uses information that is not in the public domain and that is acquired in the performance of their responsibilities, to advance their personal, financial or private interests.
 - d. The Chief or a Councillor gives preferential treatment in any official manner to family members or to organizations in which the member of Council or their family have an interest.
- 16.3.6 The list of examples contained in this section on Conflict of Interest is not exhaustive, but a guide to provide context and possibilities. There are many situations where there can be a potential conflict of interest. Some specific examples are listed in Schedule D.

16.4 Management of Conflict of Interest

- 16.4.1 The Chief and Council shall perform their official duties in such a manner that public confidence and trust in the integrity of MCFN is preserved.
- 16.4.2 The Chief and Council shall arrange their private affairs in a manner that will prevent conflicts of interest from arising.
- 16.4.3 If a conflict of interest does arise between the private interests of the Chief or a Councillor and their official duties and responsibilities, the conflict shall be resolved in favor of MCFN.
- 16.4.4 The Chief and Council shall avoid obligations, commitments or debts to a person or organization that might profit from special consideration by the employee.

16.4.5 The Chief and Council shall not give preferential treatment in any official manner to family members or to organizations in which the employee or their family have an interest.

16.4.6 The Chief and Council shall not knowingly take personal advantage of information not generally available to the public for personal financial benefit.

16.5 Disclosing Conflicts of Interest

16.5.1 If the Chief or a Councillor attends a meeting and has reasonable grounds to believe that he or she has an actual or perceived conflict of interest in a matter that is being considered, that individual will disclose the general nature of the actual or perceived conflict of interest and will:

1. Not participate in any discussion or decision of or vote on any question in respect of the matter;
2. Immediately leave the meeting or the part of the meeting during which the matter is under consideration;
3. Not sign a Band Council Resolution, committee/advisory council resolution or letter in respect of the matter; and
4. Will not attempt in any way, whether before, during or after the meeting, to influence the opinion or vote of the Council or committee/advisory council on any question in respect of the matter.

16.6 Gifts, etc.

16.6.1 The Chief and Council shall refuse any fees, gifts or other tangibles offered in reward for duties performed as part of their leadership responsibilities.

16.6.2 An exception to Section 16.6.1 are small gifts and favours, i.e. those provided to all attending a conference. Such gifts represent goodwill and appreciation and can be accepted by a Chief or Councillor.

16.6.3 Gifts from people in partner organizations and communities that are presented in appreciation and as part of our cultural traditions as First Nations, can be accepted on behalf of MCFN, and shall remain in the possession of MCFN.

16.6.4 Employees shall distinguish gifts and favours that represent good will and friendship from those that are designed to create indebtedness on the part of the recipient in order to avoid a potential conflict of interest.

16.6.5 Key ethical principles in resolving the situation are integrity, transparency, and respect.

16.7 Inside Information

16.7.1 Chief and Council shall exercise care not to disclose confidential information acquired in connection with disclosures of conflicts of interest, or potential conflicts, which might be adverse to the interests of MCFN.

16.8 Determination

- 16.8.1 Chief and Council shall adhere to the provisions in the Code of Conduct as outlined in Section 9 of this policy.
- 16.8.2 If a situation arises involving the Chief or a Councillor, the Chief and Council shall determine whether a conflict of interest exists.
- 16.8.3 Issues of real, perceived or potential conflict of interest should be raised at the beginning of the council meetings.
- 16.8.4 It is up to the individual Chief or Councillor to declare a conflict of interest. Chief and Council have a responsibility to raise the issue of real, perceived or potential conflict of interest if the Chief or a Councillor is not certain whether or not a conflict exists. The Chief and Council as a group shall discuss the matter and shall determine whether or not a conflict exists.

