**TRIPARTITE EMERGENCY MANAGEMENT WORKING GROUP**  
**TERMS OF REFERENCE V.1**

**DRAFT – FOR DISCUSSION**

**Approved by the Senior Officials on /2020.**

# **BACKGROUND**

1. **The “Tripartite Memorandum of Understanding on Emergency Management Services” (the Tripartite MOU) was developed in 2018 and signed in April 2019 by the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS) and Union of BC Indian Chiefs (UBCIC) (working together as the First Nations Leadership Council (FNLC)), Canada, and BC.**

**Section 3.6 of the Tripartite MOU articulates creation of a working group(s) tasked with identifying options to close the gaps in jurisdictional and practical matters associated with how the four pillars of emergency management operate and can better serve First Nations in BC.**

1. **Purpose**
   1. The purpose of the *Tripartite* *Emergency Management Working Group Terms of Reference* is to develop policy, rules, accountability, and procedures of technical Working Group members and support staff.
2. **Definitions**
   1. **Political Level Officials** as per Section 3.3. in the MOU, refers to the political-level parties of the MOU tasked with political-level engagement, including the FNLC, the Minister of Indigenous Services Canada (ISC), the BC Minister of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), and the BC Minister of Public Safety and Solicitor General.
   2. **Senior Level Officials**as per Section 3.5 in the MOU, refers to the senior-level parties of the MOU tasked with senior-level engagement, including the Assistant Deputy Minister of Emergency Management BC (EMBC), the Associate Deputy Minister of BC Wildfire Service (BCWS), the Assistant Deputy Minister of the Ministry of Indigenous Relations and Reconciliation (MIRR), the Indigenous Services Canada (ISC) Regional Director General, FNLC representatives, and the Executive Director of the First Nations Emergency Services Society (FNESS).
   3. **Tripartite Emergency Management Working Group** (“Working Group”) refers to the technical working group of First Nations representatives, technical/policy representatives from the FNLC, representatives from First Nations Emergency Services Society (FNESS), representatives from Emergency Mangement BC, representatives from Indigenous Services Canada, and representatives from BC Wildfire, formed as a result of the Tripartite MOU tasked with technical-level engagement.

