

LETTER OF UNDERSTANDING

between

Okanagan Nation Alliance and the seven member communities:
Upper Nicola Band, Okanagan Indian Band, Westbank First Nation,
Penticton Indian Band, Osoyoos Indian Band, Lower Similkameen Indian Band
and Upper Similkameen Indian Band

and

Interior Health Authority

(each a “Party” and collectively “the Parties”)

1.0 PURPOSE

- 1.1 The Parties wish to define a collaboratively developed engagement process for the planning of Aboriginal services and operations across their respective territories.
- 1.2 The Parties seek to improve the health outcomes for Aboriginal people by achieving effective shared decision making that will reduce the barriers for Aboriginal people¹ to access better health services.
- 1.3 The Parties commit to working together through meaningful participation and collaboration, to increase the influence of the Okanagan Nation Alliance and the seven member communities in decisions related to health services that impact their members and other Aboriginal peoples residing within Okanagan Territory.
- 1.4 The Parties agree that health outcomes should be comparable for all residents of British Columbia.

2.0 PREAMBLE

- 2.1 The Parties agree to enter into a mutually beneficial relationship that will work toward, in a quantifiable and qualitative manner, shared responsibility and shared decision making as it impacts the provision of Health Services to Aboriginal people.
- 2.2 The Parties agree to use a cooperative, collaborative approach to improving the health status of Aboriginal individuals, families and communities through the design, delivery and evaluation of culturally safe health programs and services.
- 2.3 Interior Health Authority acknowledges the inherent rights of the *Syilx* people. Further, Interior Health Authority recognizes that the Okanagan Nation Alliance and the seven

¹ See Glossary for definition.

member communities represent their citizenry regardless of residency and supports the Syilx pursuit of its rights to retain responsibility for the health, safety, survival, dignity and well-being of Syilx children and families, consistent with the UN Convention on the Rights of the Child and the UN Declaration on the Rights of Indigenous people².

- 2.4 The Parties agree and understand that this Letter of Understanding pertains to the Interior Health Authority's roles and responsibilities according to the purpose and description under the Health Authorities Act, Section 5(1) and Section 5(2), which states that:

“(1) The purposes of a board are as follows:

- (a) To develop and implement a regional health plan that includes
 - (i) the health services provided in the region, or in a part of the region,*
 - (ii) the type, size and location of facilities in the region,*
 - (iii) the programs for the delivery of health services provided in the region,*
 - (iv) the human resource requirements under the regional health plan, and*
 - (v) the making of reports to the minister on the activities of the board in carrying out its purposes.**
- (b) To develop policies, set priorities, prepare and submit budgets to the minister and allocate resources for the delivery of health services, in the region, under the regional health plan.*
- (c) To administer and allocate grants made by the government for the provision of health services in the region.*
- (d) To deliver regional services through its employees or to enter into agreements with the government or other public or private bodies for the delivery of those services by those bodies.*
- (e) [Repealed 2002-61-4] therefore not applicable.*
- (f) To develop and implement regional standards for the delivery of health services in the region.*
- (g) To monitor, evaluate and comply with Provincial and regional standards and ensure delivery of specified services applicable to the region.*

(2) In Carrying out its purposes, a board must give due regard to the Provincial standards and specified services.”

3.0 PRINCIPLES

The development of this Letter of Understanding was based upon the following principles:

² See the ONA Declaration in Appendix 1.

- 3.1 The Parties acknowledge and respect established and evolving jurisdictional and fiduciary relationships and responsibilities, and will seek to remove impediments to progress by establishing effective working relationships.
- 3.2 The planning and coordination of Interior Health Authority services for Okanagan Nation Alliance members will be more effective if there is increased participation of the Okanagan Nation Alliance and the seven member communities in the planning of services.
- 3.3 The Letter of Understanding is a living document that will transcend changes within the Parties and will represent an integrated approach to the enhancement of relationships and development of services.
- 3.4 The Parties acknowledge and respect the need for transparency and reciprocal accountability.

