



POLICY CAPACITY DEVELOPMENT

The Tsawwassen Experience

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WHAT IS POLICY

- ⦿ Tend to think of policy as a ‘document’ - but it is much more than that
- ⦿ Policy is, at its core, an expression of values
- ⦿ There are many policy tools:
 - Laws
 - Regulations
 - By-laws
 - Policies
 - Orders



IMPORTANCE OF POLICY

- Treaty is a ‘tool-kit’
 - Self-Government provides discretion to make policy at TFN that is according to TFN’s vision, values, interests, etc...
 - Policy capacity helps evaluate opportunities, think through options and make sound decisions
 - Under the Indian Act framework, Nations primarily focused on administering policies made in Ottawa
- Making decisions under the Treaty framework should be policy driven
 - Making laws, regulations, etc. can be expensive - it’s important that they work and are a good fit for the community



POLICY DRIVEN PROCESS

- First step in policy making is “Problem Identification”
 - Is there a gap in service?
 - Is there community demand for better outcomes in certain service areas (e.g. housing, health, etc.)
 - Does a current service/practice result in challenges for some people?
- Next step is to develop options and establish criteria used to evaluate options (e.g. cost, administrative capacity, cultural appropriateness, fairness, etc.)
- Staff then analyze the problem: look at best practices, interview key people, consult with community before recommending a preferred option to elected officials for a decision



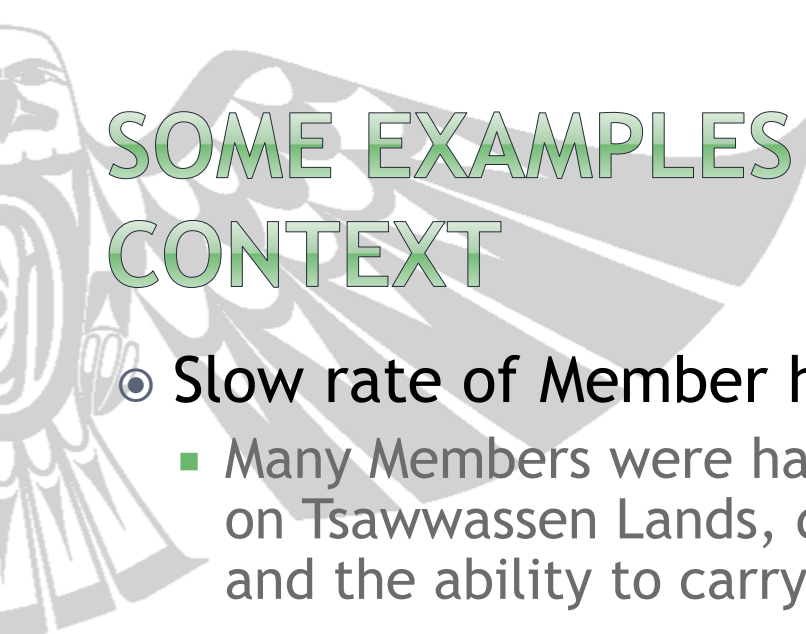
POLICY CAPACITY

- Running the policy process requires that there is some policy capacity on staff in place
 - Strong analytical skills in general, including strong economic analytical skills
 - Strong written and verbal communications - ability to collect input and organize complex issues in ways that are understandable
- Risk of not having strong policy capacity is that poor decisions will result



INTERNAL CAPACITY

- One side benefit to the Treaty Process itself is that it can build policy capacity within staff, elected officials and the community at large
- Individuals gets accustomed to the approach
 - Getting a full analysis of different options,
 - Understanding the pros and cons of decisions,
 - Being able to provide input into the decision-making process
- This community capacity is important as it helps ensure that policies that end up being adopted are a good ‘fit’ within the community



SOME EXAMPLES FROM TFN CONTEXT

- **Slow rate of Member home construction**
 - Many Members were having difficulties building homes on Tsawwassen Lands, despite having strong credit and the ability to carry a mortgage
- **Comprehensive Land Regulatory Framework**
 - TFN's vision is to develop land to generate revenue, which can then be invested in the health, education and cultural growth of TFN Members
- **Minor's Trust and Distributions**
 - Previous practice permitted parents/guardians to accept 50% of a Minor's distribution to support the costs associated with raising them - but concerns arose over TFN's ability to verify parents/guardians in all cases