# **Tripartite Emergency Management Working Group**

1. **Mandate** 
   1. As per Section 3.6 in the MOU, the mandate of the Working Group is to to discuss emerging concerns, considerations, policy and process issues and to undertake and complete items as agreed and to make recommendations to the Parties.
   2. The Working Group seeks to advance meaningful recognition and enhanced capacity of First Nations within all pillars of emergency management(preparedness, mitigation, response, and recovery) as per Section 1.1. of the MOU.
   3. The Working Group is not a decision-making body but rather an advisory body who, through the Chairperson, will report to Senior Level Officials and Political Level Officials.
2. **Goals**
   1. The following are the goals of the Working Group:
      * 1. To support partnership based on the recognition of:
3. First Nations inherent Aboriginal Title and Rights and the *UN Declaration on the Rights of Indigenous Peoples*;
4. First Nations’ historic use, occupation, ownership and governance of lands which now constitute British Columbia;
5. The inherent right of self‐government held by First Nations; and
6. First Nations jurisdiction through their own governance and decision‐making structures.
   * + 1. To incorporate First Nations’ traditional, evolving and invaluable knowledge into the practice, policy development and decision‐making around emergency management.
       2. To improve the overall emergency management capability for all British Columbians, including First Nation individuals, families and communities.
       3. To support First Nation communities to respond, adapt to, and mitigate the effects of climate change in order to reduce the impact of emergency events.
7. **Composition of Working Group Members**
   1. The Working Group consists of no less than ten (10) and up to twenty (20) members with emergency management expertise.
   2. Of the ten (10) to twenty (20) Working Members, there will be at least one First Nations community (1) representative from each of the six (6) Emergency Management BC (EMBC) regions (Vancouver Island, South West, Central, South East, North East, and North West). Additionally, at a minimum, the Working Group will include three (3) representatives from the FNLC, and one (1) representative from each of the following provincial and federal government organizations: Emergency Management BC, BC Wildfire Service, and Indigenous Services Canada.
   3. Aside from representatives from FNLC, EMBC, BC Wildfire, and ISC, Working Group members must be representatives from First Nations, Tribal Councils, or First Nations organizations.
   4. A list of Working Group members is attached to these Terms of Reference and will be updated regularly for the purposes of determining quorum.
8. **Appointment of Working Group Members** 
   1. The original Working Group members were appointed in 2019 when the group was established through a call-out to all BC First Nations that was coordinated by the FNLC.
   2. Should vacancies in membership arise, subsequent Working Group members will be appointed through a transparent process as defined below:
      * 1. The Chairperson will make a call for nominations to be sent to all BC First Nations and relevant First Nations organizations with a nomination deadline determined by the Working Group.
        2. If a specific EMBC region has no First Nations representation, the call for nominations to fill a vacancy will be directed to that region.
        3. First Nations and/or First Nations organizations will nominate individuals with emergency management expertise via their own internal processes and communicate their nominations to the Chairperson on or before the nomination deadline.
        4. Nominations will be collected by the Chairperson and added to a nomination roster.
        5. At the next duly convened Working Group meeting, the Working Group will review the nomination roster and select a candidate (or candidates in the event of multiple vacancies) for appointment by consensus based on suitability, and using a transparent tracking mechanism to determine best candidate (if consensus cannot be reached, the appointment will be determined by majority vote).
        6. Where available, the Working Group will also select an alternate appointee.
        7. The Chairperson will communicate the decision of the Working Group to the selected candidate(s) with an invitation to join at the next duly convened meeting.
        8. If the selected candidate declines the invitation to sit on the Working Group, the Chairperson will extend the invitation to join to the alternate appointee.
        9. If the alternate appointee declines the invitation and/or the process does not result in the filling of a vacancy or vacancies, the Working Group may extend invitations to qualified individuals as determined by Working Group members.
   3. In the event of vacancies, the Tripartite Emergency Management Working Group business will go on uninterrupted.
   4. The term of Working Group members is three (3) years upon membership with the potential for extension.
9. **Working Group Chairperson**
   1. The Working Group Chairperson will be appointed by nomination and vote of the Working Group at the first duly convened meeting of the calendar year.
   2. The term of the Chairperson is three (3) years with the possibility of extension, as determined by quorum of the Working Group members at a duly convened meeting.
   3. In addition to the Chairperson’s responsibilities outlined in Sections 10.4 – 10.8 (Accountability and Reporting), the specific duties of the Chairperson will include:
      * 1. Preparing meeting agendas and meeting packages in advance of Working Group meetings;
        2. Presiding over meetings of the Working Group; and
        3. Acting as the external spokesperson for the Working Group, when requested by Senior Officials.
   4. When the Chairperson is not available to fulfill the duties assigned in this Terms of Reference, the Chairperson is responsible for identifying another Working Group member to fulfill these duties until the Chairperson can resume these duties.
10. **Duties and Responsibilities**
    1. The Working Group will prepare and carry out a Tripartite Emergency Management Work Plan, which will be approved by the Senior Level Officials.
    2. Members of the Working Group will advance the goals listed in Section 5.1 of these Terms of Reference by undertaking work to:
       * 1. Support FNLC and FNESS in their engagement and dialogue with FNs on emergency management matters to further implement the MOU.Identify emerging concerns, considerations, policy and process issues including gaps in First Nations capacity to prepare, mitigate, respond, and recover from emergencies;
         2. Exchange experiences, strategic advice and best practices for relationship and capacity-building with First Nations;
         3. Support FNESS in working with First Nations communities to assess First Nations’ technical and resource capacity, and training needs;
         4. Identify relevant tools to better assist First Nations service providers and communities in building capacity (i.e. guidelines, templates, etc.); and
         5. Carry out any additional duties as prescribed by the Senior and Political Level Officials.
11. **Accountability and Reporting**
    1. Members of the Working Group are accountable to the communities and organizations they represent, and to the Terms of Reference for the Working Group.
    2. From time to time, members of the Working Group may be asked to sign confidentiality and/or non-disclosure agreements with government entities. In these situations, Working Group members are accountable to the agreements and shall be governed by the provisions they contain, including, but not limited to, provisions regarding the sharing of information with individuals, groups, or organization not bound by the agreements.
    3. Members of the Working Group are responsible for reporting out to the communities and organizations they represent on all Working Group matters excluding matters that fall under Section 10.2 of this Terms of Reference. In addition to this, members of the Working Group will report out to the assemblies of the BCAFN, UBCIC, and FNS, and to meetings of the FNLC, as per request.
    4. The Working Group Chairperson will be the spokesperson of the Working Group and will represent the Working Group at Senior Level Officials meetings.
    5. Through the Chairperson, the Working Group will provide input and advice and make recommendations to Senior and Political Level Officials.
    6. Following all meetings of the Senior Level Officials, the Working Group Chairperson will report all relevant discussions, decisions, action items, and updates to the Working Group.
    7. The Working Group Chairperson is accountable to and will report to the Political Level Officials as per request, on an ongoing basis regarding Working Group matters, and is responsible for receiving updates on any relevant discussions, decisions, and action items, taken at Political Level Officials meetings.
    8. The Working Group Chairperson will report to the Working Group members on any engagements with the Political Level Officials, including all relevant discussions, decisions, action items, and updates.
12. **Compensation of Working Group Members**
    1. Participation in the Tripartite Emergency Management Working Group is voluntary.
    2. Pending available funding, compensation will be available for Working Group members who are not otherwise supported financially to attend Working Group meetings and events.
    3. Compensation will be made available for travel, accommodations, incidentals, and meals.
    4. In order to access compensation, Working Group members are required to submit a request to FNESS. Requests will be evaluated on the following criteria:
       * 1. Identified need (as per Section 11.2); and
         2. Special circumstances (TBD).
    5. Honoraria may be made available to members or guests who are invited to attend Working Group meetings based on the criteria identified in Section 11.4 of the Terms of Reference.