4.0 GEOGRAPHIC AREA

The activities referred to in this Letter of Understanding will be applicable within that portion of the *Syilx* (Okanagan) Territory which lies within British Columbia as shown in Appendix 2.

5.0 SERVICE PROVISION

The Parties agree that:

- 5.1 Mutual respect, trust, openness, accountability and transparency will be the basis of the understanding and foundation of the relationship established under this Letter of Understanding; the Four Food Chiefs as defined in the *Syilx* Health Plan³ are to be utilized as guiding principles.
- 5.2 The planning for and the provision of health services will be inclusive of all Aboriginal people, and services will be culturally safe.
- 5.3 The Okanagan Nation Alliance may represent other organized groups of Aboriginal people provided that there are formal written agreements to that effect.
- 5.4 Every effort will be made where possible to create culturally safe services, and to harmonize and integrate programs and services.
- 5.5 Activities will be carried out with a view to maintaining principles of sustainability, efficiency and effectiveness without limiting innovation, improved access or quality and by building on existing best practices.
- 5.6 Appropriate methods will be used to measure outcomes, including a strengths-based approach (e.g. client focused, holistic or “wrap-around”).
- 5.7 Mutually agreed upon indicators of health will be followed as a baseline for measurement, and there will be a balance of qualitative and quantitative outcomes.

³ See Appendix 3

6.0 ACTIVITIES

- 6.1 To improve the health outcomes for Aboriginal people, the Parties will carry out specific actions including but not limited to the following:
- 6.1.1 Review of the existing standards.
 - 6.1.2 Development of service delivery systems to better reflect the cultural context of Aboriginal people.
 - 6.1.3 Development of a consistent and harmonized planning process.
 - 6.1.4 Establishment of common indicators, targets, milestones and benchmarks.
 - 6.1.5 Review alignment within health plans, including setting standards, targets, outcomes and measurements.
 - 6.1.6 Engagement in dialogue, identification of linkages and establishment of networks with other Aboriginal and non-Aboriginal stakeholders.
 - 6.1.7 Identification of those matters including policy issues that will address gaps and eliminate duplication.
- 6.2 The Parties will establish a Joint Committee and working groups (with specific terms of reference and deliverables) to carry out the activities set out in paragraph 6.1.

7.0 IMPLEMENTATION

As per 6.2 above, the Parties will establish a “Joint Committee” comprising representatives from all Parties that will be tasked with responsibilities which may include, but are not limited to:

- 7.1 Development of a strategy for building relationships between the Parties, including an engagement strategy and communication and consultation processes.
- 7.2 Development of protocols between the Parties including the sharing of information on initiatives that are of interest or are shared between the Parties.
- 7.3 Prioritization of services.
- 7.4 Laying the foundation for relationship documents (e.g. Letters of Understanding, Memorandum of Understanding, etc.) between the Parties on specific service-related issues.
- 7.5 Overseeing research projects involving Aboriginal people or communities, applying the principles of Ownership, Control, Access and Possession (OCAP).
- 7.6 Where appropriate, establishment and implementation of a process for establishing and reviewing the activities of specific working groups to ensure that their work builds upon existing processes, explores and incorporates best practices and maximizes the value added to planning processes and service delivery (including Terms of Reference and deliverables).
- 7.7 Reviewing the Parties’ Health Plans to ensure alignment with each other and with the Tri-Partite First Nations Health Plan.
- 7.8 Development, agreement and implementation of a Data Sharing Agreement.

7.9 Determination of and agreement upon the process and procedures for the evaluation of this Letter of Understanding and the implementation of subsequent recommendations.

7.10 The Joint Committee representatives will report through their respective organizations.

8.0 RESOURCE REQUIREMENTS

8.1 It is acknowledged that through the Ministry of Health, Interior Health Authority is responsible for the provision of health services to all citizens.

8.2 The Parties will identify the human, financial and capital resources and potential sources of funding required to achieve the goals of the Letter of Understanding.