16.10 Appeals

- 16.10.1 If the affected member of Council disputes the ruling of Council, they may submit a request for a review to the Band Manager within two business days.
- 16.10.2 The Band Manager shall convene a Conflict of Interest Review Committee (CIRC), and forward the request and all other relevant information to the CIRC within 5 business days.
- 16.10.3 CIRC shall be composed of an Elder Council member, a non-band member and a MCFN band member of voting age comprised from the pool of interested applicants on call to undertake this responsibility.

There shall be a minimum of ten applicants in the pool, and applicants shall be appointed by Chief and Council through the usual committee application process.
- 16.10.4 CIRC shall meet to review the request and make a decision within 5 business days of receiving a review request.
- 16.10.5 Once a decision is made, CIRC shall inform the Band Manager who shall immediately inform the Council member. All decisions made by CIRC are final.

17.0 **Orientation**

- 17.1 As part of their responsibilities as Chief and Council, the outgoing Council shall prepare an orientation package prior to Election Day which includes details of Councillor's portfolios.
- 17.2 The outgoing Council shall participate in the orientation session that will facilitate a smooth transition of authority to the incoming Council-elect at the beginning of the new term (see Section 11.7).
- 17.3 The orientation session shall take place within ten business days of Election Day.
- 17.4 The orientation session shall include a meeting or a series of meetings where introductory training and information on MCFN's administration and business affairs is provided to the council-elect.

- 17.5 The council elect shall participate in the orientation session at the beginning of their term of office.
- 17.6 The council-elect shall review and be provided with copies of all policies and procedures pertaining to the administration of MCFN.
- 17.7 The Band Manager has the responsibility of organising the initial orientation session and a second mid-term session.

18.0 Review and Amendments Process

- 18.1 Chief and Council will review this policy within 5 years of its adoption.
- 18.2 All amendments to the Chief and Council Policy will be approved by a quorum of Chief and Council.

19. Date of Enactment

- 19.1 This policy was adopted by a Resolution of Council on this 16th day of July in 2016.

Schedule A: MCFN Vision Statement

We are the Anishnabe of the Missanabie Cree First Nation
whose vision is to have a united and self-governing body
that will determine our destiny guided by the seven laws.

We have a vision of a leadership that is open, honest, and trustworthy;
a leadership with conviction, accessible to the people;
a leadership that is progressive yet respectful of our traditions, values and beliefs;
a leadership with confidence, always watchful and assertive
in protecting and preserving the treaty and aboriginal rights of our people;
a leadership that is directed by our people
and with exclusive accountability to our people and our people alone.

We have a vision of our community re-established on the traditional lands
that were once the homeland of our ancestors
where institutions of our government, economy and education can once again thrive.

We have a vision of a people where individuals and families can stand strong
and find healing through tradition and spirituality;
individuals and families who are loving and compassionate.

We have a vision of a people who are bi-cultural and bi-lingual;
a people who can walk in both worlds contributing to our well-being,
the well-being of our brother and sister First Nations; contributing and competing globally.

We have a vision of a Nation of people who respect the dignity of all;
a people who find balance through equality of all ages, male and female alike.

We have a vision of people who respect the environment,
harvesting and reaping the resources of the land in a sustainable manner
as responsible stewards for the use of future generations.

We are the Anishnabe of the Missanabie Cree First Nation
whose vision it is to regain and restore our rightful place
and through the strength of our people, never again be denied our place in society.

