

## MINISTER'S ADVISORY COUNCIL ON INDIGENOUS WOMEN

### TERMS OF REFERENCE

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**VISION:** A world where all Indigenous Peoples live free of violence and are healthy, sustainable and self-determining.

**MISSION:** To improve the quality of life for Indigenous women.

**PHILOSOPHY:** MACIW honours Indigenous worldviews and works from a holistic perspective of women. Thus, when we speak of women, we consider this to be inclusive of, but not limited to, children, family, community, nation, wellness, justice, land and water.

MACIW advocates for the full implementation of the United Nations Declaration on the Rights of Indigenous Peoples and draws inspiration from Article 22:

1. Particular attention shall be paid to the rights and special needs of Indigenous Elders, women, youth, children and persons with disabilities in the implementation of this Declaration.
2. States shall take measures, in conjunction with Indigenous Peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

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### BACKGROUND

The Ministry of Indigenous Relations and Reconciliation (MIRR) established the Minister's Advisory Council on Indigenous Women (MACIW) in 2011 to provide advice to government on how to improve the quality of life for Indigenous women in British Columbia (BC). The Province is committed to working respectfully and in partnership with Indigenous women, organizations, and leadership to improve the quality of life for Indigenous women. The Province is committed to fully implementing and adopting the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Truth and Reconciliation Commission (TRC) Calls to Action, and relevant case law. The Minister of Indigenous Relations and Reconciliation is responsible for working with Indigenous Peoples to establish a clear, cross-government vision of reconciliation to guide the implementation of these commitments<sup>1</sup>. The Minister is committed to ensuring this vision enables Indigenous women to achieve optimal health and wellbeing, and will work with MACIW to ensure the successful implementation of these commitments.

### PURPOSE

The Province is committed to promoting good governance practices in all public institutions. The Crown Agency and Board Resourcing Office (CABRO) sets out principles and practices to ensure excellence in

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<sup>1</sup> See Minister Fraser's [Mandate Letter](#).

the management of public assets, and accountability for publicly funded institutions<sup>2</sup>. In accordance, the purpose of this document is to clarify structures, administrative arrangements, accountabilities, responsibilities and reporting requirements pertaining to MACIW.

## **1. MANDATE**

- 1.1. MACIW provides advice to government on how to improve the quality of life for Indigenous women in British Columbia.
- 1.2. The Minister of Indigenous Relations and Reconciliation (“the Minister”) determines MACIW’s mandate.

## **2. GUIDING PRINCIPLES**

- 2.1. MACIW is a non-partisan advisory body to government and is supported by MIRR staff, including a Secretariat.
- 2.2. MACIW uses a consensus decision-making approach, founded on the principles of shared responsibility and cooperation.
- 2.3. MACIW’s work is guided by core values of community and culture, integrity, reconciliation, collaboration, sharing knowledge and safety<sup>3</sup>.
- 2.4. MACIW and MIRR agree that ongoing collaboration and timely communication are required to carry out their respective responsibilities, and shared vision and goals.
- 2.5. MIRR agrees to work with MACIW in a collaborative and respectful way that supports reconciliation, acknowledges and upholds Indigenous Peoples worldviews and rights as articulated in the UNDRIP, and is in alignment with the *Draft Principles that Guide the Government of British Columbia’s Relationship with Indigenous Peoples*.
- 2.6. Working together towards reconciliation is a dependent relationship, which involves witnessing and holding parties accountable to their independent and shared commitments, and respecting and upholding Indigenous ways of knowing and being.

## **3. ACCOUNTABILITY**

- 3.1. MACIW is an advisory body that reports to government through the Minister.
- 3.2. The Parliamentary Secretary for Gender Equity will seek advice from MACIW on their mandate.
- 3.3. The Minister is accountable to the Legislature for MACIW’s operations and activities.
- 3.4. As laid out in MACIW’s *Standards of Ethical Conduct*, its members will act honestly and in good faith, setting aside personal interests to advance the public interest and MACIW’s mandate.
- 3.5. MACIW operates within an annual budget and broad policy direction set by the Minister.

## **4. RESPONSIBILITIES**

- 4.1. MACIW will:
  - 4.1.1. Advance interests of all Indigenous women by advising, educating, and advocating to all aspects of government.

