

Kwantlen Governance Code Update – from Four Directions Management Services May 2021

“Pulling in the same direction creates forward movement. Once the community’s vision is in place the Council must work as a team to achieve it.”

Why are we doing this work?

The Kwantlen Custom Governance Dialogue was initiated from Kwantlen members’ input and direction to explore the most effective means of governing the affairs of the Nation. Specifically, the current Hereditary Governance Model has been considered by members involved in the Custom Governance Dialogue through community engagement sessions, questionnaires and surveys and direct member feedback to determine whether it is the most appropriate governance model for Kwantlen moving forward.

What does ‘governance’ mean?

The Chief & Council are tasked with great responsibility on behalf of the organizations and communities that they serve. This responsibility is characterized as *governance*. Governance pertains to the legal and formal structure for exercising power and authority in an organization that ensures smooth processes that benefit both the individual member and the entire community. Governance can be defined as:

“The system by which entities are directed and controlled. It is concerned with structure and processes for decision making, accountability, control and behaviour at the top of an entity. Governance influences how an organization’s objectives are set and achieved, how risk is monitored and addressed and how performance is optimized”.

Governance is a system and process, not a single activity and therefore successful implementation of a good governance strategy requires a systematic approach that incorporates strategic planning, risk management and performance management. Like culture, it is a core component of the unique characteristics of a successful organization.

Why is good governance important?

The fundamental reasons why organizations should adopt good governance practices include:

- **To preserve and strengthen member confidence** – Members should be confident in their governing body and organization. A supportive member base can generate benefits for the organization through social and emotional support, intangible but very valuable attributes that all organizations should strive to achieve and sustain;
- **To provide the foundation for a high-performing organization** – The achievement of goals and sustainable success requires input and support from all levels of an

organization. The Chief & Council, through good governance practices, provides the framework for planning, implementation and monitoring of performance and without a foundation to build high performance upon, the achievement of this goal becomes problematic. Good governance should support members, management and staff to be “the best they can be”; and

- **To ensure the organization is well placed to respond to a changing external environment** – Today we operate in an environment of constant change. Technology has created an information age that has transformed our world, and for organizations to both survive and remain responsive to member needs, a strong governance system has to be in place to assist Kwantlen to identify changes in both the external environment and emerging trends. This process of understanding our changing world does not happen by chance; it requires leadership, commitment and resources from the Chief & Council to establish and maintain such a system within the organization.

In summary, governance encompasses the processes by which organizations are directed, controlled and held to account. It includes the authority, accountability, leadership, direction and control exercised in an organization. Success can be achieved when good governance principles and practises are applied throughout the whole organization.

The responsibilities of Chief & Council include:

- Articulates and communicates the vision of the Nation;
- Focuses on strategic planning and direction;
- Focuses on the whole community, rather than on issues of interest to individuals;
- Acts as a governance body with all leaders working together as a whole;
- Speaks with a united voice;
- Directs the community’s work by improving organizational policy and monitoring its impact; and,
- Avoids falling into the trap of micro-management and making management and operational decisions.

Chief & Councils that take their positions as governors seriously understand their roles and responsibilities, apply sound governance practices in managing their affairs and establish policies that empower their organizations to fulfill their missions as successful strategic leaders. Council and their members benefit when Councils know how to govern well.

How have we approached the work?

Good governance is foundational to the success of any Nation. At the core of good governance is being “member-centric” ensuring that the needs and aspirations are front and centre in the minds of the Council and the staff. In this process we approached this work through a ‘multiple forms of engagement lens. We have utilized surveys, group dialogue, small group breakouts and virtual engagement to gather the necessary information to inform a Governance Code.

At the commencement of this process, we engaged directly with the Elders Council to share our approach and to receive value-added feedback. Since that inaugural session reaching back to the Elders for guidance has been a central feature of our work.

Member engagement is an important part of an effective, open and transparent government. Engagement takes many forms, from ongoing collaboration to broad member consultation on complex issues. When engaging in this process it was deemed important that we be transparent, relevant, inclusive, accountable, and adaptable. To create a safe space for this important dialogue to occur we embraced the following engagement principles:

- **‘Out-of-the-box’ thinking** - We encouraged out-of-the-box thinking, looking at old problems through new eyes.
- **Listen generously, solution orientation** - We asked participants to listen generously to what was being shared and to embrace a solution orientation to ensure that we didn’t get stuck in the problem.
- **Be present, actively participate** – We asked that participants be present, in the moment, and to actively participate in the process understanding that the process is only as strong as the level of participation we receive from the group.
- **Challenge ideas, not people** – When discussing important community matters people can become emotional and dialogue can become heated. Out of an abundance of respect, we asked that participants be hard on the issues and soft on people.

