

Jordan's Principle Regional Working Group Meeting Summary – October 2024

IFSD has prepared a summary of the Regional Working Group's (RWG) proceedings from their third meeting (October 2024). The RWG assembled with recognition of *their inherent and treaty rights as First Nations*.

Their contributions on a sustainable approach to Jordan's Principle are pursuant to Canadian Human Rights Tribunal (CHRT) orders (2022 CHRT 8).¹

As technical experts and practitioners in the administration and delivery of Jordan's Principle, they have generously shared their knowledge with the intent of supporting local, regional, and national leadership in their decision-making on Jordan's Principle.

The contributions of the RWG have defined:

- Recommendations and statements on the spirit and intent of Jordan's Principle;
- Considerations for local data gathering on Jordan's Principle;
- Options and approaches for a national strategic framework for Jordan's Principle.

The summary of the RWG's deliberations proceeds by reviewing their contributions in these areas and their recommendations for next steps.

Recommendations

- 1) That there be a **national approach to Jordan's Principle** with consideration of different approaches to delivery. The national approach should include:
 - a. **Common vision** of the spirit and intent of Jordan's Principle;
 - b. A **national strategic performance framework**;
 - c. **Common** approaches to **data gathering**;
 - d. **Consistency in the delivery** of Jordan's Principle to empower families and promote substantive equality.
- 2) That the regional group reconvene to review IFSD's draft final report on Jordan's Principle (in advance of its publication).

¹ [172] Pursuant to section 53(2) of the *CHRA*, the Tribunal issues the following orders:

[...]

4. Canada shall fund the following research through the Institute for Fiscal Studies and Democracy ("IFSD"):

[...]

- d. upon completion of the Jordan's Principle Data Assessment, the IFSD needs assessment regarding a long-term funding approach for Jordan's Principle, including but not limited to identifying and addressing formal* equality gaps, in keeping with the Tribunal's rulings, including but not limited to 2016 CHRT 2, 2017 CHRT 35, 2020 CHRT 20 and 2020 CHRT 36 (the "Jordan's Principle Long Term Funding Approach Research").

*** This order does not modify any substantive equality orders made by this Tribunal in this case.**

- 3) That the RWG’s meeting summaries be posted for public access on the Jordan’s Principle project site hosted by IFSD.
- 4) That the RWG be supported to continue to meet regularly (after IFSD’s project ends) to share their ideas and practices as technical experts and practitioners.

Recommendations and statements on the spirit and intent of Jordan’s Principle

Recommendations and statements on the spirit and intent of Jordan’s Principle define its purpose and what it is meant to do for children. A common understanding of the spirit and intent of Jordan’s Principle will guide options for structure, delivery, and funding, and foster consistency in its implementation.

The RWG identified recommendations and statements on the spirit and intent of Jordan’s Principle:

- Addressing the **root causes of need and gaps in existing programs and services**, especially in housing, health, and social services.
- **Recognizing and understanding requests in their contexts** to achieve substantive equality because different places have different needs.
- Accessing services, supports, and products **wherever and whenever needed**.
- **Differentiating** between the *needs of children and the wants of parents*.
- **Empowering families** to end cycles of dependency.
- **Training and development for First Nations by First Nations** to empower First Nations in their communities to support the delivery of Jordan’s Principle, leveraging local knowledge.

The RWG worked in four breakout groups on recommendations on the spirit and intent of Jordan’s Principle. See Appendix A for summaries of each of the breakout groups’ contributions.

When considering the common elements of the RWG’s recommendations and statements, the following summary statement is proposed:

Jordan’s Principle is a sacred gift from Jordan River Anderson to ensure First Nations children have the supports, services, and products whenever they need them wherever they need them.

Jordan’s Principle ensures that the root causes of need and gaps in existing programs and services are addressed (until they can be permanently repaired).

Children and youth live in different places. The pursuit of substantive equality requires that their unique contexts be recognized in the delivery of and access to services, supports, and products through Jordan’s Principle.

To sustainably deliver Jordan’s Principle in the cultural and linguistic contexts of First Nations, local talent will be essential. Training by First Nations for First

Nations to develop local talent will be imperative to the success and sustainability of Jordan's Principle.