# **Working Group Meetings**

1. **Duly Convened Working Group Meetings**
   1. The Working Group will meet as needed to carry out work as directed and report back through the Chairperson to Senior Level Officials and Political Level Officials in accordance with Section 11 of this Terms of Reference.
   2. The Working Group Chairperson will work with support staff and Working Group members to determine dates and to plan for Working Group meetings.
   3. A schedule of all duly convened Working Group meetings for each fiscal year the Working Group remains active will be provided to Working Group members on or before the beginning of the fiscal year (April 1st), or at the duly convened meeting held closest to this date.
   4. The Chairperson will notify all Working Group members of upcoming meetings through email in accordance with the following procedures:
      * 1. The Chairperson or support staff will notify each Working Group member of the date, hour, and location of the meeting at least 10 business days prior to the meeting; and
        2. An agenda and accompanying meeting materials will be provided within 5 business days of a duly convened meeting through a digital drive (e.g. OneDrive, Google Drive).
2. **Working Group Meeting Agenda**
   1. Prior to each Working Group meeting, the Chairperson will prepare an agenda of all business to be brought before the Working Group.
   2. Working Group meeting agendas will contain at minimum the following standing agenda items:
      * 1. Adoption of the Meeting Agenda;
        2. Review of Meeting Minutes from previous Working Group meeting for discussion, revisions and adoption;
        3. Business arising from meeting minutes including any progress and identified outstanding actions;
        4. Review of reports;
        5. New Working Group business;
        6. Identification of any decisions or discussions that need to be communicated publicly, including timeline for communicating information and assignment of responsibility;
        7. Confirming upcoming Working Group meeting date; and
        8. Meeting adjournment.
3. **Meeting Process**
   1. The quorum for any meeting of the Working Group is fifty percent plus one (50% +1) of its membership, including the Chairperson.
   2. First Nations Emergency Services Society support staff are responsible for keeping minutes of each Working Group meeting using a template provided, and will circulate to the Working Group within 5 business days of a Working Group meeting.
4. **Attendance at Working Group Meetings**
   1. Working Group members must be present, either physically or by phone, in order to participate in Working Group meetings and shall strive to attend all meetings. If a Working Group member is unavaible, they must notify the Chairperson in advance and provide just cause.
   2. Working Group members can send an alternate to a Working Group meeting if they are not able to attend by notifying the Chairperson in advance of the Working Group meeting; and ensuring that the alternate has all the required information and materials.
   3. A Working Group member who fails to attend 50 percent or more meetings in a calendar year will cease to remain a Working Group member and will trigger the Appointment Process outlined in Section 8.2. No penalty will apply in the following situations:
      * 1. The meeting date was changed withing 5 business days of the originally scheduled meeting;
        2. The member is required to attend a family emergency;
        3. The member is seriously ill; and/or
        4. The member has conflicting work or community events scheduled that cannot reasonably be avoided.
5. **Amending Provisions**
   1. The Working Group may propose amendments to the Terms of Reference at any duly convened meeting, which FNESS support staff will track using version numbers and dates.
   2. Amendments to the Terms of Reference must be approved by a quorum of Working Group members, and then must be subsequently approved by Senior Level Officials.
6. **Term**
   1. The *Tripartite* *Emergency Management Working Group Terms of Reference* is effective from approval date of [INSERT SPECIFIC DATE OF TERM WHEN TOR APPROVED BY SENIOR LEVEL OFFICIALS].
   2. The term of the Working Group is determined by the Parties of the MOU (the Political and Senior Level Officials).