Our engagement process was disrupted by the COVID-19 pandemic. While we pivoted and began hosting our sessions virtually through the zoom platform, as a society we have wrestled with an increase in depression, anxiety, loneliness, and traumatic loss. The increased mortality rate, loss of economic security, systemic racism, and social distancing have had a profound effect on many people, Kwantlen members included.

What have we done to date?

At the commencement of the engagement process, Four Directions Management Services (“FDMS”), in collaboration with Kwantlen leadership and legal counsel, developed a series of questions that aligned with the information needed to populate the various sections of the governance code. A schedule outlining session dates and topics was distributed throughout the community as well as being made available on the Kwantlen website. FDMS gathered information through facilitated dialogue, in person sessions, online engagement, as well as the use of a variety of harvesting tools or worksheets that are completed individually or in a group work format. The information is being compiled and reviewed and will be used to draft a Governance Code for presentation to community.

Topics covered include:

- Guiding Principles (Vision, Mission, Values)
- Leadership Structure & Composition

- Leadership Roles & Responsibilities
- Leadership Selection & Code of Conduct
- Communication
- Decision Making/Dispute Resolution

What have we heard to date?

Member participation in the Governance Code Dialogue to date through the community engagement sessions, questionnaires and surveys and direct member feedback confirms that there is a desire for a governance code that ensures that Kwantlen leadership is accountable, responsible, transparent, and respectful of fair process.

A summary of survey results on key governance questions asked to Kwantlen membership is as follows:

1. Through the most recent survey (conducted in February/March 2021 by FDMS through Survey Monkey), we received responses from 68 individuals. When asked what the preferred choice of a governance system would be, the following feedback was gathered:

- a. 29% said switch to all elected
- b. 28% said stay with the current hereditary leadership system
- c. 22% said hybrid of hereditary chief + elected council
- d. 16% said hybrid of elected Chief & Council + Hereditary Chief
- e. 4% other

70% of respondents also indicated that their preference would be to see the size of Council increase from the current number of 3.

2. Community Questionnaire #3 (conducted by FDMS, DGW Law and Kwantlen) completed in August 2020 was responded to by 71 individuals. When asked “how do you think leadership should be chosen?”, the following responses were received:

- a. 32% said all elected
- b. 24% said stay with the current hereditary leadership system
- c. 38% said hybrid of hereditary and elected leaders
- d. 9% other

3. In December 2020, 24 members provided their response to the same question above (“how do you think leadership should be chosen?” in Community Questionnaire #3), and expressed their support that “the only acceptable option is for a full democratic system of government, where all leaders are chosen by a vote of the entire adult Kwantlen membership”.

Although there is clearly member feedback on both ends of the spectrum, on review and in consideration to balance all information provided to date in the various formats described above, the feedback received confirms a desire to change the current full hereditary custom

governance model in place. A hybrid model of elected and hereditary representatives seems like the most satisfactory option to most and we have also heard support for a larger Council number. Copies of the most recent questionnaire and survey results are available on the member's section of the Kwantlen website.

What are our next steps?

The goal of the Kwantlen Custom Governance Code process was to engage with members to ascertain their vision of governance that would lead Kwantlen into the future.

If members know their rights and responsibilities, and are informed about activities and processes, they can positively affect the actions of leadership.

Our next steps include the following:

- Review of all information gathered;
- Drafting of Custom Governance Code with fleshed out options for a hybrid governance model (combination of Hereditary and Elected);
- Presentation of Draft Custom Governance Code to members for review and comment;
- Adjust Governance Code based upon the feedback of members; and, finally,
- Ratification of Kwantlen Governance Code by members.

Chiefs and Councils that take their positions as governors seriously understand their roles and responsibilities, apply sound governance practices and establish policies that empower their organizations to fulfill their missions are successful strategic leaders.

“Councils and their members benefit when Councils know how to govern well; but more importantly, the community ultimately benefits, as the quality of service provided by Councils is enhanced.”