8.3 The Parties will work cooperatively to secure resources, both internally and externally.

9.0 COMMUNICATION AND INFORMATION SHARING

9.1 Communication between the Parties will be transparent, regular and reciprocal.

9.2 The Parties will work together within the legislative framework, e.g. Freedom of Information and Protection of Privacy Act (FOIPPA) etc., to coordinate and determine the most effective and efficient means of data exchange, system integration and information-sharing to the fullest extent possible.

9.3 The principles of Ownership, Control, Access and Possession (OCAP) will be consistently applied wherever applicable.

10.0 EVALUATION OF LETTER OF UNDERSTANDING

The Parties will review the Letter of Understanding annually or as otherwise agreed by all Parties. As per paragraph 7.9 above, the Joint Committee will determine and agree the process and procedures for the evaluation and implementation of subsequent recommendations.

11.0 OTHER AGREEMENTS

11.1 The Parties acknowledge and agree that this Letter of Understanding is between the Parties identified and should not be interpreted as having any influence, bearing or impact on other agreements including, but not limited to:

11.1.1 Enabling Agreements (i.e. contracts).

11.1.2 Federal Health Transfer Agreement including the Tri-Partite Agreement.

11.1.3 Protocols or Agreements between Okanagan Nation Alliance and other Aboriginal or non-Aboriginal entities.

11.2 The Parties agree that this Letter of Understanding is not prejudicial to the implementation of any inherent right of self-government or any agreements that may be negotiated with respect to self-government.

12.0 PROCESSES

12.1 This Letter of Understanding does not extend to the following processes:

12.1.1 Interior Health Authority Corporate planning.

12.1.2 Okanagan Nation Alliance organizational/business planning.



12.1.3 Planning processes conducted by the seven member bands (for example, strategic plans and community plans).

12.2 The Parties agree to use a consensus-building model.

13.0 TERM

13.1 Duration: The term of the Letter of Understanding will be four years from the date of the signing.

13.2 Extension: The term of the Letter of Understanding may be extended by mutual consent of the Parties.

13.3 Resolution of Issues: The Parties will work towards remedy of any issues pertaining to this Letter of Understanding through a mutually agreed-upon process (such as mediation).

13.4 Termination: If mediation and/or resolution cannot be achieved, the Parties agree that either Party may terminate this agreement by providing sixty (60) days written notice, including the cause for termination.

14.0 AMENDMENT

The Letter of Understanding may be amended by the Parties at any time by mutual consent of all Parties, in writing.

Dated this 13th day of June, 2012

Signed by:

Okanagan Nation Alliance

Interior Health Authority

Grand Chief Stewart Phillip,
Okanagan Nation Alliance Chair

Dr. Robert Halpenny,
President and
Chief Executive Officer

Pauline Terbasket,
Okanagan Nation Alliance
Executive Director

Norman Embree,
Board Chair, Interior Health
Authority

Witnessed by:

Jacki McPherson,
ONA Wellness Committee Member

The Declaration

Sts-oomsts yeeh
S-Ooknahkchinx
OKANAGAN NATION
DECLARATION

Yeeh koo S-Ooknahkchinx kgoolhentem yarpnah shchelhcharlt kchlkidekmintet kgel yayart yeeh sentsoo-weepet. Oohtl yalah yarpnah koo tsoot.

We, the Okanagan Nation make this declaration today as a sign for every generation to come. Therefore, we hereby declare that:

Mneemhtlet yeeh koo xahtmaskchilwk, koo temskchiwheweh yalah te temwhoolahwh, yeeh toomhtemhtet.

We are the unconquered aboriginal peoples of this land, our mother;

Telh kgoolhentsooten swhtzetzxtet yeeh toomhtemhtet, ksnpee-eelshmenhtemh, kstxetdenhtimh oothl kskgethikchiwhenhtemh.

The creator has given us our mother, to enjoy, to manage and to protect;

Telhs mecas qchesapih, yeeh koo xahtmaskchilwh koos queleewx eel toomhtemhtet.