August 20, 1998

Schedule B: The Seven Sacred Teachings



Schedule C: The Position of the Band Manager

1. Responsibilities of Band Manager:

1. To work with Chief and Council in the effective administration of MCFN Codes and policies.
2. To participate in strategic plan development and implementation.
3. To develop reporting procedures for committees.
4. To oversee delivery of programs and services.
5. To conduct regularly scheduled staff meetings and yearly evaluations of staff. (See Employment Policy and Procedures 2002.)
6. To ensure that Personnel Policies are complete, up-to-date, relevant and administered consistently and fairly among all staff.
7. To ensure that staff administer programs and services as intended in accordance with their program outline.
8. To ensure that office procedures, rules and regulations are applied correctly and consistently.
9. To ensure that Committee policies are in place that outline Committee Members' roles and responsibilities, including Terms of Reference for each committee.
10. To ensure that each staff member has a clear policy for their program and has reference to the Personnel Policy.
11. To manage and resolve any grievances put forward by staff in accordance with MCFN policies.
12. To develop standards and reporting procedures to measure staff achievement of Council's strategic plan.
13. To hire consultants or advisors for the benefit of MCFN, by tendering in accordance with Financial Policy.
14. To ensure the work of committees and consultants/advisors is proceeding according to their respective work plans.

2. Delegation of Authority

Council will not conflict with authority delegated to the Band Manager.

Schedule D: Oath of Office

Missanabie Cree First Nation Oath of Office

I, _____, affirm that as newly elected Councilor/Chief of Missanabie Cree First Nation, I will:

- Do my utmost to carry out the duties of my position conscientiously, remembering that I have fiduciary obligations to our community, and that my primary duty is to serve Missanabie Cree as a whole, and represent to the best of my ability the interests of all members.
- Support, defend, and abide by, all codes, policies and laws of the First Nation.
- Be accountable to the membership of Missanabie Cree and uphold the integrity and dignity of our Nation, with a forthright commitment to lead and guide our community in a manner consistent with the *Vision Statement of the Missanabie Cree* and the seven sacred teachings; Wisdom, Love, Respect, Bravery, Honestly, Humility and Truth.

I accept my position as Councilor/Chief Councilor and further affirm that I take this oath of office freely, without any mental reservation or purpose of evasion.

Optional Statement --- By the grace of our Creator, I do swear.

This Oath made on the day _____, of 20 _____.

Name and Signature of Elected Official

Name and Signature of Witness

Schedule E: Oath of Confidentiality

OATH OF CONFIDENTIALITY

I, _____, hereby certify that I have been informed that any contents and information of documents and discussions during the course of my employment or assignment are not to be disclosed.

I have also been informed that my failure to respect the following OATH will result in disciplinary action, and may include dismissal and termination from my employment, appointment or position assignment.

By signing this Oath, I am indicating my understanding of my responsibilities to maintain confidentiality and agree to the following:

I understand that information about members, customers and clients is completely private and confidential. I recognize that unauthorized release of confidential information may subject me to civil liability under provisions of law.

I understand that personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law.

I agree not to divulge, publish, or otherwise make known to unauthorized persons or to the public any information obtained either after or during my employment, appointment or assignment without the subject's express prior written consent.

I understand that all information obtained or accessed by me in the course of my work is confidential and is not to be divulged or otherwise made know to unauthorized persons unless specifically authorized to do so by office protocol, a supervisor under direction of applicable law or court order, public health or safety need.

I understand that information and records are not for my personal information, it is only to be able to perform my assigned duties.

I understand that a breach of confidentiality may be grounds for disciplinary action, and may include termination of employment.

I promise that I will not divulge, either by word or signs, any personal and private information which may be revealed to me in the course of my work and that I do maintain confidentiality from this day forward.

Signed by: _____ Date: _____ Printed name: _____

Witness: _____ Date: _____ Approved: _____

Schedule F: Examples of Conflict of Interest

The following examples may be deemed to be a conflict of interest on the part of a Council member:

- a. Instances where personal financial benefits are the result from decisions made.
- b. Having personal interests which conflict with interest of the person(s) she/he is protecting as a trustee.
- c. Soliciting, obtaining, accepting or retaining any personal benefit from a supplier, vendor or any individual or organization doing or seeking business with the organization.
- d. Sitting on two or more committees, boards, councils, etc. And dealing with matters on one board which affects the other committee, board, council, etc.
- e. Involved in the hiring of an immediate relative
- f. Discussing and/or voting on recommendations made by or concerning an immediate relative.