Local data gathering

There are core pieces of information that are missing from data capture on Jordan's Principle. Namely, why children are seeking support from Jordan's Principle and what happens to them following the intervention. A **consistent approach** to gathering **child-centred data** means more **relevant data** that can be used to **measure and monitor children's needs and identify gaps in existing programs and services**.

Any data gathering approach must have First Nation ownership, consistent with OCAP® Principles. The information and evidence generated must be relevant locally for First Nations. A subset of information (not necessarily all information) can be provided to ISC for reporting.

The goal of data gathering should be *consistency with decency*. A consistent approach ensures regular and common information is gathered to benefit all children by improving Jordan's Principle and identifying gaps in existing programs. Decency means engaging respectfully with children and families, avoiding duplication of requests, and following OCAP® Principles.

Presently, data gathering is inconsistent across regions. While some First Nations or regions are gathering good information capacity for analyzing it is limited. Additional challenges were noted about a lack of consistently and continuously captured data for a child and non-First Nation requests. With transiency on- and off-reserve, children may be accessing Jordan's Principle at one moment, through their First Nation or a First Nation organization, and at another, off-reserve through a mainstream (non-First Nation) organization. In these instances, there is no information on service continuity for the child, the information is lost. For any requests outside of First Nations or First Nations organizations, there are regional information gaps. If a hospital or school board is applying for support through Jordan's Principle, First Nations in all regions are not always made aware.

A common data gathering framework, defined by Jordan's Principle technical experts, would help to standardize access to and administration of Jordan's Principle.

Two approaches to data gathering were highlighted in which RWG members shared their practices:

- 1) **The single door:** For a regional First Nations organization, every door is the right door. In their approach to Jordan's Principle, requests are triaged and staff work behind the scenes to align supports and services for the family. Sometimes, their needs are best met through Jordan's Principle, and other times, through one or more services.

When assessing requests to Jordan's Principle, the organization uses its own framework to address needs and empower families. The framework includes standardized rates for various types of requests and local data gathering to track and monitor needs.

- 2) Community-focused data: Using a series of spreadsheet-models, this organization captures additional details on the child's community and their individual needs. When intaking a Jordan's Principle request, the organization supplements the basics of the application with health and related contextual information. Gathering supporting information (beyond the application requirements) means information can be aggregated and anonymized and shared back with First Nations. Information on challenges like suicide ideation or successes like school completion, can be documented and monitored. To provide context for requests, the organization ensures a profile of the First Nation is included. This information is imperative to understanding requests in their context. Explaining *why* a request is being made will be different across communities.

There are lessons from these approaches that can be applied to future efforts on data gathering. Capturing relevant information at intake and with the child's context can substantiate requests and improve planning decisions. Information about the environment surrounding the child is crucial. Whether through a video submission, profile of the First Nation, or cultural notes, the additional information can support equitable decision-making by framing requests in their contexts. The Quebec Region required navigators to learn about and visit the First Nations for whom they review Jordan's Principle applications. The sensitization to the reality of the First Nation(s) they serve support assessments in context.

Consistent local data gathering at the level of the case can be aggregated for regional and national analysis. There are linkages between local data gathering and a national strategic performance framework. Developing the tools and approaches in tandem can improve their interoperability and consistency.

National strategic performance framework

A performance framework is a tool to measure to monitor change relative to a goal or desired outcome. With all the information gathered on Jordan's Principle, we still do not know *why* children are seeking support and *what* happens to them following an intervention. With these gaps, there is no way of assessing progress toward formal or substantive equality through Jordan's Principle.

A national strategic performance framework for Jordan's Principle is an essential component of a sustainable approach to Jordan's Principle. The RWG defined the importance of the framework as a tool to ensure equity for First Nations children and to define gaps to improve programs and services.

A national strategic performance framework for Jordan's Principle means we can:

- 1) Measure and monitor the needs of children;
- 2) Identify gaps in existing programs and services;
- 3) Hold Canada accountable;
- 4) Ensure the structure, delivery, and funding approaches to Jordan's Principle are working;
- 5) Measure progress toward the defined spirit and intent of Jordan's Principle.

The RWG defined a two-pronged approach to data capture to support the framework:

- 1) Case-level information focused on the child;
- 2) Community-level data to capture context.

