

TERMS OF REFERENCE
Vuntut Gwitchin Government
Executive Committee of Elders



March 24, 2023

1.0 Introduction

- 1.0 The Constitution and Governance Act of Vuntut Gwitchin require that Council provide for good governance and the transparent operation of Vuntut Gwitchin Government (“VGG”).
- 1.1 Chief and Council wish to nominate a committee to be known as the VGG Executive Committee of Elders who will provide support, advice, and guidance to Council and act as a conduit for all Vuntut Gwich’in Elders as defined in the Vuntut Gwitchin First Nation Constitution.
- 1.2 Any words used in these Terms of Reference that are not defined have the meaning given to them in the Constitution or the Governance Act.

2.0 Purpose

- 2.1 The Executive Committee of Elders shall act in an advisory role to the governing bodies of the Vuntut Gwitchin First Nation as a conduit for all Vuntut Gwich’in Elders to the extent outlined in Article VII of the Constitution (i.e. “Elders Council”).

3.0 Title

- 3.1 This document may be cited as the *Terms of Reference for the Vuntut Gwitchin First Nation Executive Committee of Elders*.

4.0 Definitions

- 4.1 “Citizen” means persons entitled to citizenship as provided within the Citizenship code of the Vuntut Gwitchin
- 4.2 “Constitution” means the *Constitution of the Vuntut Gwitchin First Nation*.
- 4.3 “Chief and Council” means the Vuntut Gwitchin Chief and Council pursuant to Article VIII of the Constitution.

4.4 “Executive Committee of Elders” or “ECE” means the Executive Committee of Elders per Council Resolution 02-16-2023-#03 (i.e. “Elders Council of the Vuntut Gwitchin First Nation).

4.5 “Ex-officio to Council” means a member appointed to Chief and Council in an advisory role.

5.0 Composition of the Executive Committee of Elders

5.1 Pursuant to Council Resolution 02-16-2023-#03, the Executive Committee of Elders shall be comprised of Elders, at the request of Council, who will act as a conduit for all Vuntut Gwich’in Elders (i.e. “Elders Council” pursuant to Article VII of the Constitution) to Chief and Council.

5.2 Chief and Council shall appoint a Chair of the Executive Committee of Elders.

5.3 The appointed Chair will act as a liaison between the Executive Committee of Elders and Chief and Council and will also act as an ex-officio to Council as required from time to time, for a term of 12 months.

5.4 The Executive Committee of Elders will allow for a rotational opportunity for all members to participate at the leadership table;

5.4.1 A member of the Executive Committee of Elder will accompany Vuntut Gwitchin First Nation leadership on a rotational basis, in internal and external meetings that require Elders representation.

5.4.2 The ex-officio to Council may express the interests and advice of the Executive Committee of Elders in regards to the governance of the First Nation, but he or she shall not vote on any matters or enact any laws pursuant to Article VIII and Article IX of the Constitution.

6.0 APPOINTMENT AND REMOVAL

5.5 The membership of the Executive Committee of Elders will be determined by Chief and Council and appointed through resolution.

4.2 Members will be appointed to serve on the Executive Committee of Elders for a period of one or two years with a possibility of renewal.

a) At least three members of the Committee will be identified to serve for a starting term of two years.

b) At least two members of the Committee will be identified to serve for a starting term of one year.

c) Rotating membership terms will allow for overlap of experience of Committee members while still allowing for opportunities for new Committee members.

4.3 Specific criteria for membership will normally include:

- a) members must be Vuntut Gwitchin Citizens;
- b) an established record of community involvement and a reputation for objectivity and thoughtfulness;
- c) a demonstrated commitment to the success and operation of the VGG and the Vuntut Gwitchin community;
- d) good communication skills; and
- e) the ability to attend real or virtual meetings of the Committee.