We, the first inhabitants, have lived with our mother from time immemorial;

Yeeh koo S-Ooknahkchinx yeeh tzohehntsootentet koo xeehxechstim koo kgel yayart phchwikstmentem an hchastan yeeh telh toomhtemhtet.

Our Okanagan Governments have allowed us to share equally in the resources of our mother;

Loot penhkinh tde xeehxechxexmentem yeeh stehltethlet yeeh kgel toomhtemhtet, yeeh telh toomhtemh an hchastantet, yeeh txddeplahntentet oothl yeeh noonemwhenahtentet.

We have never given up our rights to our mother, our mother's resources, our governments and our religion;

Loot penhkinh koo tdeks ntzespoolawhahx. Peentk kstxdiplahntemh yeeh telh toomhtemh an hchastantet koo kgel yayart, telh yarpnah oothl ideswhoois.

We will survive and continue to govern our mother and her resources for the good of all for all time.

CHIEFS AND COUNCILORS

OSOYOOS INDIAN BAND

Chief - Clarence Louis
Councilors - Vernoyd McClellan
- Thomas Alex

PENTICTON INDIAN BAND

Chief - Adam Enns
Councilors - Jeanette Amelberg
- Leo Orland
- Joseph Pierre

UPPER SIMILKAMEEN INDIAN BAND

Chief - Hazel Squakim
Councilors - Karen Holmes
- Carrie Allison

LOWER SIMILKAMEEN INDIAN BAND

Chief - James Wilson
Councilors - Richard Terhune
- Ralph Best
- Pauline Terhune

OKANAGAN INDIAN BAND

Chief - Murray Alexis
Councilors - Gerald Alexis
- Johnny Tim Alexis
- Albert Saddlamen

WESTBANK INDIAN BAND

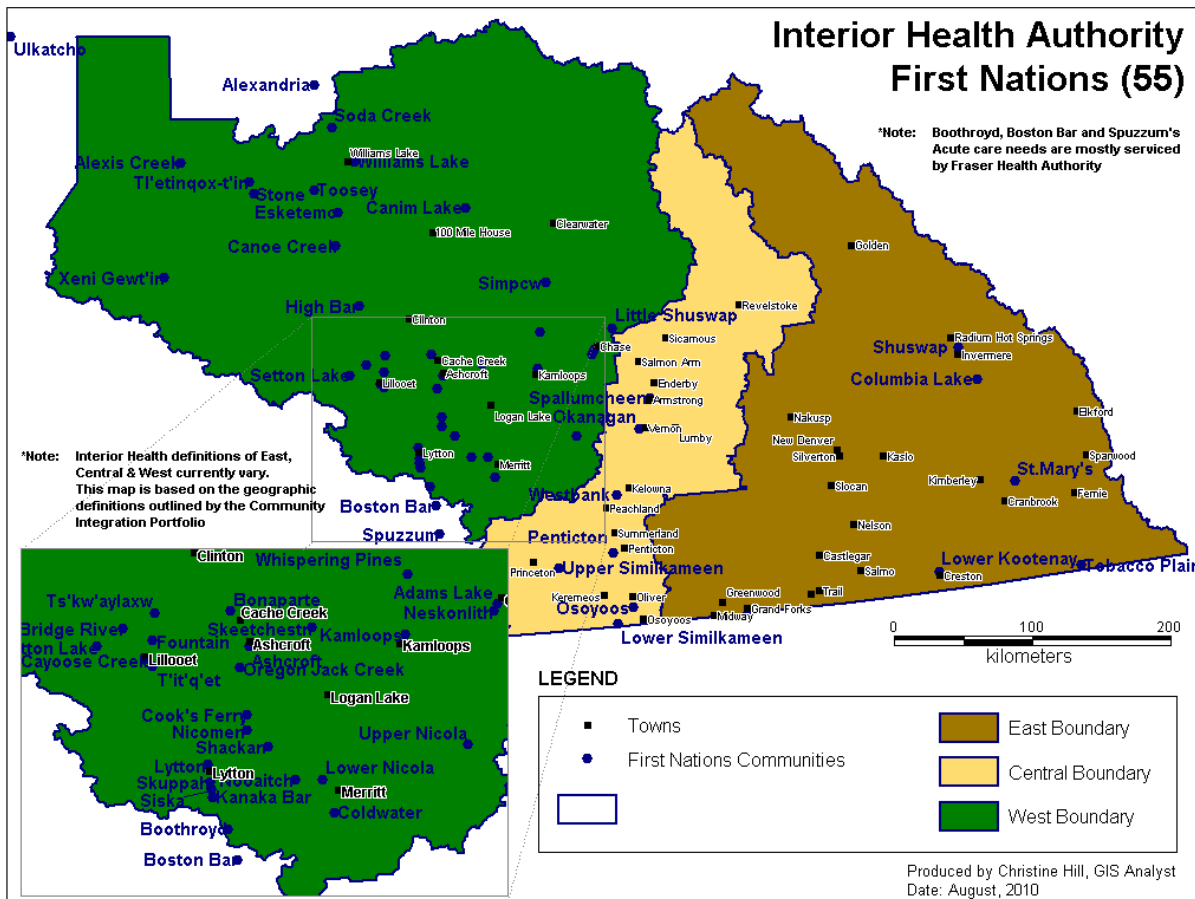
Chief - Robert Laurie
Councilors - Harold Davidson
- Rose Davidson