Wholistic well-being was a guiding principle for the RWG for the national strategic performance framework. In their discussions, the RWG defined a series of national indicators. Some indicators were aggregations of case-level data and others were broad community-level indicators that could be captured from public and other data sources.

The indicators defined by the RWG are captured in Appendix B. They are clustered thematically. IFSD was tasked by the RWG with identifying broad community-level indicators to contextualize the case-based data (also included in Appendix B). To operationalize the performance framework, definitions for indicators, measures, and data capture are to be defined (see Appendix B). Sources of information include case level data (aggregated), Census data, Regional Health Survey (RHS) data, and ISC data.

The development and operationalization of a strategic performance will take time. It is, however, imperative that it be done to ensure accountability in Jordan's Principle. This means ensuring structure, delivery, and funding are meeting the needs of children.

Other matters for consideration and improvement

In their deliberations, the RWG highlighted matters requiring consideration and improvement.

The intake problem

ISC has an intake problem that needs to be revised. An automated system, with a standard intake form, and clear urgency codes (as they are overused) are required.

Intake and evaluation need to be separated. An automated system or third-party could manage intake and the administrative processing of requests. ISC would then be required to evaluate requests (rather than managing the full process). There are precedents for the outsourcing of such activities with compensation, insurance, etc.

CHRT timelines for evaluation and responses should be followed. Requests must be triaged effectively to ensure those that are necessities of life are addressed appropriately.

With the high rates of staff turnover at ISC, front-line staff involved with cases must have completed relevant and rigorous training before assuming their post. The staff changes are leading to inconsistent assessments and practices.

A complaints mechanism

Regional Jordan's Principle Ombuds should be established. The offices could collect complaints on administration and delivery of Jordan's Principle supports, conduct investigations as required, and hear directly from families/applicants about their concerns.

Ombuds would work directly with service coordinators and travel across First Nations. In their advocacy role, they would follow-up on complaints and appeal directly to ISC. The ombuds would work for families/applicants, service coordinators, and First Nations.

A truly independent committee of Indigenous experts should be established. The committee would serve as a body of consultative experts for the ombuds network.

Training and network development

First Nations led training and capacity development is required for Jordan's Principle. Front-line staff are confronting complexities that could be better managed with training. For instance, learning how an intake meeting can be a counselling session or opportunity to connect with other resources.

A consistent network of practitioners is needed to share practices and provide support. Such a network, whether regional or national, could collect and share best practices, job descriptions, roles and credentials associated to Jordan's Principle. With many service coordinators and First Nations confronting similar questions and challenges, the practice network would be a source of leverage.

Appendix A

The breakout group recommendations and statements on the spirit and intent of Jordan's Principle are summarized below.

Breakout Group 1:

- Jordan's Principle is about the pursuit of substantive equality. At least formal equality, relative to non-Indigenous children, must be guaranteed.
- There is a need to reform Jordan's Principle to meet these goals.
- Achieving the true intent of Jordan's Principle requires removing the barriers of colonialism.
- Requests through Jordan's Principle should be defined as goals to keep the child's needs at the heart of the requests, e.g., a bed for a good night's sleep to improve school performance.
- Jordan's Principle is to meet the actual needs of children (not the wants of parents). There are concerns about the misuse of Jordan's Principle that need to be addressed.

Breakout Group 2:

- There should be equity among First Nations children with respect to location, culturally relevant, and safe services.
- Standardize the age of majority, e.g., 30 years of age.
- Ensure all children receive the products, supports, and services when and where they need them.
- Foster equality among First Nations children in Canada.
- Define functional and consistent timelines for responding to requests to Jordan's Principle.

Breakout Group 3:

- Children, youth, and families should not suffer. They should thrive with need health and related supports.
- There should be no age limit for ongoing needs for support. For other needs, the age of majority should be 30, or cradle to grave.
- Jordan's Principle should differentiate between needs and wants.
- Existing supports to administer Jordan's Principle should be enhanced.
 - Recognize elders as professional service providers who can write letters of support.
 - Increase community-based personnel for Jordan's Principle.
 - Support access to obtain IDs, bank accounts, driver's licenses, etc.
- Identify existing system failures and repair them.
 - Explore and address the roots of poverty and issues associated to trauma.
- Define a common vision for Jordan's Principle.
- Establish a baseline by First Nations for First Nations to define criteria for access.
- Employees of ISC must take cultural awareness training.
- Address and eliminate requests backlogs by hiring First Nations for review.

