



1. Statement of Policy

The Government of the Northwest Territories may establish boards to advance government goals and objectives and to:

- (1) provide advice, including relevant technical, scientific, cultural or local information and perspectives, on the development and delivery of government policies, programs and services;
- (2) direct the delivery of government programs and services in a manner that provides for the substantive participation and input of Northwest Territories residents;
- (3) make objective arm's-length decisions on matters in which the public interest is significant and must be protected; or
- (4) within the limits of their authority, review and assess the actions and decisions of other decision-making bodies.

2. Principles

The following principles will guide the establishment of GNWT boards and the relationship between boards and the Government of the Northwest Territories.

- (1) The Government of the Northwest Territories should clearly state and communicate the mandate of each GNWT board.
- (2) The relationship between boards and the Government of the Northwest Territories should be characterized by respect, trust and transparency.
- (3) Composition of membership on boards should be appropriate to the mandate of the board.
- (4) Boards should be provided with the necessary resources, training and flexibility to fulfill their responsibilities as set out in their respective mandates, budgets, and ministerial letters of expectations.



- (5) Accountabilities should be defined and communicated through an array of documents, including legislation, a governance framework, strategic plans, budgets, policies, guidelines, and ministerial letters of expectations, which should be updated on a regular basis.
- (6) Boards should be cost-effective, and should contribute to an effective system of governance and the efficient use of resources.
- (7) A board's mandate should not prejudice the inherent right of self-government, including the mutually agreed upon establishment of boards as a vehicle to implement self-government and land claims agreements.

3. Scope

This policy applies to all GNWT boards, as well as all employees of the Government of the Northwest Territories.

Exclusion

This Policy does not apply to municipal corporations or community councils, non-governmental boards, boards created through Aboriginal land claims or self-government agreements, boards created through intergovernmental agreements and boards which do not allow for the appointment of individuals from outside the public service.

4. Definitions

The following terms apply to this Policy:

GNWT Board - for the purposes of this Policy, a group of individuals collectively appointed or elected to provide advice, to direct the delivery of programs or services, or to investigate and decide on specific matters in accordance with a legislative or policy mandate established by the Government of the Northwest Territories, but does not include employees and the resources available to the GNWT to fulfill that mandate.

Significant Change - includes major alteration to a board's: mandate, function, focus, authority, composition (not including routine appointments) clients served or geographic area covered.



5. Authority and Accountability

(1) General

This Policy is issued under the authority of the Executive Council. The authority to make exceptions and approve revisions to this Policy rests with the Executive Council. Authority and accountability is further defined as follows:

(a) Premier

The Premier is accountable to the Executive Council for the implementation of this Policy.

(b) Secretary to Cabinet

The Secretary to Cabinet is responsible for the administration of the Policy.

(2) Specific

(a) Executive Council

The Executive Council may:

- (i) approve proposals for the creation of new GNWT boards;
- (ii) approve proposals for significant changes to GNWT boards;
- (iii) approve guidelines and policies concerning boards, including a governance framework and criteria for establishing and categorising boards; and
- (iv) assign GNWT boards to categories



(b) Financial Management Board

The Financial Management Board may:

- (i) establish honoraria for GNWT board members;
- (ii) approve broad funding and financial accountability policies with respect to GNWT boards;
- (iii) establish guidelines concerning the appointment of public servants to GNWT boards; and
- (iv) establish guidelines concerning membership in the Public Service by employees of boards.

(c) Premier

The Premier will:

- (i) develop and recommend guidelines and policies concerning GNWT boards, including a governance framework and criteria for establishing and categorising boards, to the Executive Council;
- (ii) issue guidelines concerning GNWT board orientation standards;
- (iii) periodically review and update guidelines and policies concerning GNWT boards; and
- (iv) establish and maintain a public registry of GNWT boards.