NICOLA INDIAN BAND

Chief - Ted Holmes
Councilors - Harvey McLeod
- Walter Archibald
- Shane Lindsay
- Richard McLeod

The ONA Territory

The Okanagan Nation territory includes an area that extends over approximately 69,000 km. The northern area of this territory is close to the area of Mica Creek, just north of modern-day Revelstoke, B.C., the eastern boundary lies between Kaslo and Kootenay Lakes. The southern boundary extends to the vicinity of Wilbur, Washington, and the western border extends into the Nicola Valley. The map below is the IHA region, showing our communities.



Syilx Health Plan 2010

Extract: The Four Food Chiefs

Chief Siya (Saskatoon Berry) – Vision & Innovation Perspective

For **Syilx** people, health is multifaceted, holistic and interconnected. The health of the **Syilx** people is reflected in the health of the individual, family, community and land. These elements are inseparable and cannot be looked at in isolation. The survival of the Nation as a whole is dependent on the well-being of the individuals, the families, and the community. The reverse is also true. We know that cultural pride, cultural identity and traditional knowledge are important to our individual health and to the health of our families, the community and the land. The long history of colonization has therefore played a major role in the current health of individuals, families and the Nation. This was very evident in the environmental scan.

We have therefore applied our Indigenous “way of knowing” as the framework for this Health Plan.

“**COMMUNITY**” in Nsyilxcən (Okanagan) is a word that has the meaning that we are ‘**OF ONE SKIN**’. The one skin is not referring so much to the idea that we’re biologically related as to the idea that we share something which gives us a covering, a security, a protection – in the same way that our skin, stretched over our blood and bones protects us from dissipating back into our larger selves which is the external world. Your skin holds you together.”

Syilx Cultural Framework

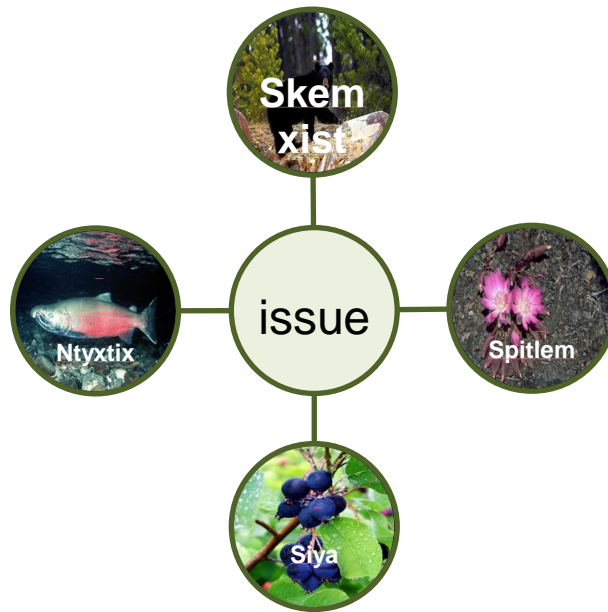
The **Syilx** people have passed down their cultural way of knowing from one generation to the next, orally through storytelling. When we tell **Chaptikwl**, “our stories”, we breathe life into the ember that is waiting to come alive again. When we talk about how we are going to reclaim and restore the well-being of our communities, we are breathing life into our words and into our actions and into the people. This is a regenerating experience that creates fluid dynamic movement and begins to address the years of oppression when the colonial governments attempted to silence our stories, literally to strip us of the knowledge of our ancestors.