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<sup>2</sup> See CABRO’s *Governing Principles* and *BC Public Sector Guide to Making Appointments and Best Practice Guidelines*.

<sup>3</sup> See MACIW’s *Strategic Plan 2017-2020*.

- 4.1.2. Work closely with and provide advice to the Parliamentary Secretary for Gender Equity and their staff.
- 4.1.3. Make all reasonable efforts to ensure that advice provided to the Minister is grounded in the Council's and Indigenous women's shared, lived, and current experiences, is evidence-based, and is non-political.
- 4.1.4. Establish structures, processes and policies to ensure it functions effectively. This includes:
- Articulating MACIW, Chair, Vice-Chair and member positions, responsibilities and competencies; and,
  - Ensuring its members receive orientation and ongoing professional development.
- 4.1.5. Establish appropriate committees or working groups on special topics and strategic priorities, if required.
- 4.1.6. Develop a strategic work plan that is in accordance with its mandate, and review and revise as necessary, including:
- Coordinating with the Minister and MIRR to implement the work plan, as needed;
  - Identifying and communicating resource needs and supports for work plan implementation to the Minister and MIRR; and,
  - Putting forward the strategic work plan for the Minister's approval.
- 4.1.7. Hold quarterly (4) two-day advisory meetings.
- Members are required to attend quarterly meetings in their entirety unless extenuating circumstances prevent them from attending.
  - Members who miss two consecutive quarterly meetings without due cause may be subject to removal from MACIW.
- 4.1.8. Remain in compliance with all relevant laws, regulations, policies and procedures, including MACIW's *Standards of Ethical Conduct*.
- 4.2. The Minister will:
- 4.2.1. Advocate for, bring forward and action the advice provided by MACIW within MIRR and across the rest of government;
- 4.2.2. Provide direction on their vision and priorities for MACIW;
- 4.2.3. Ensure that MACIW fulfills its mandate in compliance with relevant laws, regulations, policies, and procedures.
- 4.2.4. Demonstrate an ongoing commitment to MACIW by participating in a minimum of two meetings with MACIW per year; and,
- 4.2.5. Periodically trigger a review as required and collaboratively determine the scope of the review with the Chair<sup>4</sup>.
- 4.3. MIRR executive will:
- 4.3.1. Support MACIW as directed by the Minister or requested by MACIW.
- 4.3.2. Carry out the Minister's responsibilities pertaining to MACIW in the Minister's absence, or upon delegation.

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<sup>4</sup> As per CABRO's guidelines.

4.3.3. Approve MACIW's annual operating budget and ensure the integrity of associated financial systems and statements, internal controls, expenditures, projections and audited statements.

4.4. MIRR supporting staff will:

4.4.1. Include a Secretariat to support MACIW in fulfilling its mandate. The Secretariat is accountable to both MIRR and MACIW, and is responsible for:

- Providing strategic policy support for the Council;
- Facilitating regular email and telephone communications;
- Managing the Council's budget and contracts;
- Developing Council meeting agendas, notes, and strategic documents (i.e. annual, monthly, summary reports, briefing materials and work plans); and,
- Attending and organizing meetings and preparing materials as required.

4.4.2. Include the support of a Director, and their staff, as appropriate, who will:

- Build a strong relationship and engage in meaningful dialogue with MACIW and its Secretariat;
- Attend and organize meetings and prepare materials as required;
- Review advice brought forward by MACIW and action where necessary and appropriate;
- Facilitate the finalization of all public communications, such as reports, press releases, communiqués, website content, and announcements;
- Improve collaboration and create a service-oriented relationship with other ministries and agencies;
- Provide oversight and accountability with regards to MACIW's budget and expenditures;
- Solicit and coordinate cross-ministry support and involvement in pursuit of MACIW's mandate; and
- Review requests from MACIW and provide support where possible.

4.5. The Parliamentary Secretary for Gender Equity and the Gender Equity Office (GEO) will:

4.5.1. Advocate for, bring forward, and action the advice provided by MACIW within the GEO and across the rest of government, as appropriate.

4.5.2. GEO will work collaboratively with MIRR supporting staff and the Secretariat to support the priorities of MACIW.

## **5. COMMUNICATION**

5.1. All parties will strive to maintain open and transparent lines of communication.

5.2. All parties will communicate to support a relationship based on trust and respect.

5.3. MACIW will:

5.3.1. Consult with the Minister on matters of concern, and keep the Minister informed of emerging issues in a timely manner.