4.5 Members serve at the pleasure of Chief and Council and may be removed from the Committee without cause.

7.0 Roles and Responsibilities

7.1 The Executive Committee of Elders shall be responsible for providing advice and guidance, at their discretion, to the governing bodies of the Vuntut Gwitchin First Nation with regard to:

- 7.1.1 Enhancing and protecting Vuntut Gwitchin traditions, customs, and laws
- 7.1.2 Advice and information on traditional, cultural, and spiritual values as related to self-government and government structures
- 7.1.3 Meeting the needs of Elders through programs and services pursuant to paragraph 3 of Article VII of the Constitution.

7.2 The Executive Committee of Elders shall be responsible for the operation and ongoing maintenance of the Committee with the support of the Executive Office as required.

8.0 Procedures

8.1 The Executive Committee of Elders shall determine their own internal procedures for the conduct of their meetings.

8.2 The Executive Committee of Elders shall meet once a month or at their discretion.

8.3 At times, Chief and Council may request additional meetings of the Executive Committee of Elders when seeking specific advice or recommendations.

8.4 The Chair shall be responsible for conducting Executive Committee of Elders meetings. This includes calling and chairing meetings.

8.5 The Executive Committee of Elders may seek assistance from the Executive Office in all administration duties, including coordination, agenda preparation, and minute taking.

- 9.0 Meetings will be held in person in Old Crow when possible but may be held by electronic communications means, provided that each member in attendance can clearly hear and participate.
- 9.1 All recommendations made by the Executive Committee of Elders must be decided by consensus.
- 9.2 Participation in the Executive Committee of Elders shall be paid by honoraria, in accordance with Vuntut Gwitchin Government's Honoraria Policy.

10.0 Confidentiality and Conflicts of Interest

- 10.1 Members of the Executive Committee of Elders will take and adhere to the VGG oath of confidentiality.
- 10.2 Members of the Executive Committee of Elders will abide by the Conflict of Interest Policy attached hereto as Schedule 'A'.

11.0 Review and Amendments

- 11.1 These Terms of Reference will be reviewed annually by Chief and Council and the Executive Committee of Elders.
- 11.2 Amendments to the Terms of Reference for the Vuntut Gwitchin Executive Committee of Elders shall be done so through Chief and Council resolution.

Schedule 'A': Conflict of Interest Policy

General Policy

1. Members of the Committee are to work at all times in the best interests of VGG. Members will not place themselves in a position which may result in a perceived, or real conflict between the interests of the VGG and the interests of the Member or a member of their immediate family.

Understanding Conflict of Interest

2. A conflict of interest is a situation where a person or their immediate family has a personal interest that makes it appear that the interest could impact their actions, decision-making, or choices in their official role or duties. A conflict is a perceived or real situation where it appears that the person's objectivity about a decision might be interfered with because of their personal relationships.

Definition of "immediate family"

3. "Immediate family" means relations to the member including grandparents, parents, siblings, children, and grandchildren. These include both birth relations and in-law relations, including common-law. A member may also be in a conflict for anyone else that may impact the member's neutrality decision due to their relationship.

Specific Policies

4. Members or members of their immediate family will not misuse for profit, political gain, or personal gain any VGG-provided information, resources, monies, property or an opportunity obtained because of the Member's role on the Committee.
5. Members will not take part in reviews, discussions, or recommendations which involve an immediate family member of the Member.
6. Members will not take part in reviews, discussions, or recommendations involving a business or an organization in which the Member or a member of their immediate family has an interest or is in some way involved.

Declaration of a Conflict of Interest

7. It is the personal responsibility of a Member to declare any perceived or real conflict of interest to the other Members of the Committee immediately upon becoming aware of one. When they have declared a conflict of interest, they will remove themselves from the review, the discussion, and any recommendations.

8. Failure of a Member to declare a perceived or real conflict of interest involving the Member or a member of their immediate family will be viewed as a breach of appropriate conduct and subject to discipline, removal from the Committee.

Action to be Taken When There is a Conflict of Interest

9. All perceived or real conflicts of interest will be reviewed immediately and with due diligence, to determine the appropriate steps to protect the integrity of both the Member and the Committee, and where appropriate, to determine the necessary course of action.