



**Nipissing First Nation's  
Internal Appeals Board Protocol**

**Principle:**

The Nipissing First Nation believes in the provision of fair and equal treatment for all members and believes in the rights of address through fair and unbiased appeal hearings.

Therefore, the Nipissing First Nation proposes the following protocol to be known as The NFN Internal Appeals Board to hear appeals that may remain unresolved by regular management and administrative processes.

**Proposed Structure**

The Internal Appeals Board would be made up of Three (3) Nipissing First Nation members chosen randomly from a pre-established pool of twenty (20) or more volunteers. The Internal Appeals Board would be drawn from those individuals who responded to an open annual public invitation to serve as rotational members of the Board. Members serving in this capacity would be financially compensated for their contributions.

**Confidential Requirements**

The volunteers would be briefed "In Confidence" by the Executive Director as the nature of the grievance, appeal, and or compliant. All volunteers shall be required to sign "In Confidence Forms" to protect the rights of appellants. Should a volunteer wish to withdraw at this stage, due to potential conflict or for other reasons, a replacement shall be drawn from the pool. Volunteer members will be required to adhere to the NFN Conflict of Interest Directive and all other conflict rules attached to various policies of the Nipissing First Nation.

1

## **Appeals Process**

Once the Internal Appeals Board is established, the Executive Director shall ensure the provision of all relevant documents are at the disposal of the Internal Appeals

Board or that may be requested by Internal Appeals Board.

Additionally, the Executive Director shall ensure the availability of the Program

Manager or other personnel that may be relevant to the hearing as representative(s)

of the Nipissing First Nation.

The Internal Appeals Board shall have the right to review facts prior to any meeting with the Appellant and shall have the right to rule on a matter of appeal

without a meeting with the appellant if the appeal is found in favour of the appellant.

## **Response Time Frames**

While various policies may demand specific response times, every attempt must be

made to respect time frames and personal requirements of individuals. The guiding

principle should be to bring closure and resolution to the appellant. In this regard,

the Internal Appeals Board must endeavour to render its ruling as soon as possible.

## **Responsibilities of Parties**

### **The Appellant**

- The appellant must be a member of the Nipissing First Nation.
- The appellant must have submitted a written policy related grievance, complaint in accordance to the relevant policy(s).
- The appellant must notify the Executive Director if a representative will be used to speak and or present case facts on behalf of the appellant.
- Must respect dates and time allotments set by the Board.

2

### **The First Nation Representative(s)**

- Will provide information requested by the Internal Appeals Board
- Will respond to queries to the best of his / her ability during the appeals process.

\* Will commit to the dates and time frames set by the Board.

### **The Appeals Board**

- will review the mandate set by Council
- review facts pertaining to the appeal within One (1) week of being appointed as members of the Internal Appeal Board
- If required, establish a meeting date with all parties within Two (2) weeks of being appointed as members of the Internal Appeal Board.
- Will render a recommendation(s) to Council within Two (2 ) weeks after meeting with the appellant.
- The mandate of this Internal Appeal Board is then dissolved.

### **Chief and Council**

- Direct the Executive Director to annually replenish the volunteer pool by written invitation.
- Direct the Executive Director to ensure the random selection of the Internal Appeal Board members is carried and the mandate(s) is relayed to the Board.
- Consider the recommendation(s) of the Internal Appeal Board at it next regular meeting within that portion designated as “ Committee of The Whole Council” in order to protect the confidentiality of the appellant.
- Subject to the acceptance or non- acceptance of the recommendations, Chief and Council may direct the Executive Director to action appropriate remedy(s).
- Shall be responsible for the assembling of resources to satisfy any potential settlements or compensations that may be recommended by the Internal Appeal Board.

3 4

### **The Executive Director**

- shall take appropriate steps to ensure policies of the Nipissing First Nation are adhered to.
- shall ensure the mandate of Council is relayed to the Internal Appeal Board members.
- shall ensure the timely provisions of relevant documentation(s) are available to the Internal Appeal Board
- \* Shall ensure the safe keeping of all documentation.
- shall ensure the appellant is informed of the decision.
- shall ensure all documentation is held and maintained in a secured and

confidential manner.

- shall ensure the recommendations of the Internal Appeals Board are relayed to

Council and actions taken.

- Shall ensure the decision(s) are relayed to the Appellant.

**Security Clause**

No one shall be held personally liable for decisions made as a result of the Internal

Appeals Process.

The rights of members to appeal to an “external appeal Body or process” shall not be limited by the NFN Internal Appeal Board and its process.

First Draft of NFN Internal Appeals Board Protocol

February 9, 2004