- 5.3.2. Remain informed about what is going on in communities and territories, but will not represent Nations, organizations, or political parties, or consult with communities on behalf of the Province.
- 5.3.3. Provide guidance to the Minister and government on who and how to engage to elevate the voices of Indigenous women.
- 5.3.4. Communicate with MIRR staff in a timely manner.
- 5.3.5. Contribute to and review an annual report – indicating MACIW’s major activities, accomplishments and the extent to which its goals were achieved – to provide to the Minister within six months of Fiscal Year End.
- 5.3.6. Contribute to and review monthly reports to track activities throughout the year and inform the annual report.
- 5.4. The Minister will:
  - 5.4.1. Inform MACIW of laws, regulations, policies, and procedures that may directly affect its work.
  - 5.4.2. Invite Council members to attend meetings and consult with Council members on matters of interest as needed.
  - 5.4.3. Ensure staff members are well-informed and supportive of MACIW.
  - 5.4.4. Communicate progress on key interests MACIW has brought to the Minister’s attention.
- 5.5. MIRR Executive and staff, and the MACIW Secretariat will:
  - 5.5.1. Communicate, bring forward and follow up on MACIW’s advice across government.
  - 5.5.2. Prepare the annual and monthly reports and facilitate their review and approval by the Council and Ministry executive as appropriate.

**6. MEMBERSHIP COMPOSITION, (RE)APPOINTMENT, TERM LENGTH, AND CONCLUSION**

- 6.1. MACIW consists of a maximum of 10 members, with positions designated for a Chair, Vice-Chair, Elder, and Youth.
- 6.2. Members are recruited and appointed by the Minister, based on criteria of experience, diversity, and regional representation.
  - 6.2.1. Leveraging experience and understanding, MACIW will identify potential new members to suggest to the Minister.
  - 6.2.2. The Minister will notify the Council of what information is needed from MACIW to guide the appointment process.
  - 6.2.3. The Minister will work collaboratively with MACIW, through the Chair and Vice-Chair, on membership decisions.
  - 6.2.4. The Minister will provide feedback on MACIW’s recommendations, including how appointment decisions were made and MACIW’s suggestions were considered.
  - 6.2.5. The Minister will determine whether MACIW members are interested in being reappointed.
  - 6.2.6. From among the members, the Minister will appoint the Chair.
  - 6.2.7. The Council will collectively designate the roles of Vice Chair, Elder, and Youth.
  - 6.2.8. The Chair will communicate with the Minister as appropriate when roles need to be filled.

- 6.3. MIRR and Minister's Office Staff are responsible for being informed and aware of the appointment and reappointment process and communicating between CABRO, MACIW, and the Minister on questions related to the process.
- 6.4. Subject to removal or resignation, members are appointed for a term of up to three years, with the potential of reappointment; it is recommended that members not exceed six years of service<sup>5</sup>.
  - 6.4.1. On a case-by-case basis, as requested by MACIW, MIRR, MACIW and CABRO will work together to consider recommendations to the Minister for members that may exceed six years of service.
- 6.5. Performance appraisals for reappointment<sup>6</sup> will be conducted by the Chair, and the Chair's performance appraisal will be conducted by the Vice Chair.
- 6.6. Members who have missed more than two consecutive quarterly meetings without due cause or without notifying the Chair, or who have breached MACIW's *Standards of Ethical Conduct*, will be respectfully asked to step down from their position.
  - 6.6.1. The Chair is responsible for notifying the Minister of due cause for dismissal from the Council.
  - 6.6.2. The Minister is responsible for respectfully asking the member to step down from their position.
  - 6.6.3. The Member is responsible for submitting written resignation to the Minister and Chair.

## **7. COMPENSATION**

- 7.1. As per *Treasury Board Directive 2/17*, the Chair will be compensated at a rate of \$350 per day and all members will be compensated at a rate of \$250 per day.
- 7.2. All members who incur travel expenses while on MACIW business will be reimbursed according to Non-Government Travel Expense Claim Rates.

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<sup>5</sup> As per CABRO's guidelines.

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