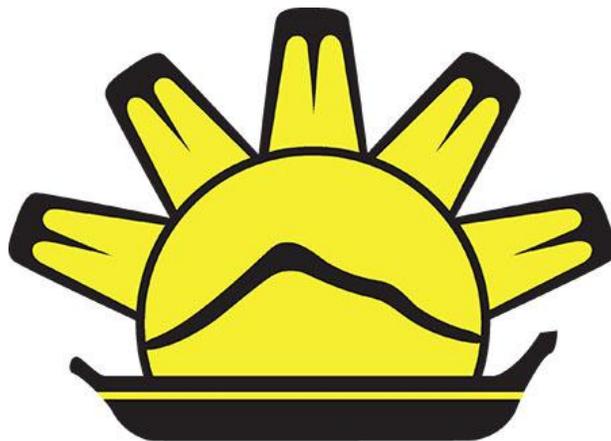


| Statement of Policy and Procedure |               |
|-----------------------------------|---------------|
| BCR#                              | FAL 2015-08   |
| Issue/Effective Date              | July 21, 2015 |

**Malahat Nation**

## Committee Establishment and Disbandment Policy

**Approved by Council on July 20, 2015**



# Malahat

## 1. Policy

It is Council's policy to establish any standing committees and any special committees it deems necessary to fulfill its mandate or to assist in meeting statutory obligations.

## 2. Purpose

The purpose of this policy and procedure is to establish an effective governance system that ensures that committees are consistently and purposefully structured to carry out its specified functions assigned by Council or in Malahat Nation laws.

## 3. Scope

This policy and procedure applies to Council, its committees and the Chief Executive Officer.

## 4. Definitions

**"Committee"** refers to a group of people appointed by Council for the purpose of advising the Council or conducting decision-making activities assigned by Council which are convened on a regular long-term basis until or unless they are suspended or disbanded by the Council.

**"standing committee"** refers to committees which are meant to have a continued existence.

**"special committee"** refers to a committee which is formed for a specific purpose whose organization is dissolved when that purpose has been accomplished.

**"terms of reference"** is a documented statement of the mandate, objectives, purpose, scope, functions and rules under which a committee is expected to operate.

## 5. Responsibilities

(1) Council is responsible for:

- (a) the establishment of any Council Committee and its mandate;
- (b) approval of the Terms of Reference for each committee;
- (c) determining the minimum qualifications and eligibility requirements of committee members and chairpersons;
- (d) the appointment of a Chairperson or the filling of a Chairperson vacancy on any Council Committee;
- (e) evaluating the effectiveness of each Committee.

(2) The Chief Executive Officer is responsible for:

- (a) maintaining detailed descriptions and current membership lists for each committee;
- (b) assisting Committee Chair's in preparing committee agendas; and

- (c) ensuring that the agendas and minutes of all committee meetings are retained for a period of at least seven years [or period specified as per Records Management Policy of the Malahat Nation].

(3) The Chairperson is responsible for:

- (a) chairing committee meetings and ensure they are conducted in an efficient and effective manner;
- (b) scheduling committee meetings as necessary and planning committee activities to ensure that the committee is successful in fulfilling its mandate and addressing its functions, duties and responsibilities, including working within its approved budgetary resources;
- (c) approving committee agendas;
- (d) ensuring that minutes are prepared and that they accurately reflect meeting outcomes;
- (e) identifying the necessary qualifications and eligibility criteria for committee members, subject to Malahat Nation laws;
- (f) recruiting qualified committee member candidates and recommending them to Council;
- (g) evaluating committee members and their contributions;
- (h) recommending member appointments and removals to Council; and
- (i) reporting to Council on behalf of the committee.

(4) The Committee members are responsible for:

- (a) preparing for meetings for those committees of which he or she is a member by reading reports and background materials prepared for each meeting and acquiring adequate information necessary for decision making;
- (b) becoming knowledgeable of the committee functions;
- (c) participating fully and frankly in the discussions of the committee;
- (d) attending all committee meetings;
- (e) avoiding conflicts of interests and complying with conflicts of interest policies and procedures established by Council or under Malahat Nation laws.

## **6. Procedures**

### ***Establishing / Dissolving of a Committee***

- (1) Subject to Malahat Nation laws, Council may establish or dissolve a committee, other than the Finance and Audit Committee, by passing a Band Council Resolution. Council will also establish terms of reference regarding the committee's mandate, objectives and expected outcomes.

(2) Subject to Malahat Nation laws, for each new committee, the Chief Executive Officer and the Chairperson will develop and recommend to Council for approval terms of reference which will include, at a minimum, the following:

- (a) composition of members, including minimum number of councillors and any requirements for specific experience, skills, knowledge or expertise;
- (b) quorum;
- (c) term of the committee members;
- (d) detailed role and functions;
- (e) voting rules; and
- (f) meeting and reporting obligations

#### ***Appointment of Committee Member***

- (1) Subject to Malahat Nation laws, Council will appoint a committee chairperson.
- (2) Subject to Malahat Nation laws, the Chief Executive Officer and the respective Committee Chairperson will develop and recommend to Council for approval membership qualification and eligibility criteria for each committee, including potential conflicts of interest avoidance.
- (3) The Chief Executive Officer or a designate will develop and implement a recruitment strategy to fill committee vacancies.
- (4) The Chief Executive Officer will meet with and assess the qualifications eligibility and interest of each member candidate and provide the chairperson with a list of qualifying and eligible candidates.
- (5) The Chairperson, based on consultations with the committee, will recommend to Council the appointment of new individuals to the committee.

#### ***Monitoring and evaluating Committee performance***

- (1) Annually, the Chairperson will evaluate the committee's progress against its terms of reference, objectives, and stated outcomes. The results of the analysis will be presented to council and used as the basis for the following year plan for the committee.
- (2) The Chairperson will continually monitor the performance of committee members against their terms of appointment.

#### ***Removal of Committee Members***

- (1) Subject to Malahat Nation laws, committee member may be removed on the recommendation of the Committee chairperson if the committee member has committed a breach of the code of conduct, breach of confidentiality, or otherwise had breached a Malahat Nation policy, fails to perform expected duties of a committee member, or is no longer qualified or eligible to be a committee member.

## **7. References and Related Authorities**

(1) FMB's Financial Management System Standards

(a) Standard 11.1 – First Nation Committees – First Nation committees generally

## **8. Attachments**

None