First Nations Data Governance Policy
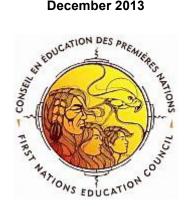**A Policy for First Nations Innovation - http://fn-innovation-pn.com**
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Atlantic Canada's First Nation Help Desk / Mi'kmaw Kina'matnewey http://firstnationhelp.com	**First Nations Education Council** http://cepn-fnec.com	**Keewaytinook Okimakanak** http://knet.ca

This document outlines a community-based data governance policy for discussions, negotiations and cooperation between First Nations and stakeholders such as governments and universities.

1. Data is the digital information generated by a community. It encompasses areas like finance, health, research and education. Data and data management tools, competencies, and capacities help with planning and decision-making, improve accountability, and measure success. A clear and comprehensive policy supports First Nations and self-government.

2. Jurisdiction over data rests with the community, and each autonomous First Nation has the right to determine how jurisdiction is interpreted and enforced. First Nations have always recognized and respected protocols pertaining to the collection, use, and sharing of community information.

3. The community has the authority to decide which community data will be shared with external entities such as governments and researchers. Legal instruments compel First Nations to share some information with external organizations and the public. First Nations should restrict data-sharing to minimal levels required by law or contract and negotiate confidentiality clauses. *First Nations Privacy Legislation* can set out clear rules for principles, authorities, and procedures. The Tri-Council Policy Statement, TCPS2, outlines protocols for First Nations control of research data.

4. Formal agreements outline roles, responsibilities, and accountabilities for data sharing among partners. They clarify details on planning, delivery, and evaluation in all aspects of data and information management. They address the balance between local control and a 'community aggregate' approach that shares tools, applications, and data to leverage economies of scale and support smaller-population and/or remote communities.

5. The ideal situation is for First Nations to manage data governance themselves. However, communities are at different levels of readiness. They require adequate staffing, infrastructure, resources and support. This includes considerations of technical, legal, and privacy expertise.

6. Data governance requires an enabling environment that includes technical architectures (infrastructure and connectivity), data management platforms (ex. Datavan), and personnel. Security, transparency, and privacy are key. This environment must be scalable, customizable, and interoperable. It includes local First Nations Data Centres and/or regional Centres of Excellence.

Evidence and references for the First Nations Data Governance Policy
Note: To access a publication listed below, click on the link.

J.Whiteduck (2010). E-Community chapter in Aboriginal Policy Research Book. Whiteduck, J. (2010). Building the First Nation e-community. In J. P. White, J. Peters, D., Beavon, & P. Dinsdale (Eds), *Aboriginal policy research VI: Learning, technology and traditions* (pp. 95-103). Toronto: Thompson Educational Publishing.

Assembly of First Nations. (2007). OCAP: Ownership, Control, Access and Possession – First Nations Inherent Right to Govern First Nations Data. http://64.26.129.156/misc/ocap.pdf

OCAP principles / First Nations Information Governance Centre http://www.fnigc.ca/

Legal Instruments that compel First Nations to share data: ex. *First Nations Financial Transparency Act* and *Access to Information Act*). First Nation lands are not subject to provincial search warrants.

TCPS 2—2nd edition of *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans:* http://www.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/Default/
In particular, **Chapter 9, Research Involving the First Nations, Inuit and Métis peoples of Canada** http://www.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/chapter9-chapitre9/

FNEC's Information System Management Policy
FNEC developed an information system management policy. Resources include: information on managing school information and data; policies outlining responsibilities and requirements; and forms on privacy, confidentiality, and similar issues.

Regional Health Survey (RHS)
A First Nation-controlled survey that is supported by all 10 regions as the 'survey of choice' through National and Regional resolutions. http://www.rhs-ers.ca/node/12

Tui'kin Initiative
Five First Nations on Cape Breton created a health data governance platform for joint planning and collaboration with Nova Scotia's Minister of Health. It is governed by the Unama'ki Data Access Committee. Decisions to allow use or disclosure of the Unama'ki Client Registry require written consent from each of the First Nation representatives and the Department representative.

FNEC's CANO Data Management Platform
Among FNEC's members, CANO is the standard information system to assist with data management. It is available to all of FNEC's member communities, and training is provided free of charge. It is a flexible system that supports local customization to meet the needs of diverse communities and stakeholders, including through web-based tools (for example, SharePoint) for client access and services. The CANO system enables school staff and administrators to consolidate or add applications currently used to manage finance, budgets, human resources, and other enterprise applications.

Membertou Data Centre - http://meeting.knet.ca/mp19/mod/data/view.php?d=31&rid=879
Membertou Data Centre houses community health data, manages network connectivity, and provides technical support services. Individual communities manage their own data through a server-based model, backed up by the Data Centre. In their agreement with the Data Centre, First Nations outline:
- Service level agreements that specify the nature and range of services provided;
- How technical support is provided and accessed;
- Standards associated with the implementation of a secure data room; and
- System security and privacy issues related to First Nation data.