- Accredit and teach Jordan’s Principle across the educational system.
 - Develop an accreditation for Jordan’s Principle with post-secondary institutions.
- Eliminate jurisdictional battles.
- Ensure families are alleviated from poverty and are supported through life’s cycles, e.g., celebrations and gifts for a birthday.
- Broaden the view of Jordan’s Principle to support overall well-being, because it will be defined different in different places.

Breakout Group 4:

- Refocus on the original spirit and intent of Jordan’s Principle: supports and services required for a child to live.
 - End all jurisdictional debates between federal and provincial governments and within ISC.
 - Include wrap-around services.
- Children with special and complex needs must have their needs met.
 - Support for complex and special needs that are lifelong should continue to be met.
- Address root causes of need by adequately funding core necessities and existing programs and services.
- Focus on health and education.
- Provide support to families in different ways to ensure they are setup for success, and not dependent (should funding end), e.g., some financial support, referrals, etc. Support independence, not dependence.
- Address gaps in existing programs and services. Jordan’s Principle’s application would be limited or phased out if these gaps were closed.
- Consider the child wholistically and understand their needs wholistically.
- Gather/request information and feedback from families on what works to demonstrate the relevance of Jordan’s Principle.
 - Regional data gathering and data systems should be consistent.
- Service delivery should be for First Nations by First Nations.
- Emphasize services (e.g., medical models, health needs of children), supports, and products for Jordan’s Principle.
- Define priorities, i.e., what is urgent v. non-urgent.

Appendix B

Category	Indicators	For future use				
		Definition	Measure	Location of data capture	Availability of data	Case or community level
Education and pedagogy	Literacy rates in English and/or French					
	Literacy rates in Indigenous languages					
	Numeracy rates					
	Elementary school completion rate					
	Duration to completion of high school					
	Age at high school graduation					
	Change in expected educational outcomes					
	Post-graduation outcomes for youth with complex or special needs					
	Support or service to develop inherent talent or ability					
Separator						
Family well-being	Sense of community belonging					
	Stability of family arrangement					
	Contact with child and family services					
	Children in care accessing Jordan's Principle					
Separator						
Health and wellness	Recreational opportunities around the child					
	Instances of exceptional health-related supports and services					
	Health outcomes at least equal to or better than the general population					
	Health services consistent with Canada Health Act standards (as a minimum)					
	Instances of requests for mental health and/or spiritual supports defined as: crisis, maintenance, or normal/self-care					
Separator						
Nature of requests and defined needs	WHY - Reason for accessing Jordan's Principle (root cause(s))					
	Instances of intergenerational Jordan's Principle requests, e.g., adolescent parent accessing Jordan's Principle					
	Nature of request: point in time; on-going/long-term; repeated					
	Instances of children ageing out but requiring ongoing support					
	Instance of navigation to access Jordan's Principle					
	Instances of referrals to existing supports and services					

	Identifying the source of the referral, e.g., Elder, physician, etc.					
	Were the child's needs met through Jordan's Principle					
Community well-being	Instances of community trauma					
	Cultural knowledge					
	Access to land					
	Access to Elders					
	Community emergencies impacting well-being					
Access and funding	Number of non-Indigenous and non-First Nation organizations/recipients receiving funding through Jordan's Principle					
	Documented fee increases or supplemental fees incurred when paid through Jordan's Principle					
	*See also questions to regions					
	Details on requests and transfer amounts through Jordan's Principle					
Broad national indicators (proposed by IFSD)	Housing suitability					
	Housing in need of repair					
	Food security					
	Rates of substance misuse (alcohol, drugs)					
	Access to potable water					
	Deprivation (income measure, relative to the relevant Market Basket Measure)					
	Employment rate					
	Unemployment rate					
	Highest level of educational completion					
	Instance of critical health issues (Note: Dependent on Regional Health Survey data)					
	Access to health and dental services (Note: Dependent on Regional Health Survey data)					
	Rates of access to Income Assistance					
	Population by geographic zone					