

# CAPITAL FUNDING

## Accessing Capital Funding Under 2021 CHRT 41 Through the FNCFS Stream

In **2021 CHRT 41**,<sup>1</sup> the Canadian Human Rights Tribunal ordered Canada to fund the planning, purchase, and construction of capital assets for First Nations Child and Family Services (FNCFS) and Jordan's Principle. This infographic is about capital funding through the FNCFS Program Stream.

### Does ISC have a policy guide for capital requests?

The **Capital Assets Guide**<sup>2</sup> describes ISC's approach for implementing the 2021 CHRT 41 orders. *In the event of a conflict between the Guide and the Tribunal's orders, the orders prevail.*

### Who can access capital funding through the FNCFS Program Stream?

- FNCFS agencies, societies, or other provincially/Yukon delegated child and family service providers;
- First Nations on reserve, on Crown land, or in the Yukon that are recognized as Bands within the meaning of the *Indian Act*; and
- First Nations that have concluded a self-government agreement but not exercised child and family services jurisdiction under Bill C-92.

### What is capital funding available for?

Capital funding is available for the purchase, renovation, and construction of capital assets (such as buildings and proportionally funded multi-purpose buildings) and capital planning activities *to support FNCFS program delivery*.

Funding is available for projects that are already underway.

Capital funding is available for housing for staff accommodation but not for family homes.

Funding may be available for vehicles not already eligible for actuals funding through 2018 CHRT 4.

### Can assets be purchased or constructed off-reserve?

You can purchase or construct off-reserve property where there is no suitable property available on reserve for construction, or where off-reserve construction is more accessible for First Nations children, youth, and families ordinarily resident on reserve and in Yukon to receive services.

### What costs can be funded?

Eligible costs include assessments and studies (for example, needs assessments and feasibility studies) *throughout* the project; design costs; purchase, construction, or renovation; land purchase; some initial costs such as furniture, equipment, IT, lot servicing, and site upgrades; and professional fees.

### What does the process look like?

A capital funding request has five phases: (a) pre-capital needs assessment, feasibility, and planning; (b) design; (c) construction; (d) completion; and (e) ongoing operations. ISC calls this the "capital project life cycle". Refer to the **Caring Society Information Sheet on Accessing Capital Funding**<sup>3</sup> under 2021 CHRT 41 for details on each phase.

### My request is straightforward. Do all capital requests go through this process?

ISC will process straightforward funding requests, such as vehicle purchases or minor repairs like window replacements, through other processes, such as Jordan's Principle or actuals under 2018 CHRT 4 (e.g., building repairs for agencies) where relevant.

If your request falls under the 2021 CHRT 41 stream, straightforward projects may not need to go through every phase in the process.

### How long does ISC have to make a decision at each phase?

ISC has to make a funding decision at each phase within 30 business days, unless there are exceptional circumstances. If ISC needs more than 30 business days, it has to advise this in writing and explain why.

Right now, there is no mechanism in place to deal with urgent capital requests. *Let ISC know if your capital needs are urgent.*

### What if my request is denied?

If your request is partially or fully denied at any stage, ISC must explain why it was denied and give you information about the appeals process.

### How long do I have to submit reimbursement claims after each phase?

Reimbursement claims for costs incurred in one fiscal year can be submitted until September 30 of the following fiscal year. If you need more time, advise ISC about your need for additional time.

If you are looking for reimbursement for a project that was underway or completed as of August 26, 2021, contact ISC about this.

### For more information, and to make a request contact [chrt41-tcdp41@sac-isc.gc.ca](mailto:chrt41-tcdp41@sac-isc.gc.ca).

There is a **Capital Funding Request form**<sup>4</sup> that has to be filled out at each phase.

<sup>1</sup> <http://fncaringsociety.com/publications/2021-chrt-41-amendment>

<sup>2</sup> <https://www.isc-sac.gc.ca/eng/1654879958408/1654880046931>

<sup>3</sup> <http://fncaringsociety.com/publications/capital-funding-information-sheets>

<sup>4</sup> [https://www.sac-isc.gc.ca/DAM/DAM-ISC-SAC/DAM-FNDNG/STAGING/texte-text/40-013\\_prt\\_fn\\_child\\_family\\_srvs\\_1645027227482\\_eng.pdf](https://www.sac-isc.gc.ca/DAM/DAM-ISC-SAC/DAM-FNDNG/STAGING/texte-text/40-013_prt_fn_child_family_srvs_1645027227482_eng.pdf)