(d) Ministers

Ministers:

- (i) will, pursuant to their authority in GNWT statute and policy, provide direction and instruction to boards for which they are responsible;



- (ii) will ensure that GNWT boards are adequately supported;
- (iii) may recommend the establishment of new, or the modification of existing, GNWT boards to the Executive Council;
- (iv) may recommend GNWT board category assignments to the Executive Council;
- (v) will instruct each GNWT board under their authority on the board's mandate, role and function through letters of expectation or other documents consistent with this Policy and the Governance Framework; and
- (vi) may approve funding policies for GNWT boards.

(e) Deputy Heads

Deputy Heads are accountable for adherence to this Policy within their respective public bodies.

6. Provisions

(1) Governance Framework

The Governance Framework is established to guide GNWT Boards and the creation of new boards. It will be subject to periodic review by the Minister Responsible for the Board Governance Framework, and to approval by the Executive Council. It will include:

- (a) criteria for establishing new boards,
- (b) descriptions of broad board categories and the typical functions and responsibilities for boards in each category,
- (c) roles of key players,
- (d) responsibilities of board members,
- (e) orientation standards for board members, and
- (f) selection process for members of unelected boards.



(2) Public GNWT Board Registry

The Minister Responsible for the Board Governance Framework may record the following information, and all other information he or she may specify as necessary to the administration of this policy, in a registry available to the public:

- (a) names of GNWT boards, their location and their mandates and responsibilities as expressed in writing by the individual Minister responsible;
- (b) GNWT board members, including their home community, past and present GNWT board appointments and the terms of their current appointments;
- (c) GNWT board member criteria; and
- (d) training and orientation received by GNWT board members.

(3) Board Classification

The Executive Council will classify all GNWT Boards based on the following considerations:

- (a) Where a GNWT Board has minimal or no program responsibility, but is primarily concerned with offering non-binding advice or recommendations to a Minister or the agent of a Minister, the GNWT Board may be classified as Advisory;
- (b) Where a GNWT Board operates a corporate entity established under Northwest Territories Statute and where that entity has a considerable degree of operational autonomy and flexibility, and the potential ability to generate revenue, the GNWT Board may be classified as Corporate;
- (c) Where a GNWT Board directs, on behalf of a Minister, program operations or service delivery, including planning, budgeting, staffing and public reporting, the GNWT Board may be classified as Management; or



- (d) Where a GNWT Board is vested with legislated authority to investigate specific matters, weigh evidence and render decisions independent of political structures or influence, the GNWT Board may be classified as Regulatory/Quasi-Judicial.

(4) Creation of New Boards

When contemplating the creation of a new board, the Executive Council will consider whether:

- (a) the work of the proposed board is currently being provided by an existing board or a department;
- (b) the work of the proposed board can be integrated into an existing board or department;
- (c) the work of the proposed board is currently provided by another government, the private sector or a not-for-profit organisation;
- (d) sufficient support, both financial and administrative, is available to enable the success of the board;
- (e) the value added by the proposed board to the achievement of government goals and objectives; and
- (f) the potential impact of and on Aboriginal land claims and self-government agreements.

(5) Significant Changes

When contemplating significant changes to a GNWT board, the Executive Council will consider:

- (a) whether the work of the board can be integrated into or amalgamated with another board or department;
- (b) whether the work of the board is currently provided by another government, the private sector or a not-for-profit organisation;



- (c) the value added by the proposed changes to the achievement of government goals and objectives;
- (d) in the case of the amalgamation of boards, whether the focus and administrative structure of boards is compatible;
- (e) the impact on services to clients and the public;
- (f) the impact on other GNWT boards and departments; and
- (g) the potential impact of and on Aboriginal land claims and self-government agreements.

7. Prerogative of the Executive Council

Nothing in this Policy shall in any way be construed to limit the prerogative of the Executive Council to make decisions or take action with respect to GNWT Boards outside the provisions of this Policy.

Premier and Chairman of the
Executive Council