The *Syilx* (Okanagan) cultural framework is built on the foundation of *Syilx* cultural ways of knowing and of being and is drawn from a *Chaptikwl* called “*How Food was Given.*” In this story, *Kul’nchut’n* (creator) visited the *Tmixw* (including but not limited to the people, animal plants, air and water). *Kul’nchut’n* (creator) sent *Senklip* (coyote) to prepare for the future of the *Stelsqilxw* (people-to-be). *Kul’nchut’n* told the *Tmixw* that people were coming. The **four (4) Chiefs: *Skemxist*** (Black Bear) *Siya* (Saskatoon Berry), *Spitlem* (Bitter Root), *Ntyxtix* (King Salmon) then came together and made a plan for how to feed **Stelsqilxw** (people to be). The story then tells how the differing perspectives of the four chiefs were brought together to inform the discussion, the problem solving, the decision making and the action plan.

The *Chaptikwl* illustrates the *Enowkinwixw* process, the cultural practice or discipline that describes how to plan, solve problems, make decisions, resolve conflicts and/or develop an action plan. It brings people together to dialogue on specific issues. The practice welcomes, encourages and supports the expression of differing perspectives that, at times, may be in opposition to each other. The practice of *Enowkinwixw* embraces the dynamic tension that emerges and uses it to develop a collective understanding or to shape a shared approach to an issue or concern. This process has been described as a “mind meld” (Okanagan Nation Response Team 2007 Booster Training Session).

Enowkinwixw is a consensus based practice developed on the principles of respect, trust and inclusion. The following principles/actions are embedded within the process.

- Consensus
 - Establishment of Common Ground
 - Protocols for discussion
 - Full participation
 - Commitment to see the process to its end, regardless of the time involved
 - Differing perspectives (*Siya, Spitlem, Skemxist, Ntyxtix*) that have a defined place: Innovators, Traditional, Action, and Relationships
- The process is complete when an action and implementation plan incorporating all views is in place.



Differing Perspectives

“How Food was Given” is a teaching that illustrates how the Okanagan/Sylx community can come together and make decisions about how to take care of future generations, especially in relation to their well being. It lends itself very well to providing a framework for, and an understanding of, the four main components of our health plan.

The Four Food Chiefs are described as having the following attributes (please note this list is not meant to be exhaustive.)

Siya (Saskatoon Berry)	Chief of all things growing above Land	Youth Innovation/Creative	We CAN do it No Barriers Think BIG Creative
Spitlem (Bitterroot)	Chief of all Roots	Female Relationships	Interconnectedness Nurturing
Skemxist (Black Bear)	Chief of all 4 legged Animals	Elder Tradition	Protocols Culture Contemplation/Thinking
Ntyxtix (King Salmon)	Chief of all that is in the Water	Male Action	Get it done Timely Efficient Planning