## **Appendix A: List of Technical Emergency Management Working Group Members**

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| --- | --- | --- | --- |
| **NAME** | **FIRST NATION/ORG** | **REGION** | **EMAIL** |
| **WORKING GROUP MEMBERS** | | | | |
| Jeff Eustache | FNESS (Chairperson) | - | [jeustache@FNESS.bc.ca](mailto:jeustache@FNESS.bc.ca) |
| Curtis Dick | Ahousaht | Vancouver Island | [CurtisDick@hotmail.com](mailto:CurtisDick@hotmail.com) |
| Hugh Braker | Tseshaht | Vancouver Island | [hbraker@tseshaht.com](mailto:hbraker@tseshaht.com) |
| Paul Sam (Telaxten) | Tsartlip | Vancouver Island | [paul.sam@redcross.ca](mailto:paul.sam@redcross.ca) |
| Paul Gadbois | Semiamoo | South West | [Pgadbois@semiahmoofirstnation.org](mailto:Pgadbois@semiahmoofirstnation.org) |
| Margaret Charlie | Sts’ailes | South West | [Margaret.Charlie@stsailes.com](mailto:Margaret.Charlie@stsailes.com) |
| Darryl Adrian | Lillooet Tribal Council | South West | [emergency@lillooettribalcouncil.ca](mailto:emergency@lillooettribalcouncil.ca) |
| Lindsay Tighe | Nlaka'pamux Nation | Central | [tighe.l@nlxfn.com](mailto:tighe.l@nlxfn.com) |
| Ron Lampreau Jr | Simpcw | Central | [ron.lampreau@simpcw.com](mailto:ron.lampreau@simpcw.com) |
| Chief Donna Aljam | Nicomen | Central | [Donna@nicomenband.com](mailto:Donna@nicomenband.com) |
| Alison Lomon | Ktunaxa | South East |  |
| Linda Morven | Nisga’a | North West | [linda.morven@gitwinksihlkw.ca](mailto:linda.morven@gitwinksihlkw.ca) |
| Anthony Moore | Nisga’a | North West | [anthonym@nisgaa.net](mailto:anthonym@nisgaa.net) |
| Ken McDames Jr | Kitselas | North West | [er.manager@kitselas.com](mailto:er.manager@kitselas.com) |
| Juan Cereno | Nadleh Whut’en | North West | [jc.associates@usa.net](mailto:jc.associates@usa.net) |
| Chief Maureen Luggi | Wet’suwet’en | North West | [wfnchief@lakescom.net](mailto:wfnchief@lakescom.net) |
| Jeremiah Louis | Takla Lake | North West | [firesafety@taklafn.ca](mailto:firesafety@taklafn.ca) |
| Edna Boston | Xatsull | North East | [nrcoordinator@xatsull.com](mailto:nrcoordinator@xatsull.com) |
| Brian Moore | Tŝilhqot’in | North East | [bmoore@tsilhqotin.ca](mailto:bmoore@tsilhqotin.ca) |
| Andrea Glickman | UBCIC |  |  |
| Jaime Sanchez | BCAFN |  |  |
| Colin Braker | FNS |  |  |
| Sean Reid/Jamie Jeffery | BC Wildfire Service |  |  |
| Duncan Stephen | ISC |  |  |
| Jami Gardner | ISC |  |  |
| Dave Peterson | EMBC |  |  |
| David Borth | EMBC |  |  |
| Carole McClintock | EMBC |  |  |
| Kayla Pepper | EMBC |  |  |
| **SUPPORT STAFF** | | | | |
| Dean Colthorp | FNESS | - | [dcolthorp@fness.bc.ca](mailto:dcolthorp@fness.bc.ca) |
| Curtis Bedwell | Contractor | - | TEMWG@outlook.com |

## **Appendix B: Map of EMBC Regions**