- 1 **Chief Siya** (Saskatoon Berry) embodies the spirit of creative energy, vision and innovation that can be associated with Youth. In this section of our health plan we provide those components that relate to the Nation’s **vision** and the **innovation** associated with the use of the **Sylx Cultural Framework** to assist in the understanding of the health plan.
- 2 **Chief Spitlem** (Bitter Root) describes relationships, and the interconnectedness among **Tmixw** including but not limited to the people, the animals, the plants, the land, the air and the water. This provides the “context” in which individuals, families and communities endeavor to live in harmony with each other, and with their relatives - the animals, the plants and the land. This section of our plan provides a description of the Okanagan Nation Alliance (ONA) including its **structure, capacity** and existing **programs**, and profiles of the seven Okanagan member Bands and the Wellness Committee. The need for the health plan and the phases of the health plan are also described.
- 3 **Chief Skemxist** (Black Bear) represents the traditions and cultural practices, the concept of reflection and contemplation on “what is” informed by an understanding of the past and how that is connected to the future. It is this understanding that then shapes development of protocols. In this section of the health plan, the **environmental context, the analysis of data, research, key findings** and the establishment of **priorities** are the focus.
- 4 **Chief Ntyxtix** (King Salmon) exemplifies the process of preparing (readiness), determining the objective (aim), and then taking action (act). In this section, the **Findings, Action Plan** and the **Conclusions** are presented.

The concepts of individual, family, community, land (Armstrong, J. 2000-Let us begin with courage) are defined thus:

*“Each **individual** person is singularly gifted, each person actualizes full human potential only as a result of physical, emotional, intellectual and spiritual well-being – those four aspects of existence are always contingent on external things. Each individual is a single facet of a trans-generational organism known as family.”*

*“Through this organism flows the powerful lifeblood of cultural transference designed to secure the best probability of well-being for each of the generations. **Family** systems are the foundation of a long-term living network called community.”*

*“In its various configurations this network spreads its life force over centuries and across physical space; it uses its collective knowledge to secure the well-being of all by the short- and long-term choices made via its collective process. A **community** is the living process that interacts with the vast and ancient body of intricately connected patterns in perfect unison called the land.”*

*“**Land** sustains all life and must be protected from depletion in order to insure its continued good health and ability to provide sustenance over generations.”*

All of these Syilx concepts and framework are integrated in the Wellbeing of the Syilx.

Appendix 4

Glossary of Terms

Aboriginal People	Aboriginal People include all Indigenous people of Canada. The Constitution recognizes three groups of Aboriginal people: Status and Non-Status First Nations, Métis and Inuit.
ONA Member Bands	Okanagan Indian Band, Westbank First Nation, Penticton Indian Band, Lower Similkameen Indian Band, Upper Similkameen Indian Band, Upper Nicola Indian Band, Osoyoos Indian Band.
Cooperate	To act or work together with another or others for a common purpose.
Collaborate	To work with another party towards a shared goal.
Consultation	A process by which the interested party's input on matters affecting them is sought. Note: IH will consult (confer) with the ONA on issues that pertain to the Nation as a whole. Specific band issues will be the responsibility of IH and the band. Recognizing that there are some changes that IHA has no control over (e.g. at Ministry level), IH determined service changes that impact bands will be required to include consultation process with the band.
Cultural Safety	Cultural safety is the effective care of a person/family from another culture by a health-care provider who has undertaken a process of reflection on their own cultural identity and recognizes the impact of the health-care provider's culture on their practice. Unsafe cultural practice is any action which diminishes, demeans or dis-empowers the cultural identity and well-being of an individual.
Client focused, holistic or "wrap-around"	These terms are used within the respective Parties to reflect similar principles. Terms that are also used include "recipient of service" (not client) thus the appropriate terminology will be used in each context.
Mediation	Mediation is a voluntary settlement negotiation facilitated by a neutral third party who has no decision-making power (as defined by the BC Dispute Resolution Office).

Acronyms

FOIPPA	Freedom of Information and Protection of Privacy Act
IHA	Interior Health Authority
LSIB	Lower Similkameen Indian Band
OCAP	Ownership, Control, Access and Possession
OIB	Osoyoos Indian Band
OKIB	Okanagan Indian Band
ONA	Okanagan Nation Alliance
PIB	Penticton Indian Band
UNB	Upper Nicola Band
USIB	Upper Similkameen Indian Band
WFN	Westbank First Nation