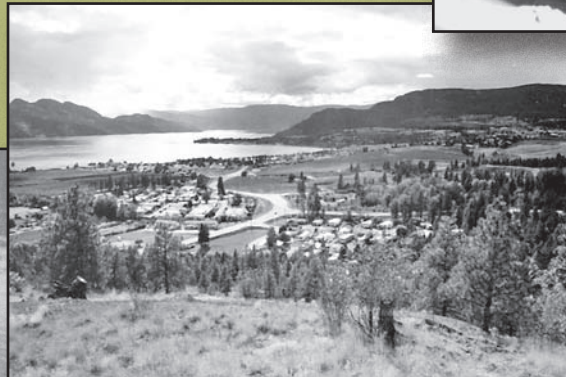
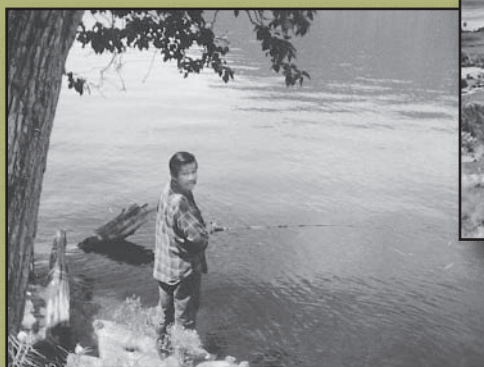
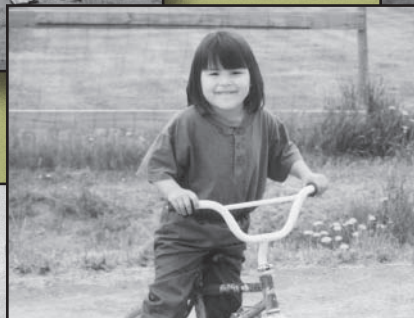


Social Assistance on Reserve in British Columbia



Legal
Services
Society

British Columbia
www.lss.bc.ca

Social assistance benefits | Disability benefits | Other benefits

September 2005

© 2005 Legal Services Society, BC

Third edition: September 2005

Writers: Cliff Thorstenson and Andrée Harley
Reviewers: Rene Beauchamp, Carol Derickson
Editor: Kathryn Spracklin
Designer: Gillian Boyd
Cover design: Dan Daulby
Project co-ordinator: Fran Auckland
Publishing co-ordinator: Candice Lee

This publication may not be reproduced commercially, but copying for other purposes, with credit, is encouraged.

This booklet is a publication of the Legal Services Society (LSS). LSS is a non-government organization that provides legal aid to low-income British Columbians. LSS is funded by the provincial government, the Law Foundation, the Notary Foundation, and, indirectly, the federal government.

Important — Please read

This is an updated edition of the booklet formerly called *Welfare Rights on Indian Reserves in British Columbia*. It includes the most recent information on social assistance rights on reserve available from Indian and Northern Affairs Canada (INAC) as of September 2005. However, social assistance policies and benefits change. For more information or to check the accuracy of this booklet, please read the INAC *Social Development Program Policy and Procedures Manual*. (You can find this manual at INAC offices and all band offices, or on the website of the Social Development Resource Centre at www.resourcecentre.org.)

Please note that this booklet explains social development policy in general. It is not intended to give you legal advice on your particular problem. Because each person's case is different, you may need to get legal help.

Library and Archives Canada Cataloguing in Publication Data

Thorstenson, Cliff.

Social assistance on reserve in British Columbia. -- 3rd ed.

"Writers: Cliff Thorstenson and Andrée Harley."--P.

Previously published: Nahanee, Teresa Ann. Welfare rights on Indian reserves in British Columbia. 2003. ISBN 0-7726-5458-1

1. Indians of North America - British Columbia - Public welfare. 2. Income maintenance programs - British Columbia. 3. Public welfare - British Columbia. 4. Federal aid to Indians - British Columbia. I. Harley, Andrée. II. Nahanee, Teresa Ann. Welfare rights on Indian reserves in British Columbia. III. Legal Services Society of British Columbia. IV. Title.

E78.B9T46 2005

362.5'82'089970711

C2005-960232-5

Updated social assistance benefit rates as of February 2008

Page 11

Table 3 Social assistance benefit and PPMB rates

| Family size | Basic needs (support) allowance* | Shelter allowance maximum** | Total payment |
|---|----------------------------------|-----------------------------|---------------|
| Employable single person under 65 | \$235.00 | \$375.00 | \$610.00 |
| Single person 65 or over | 531.42 | 375.00 | 906.42 |
| Single person under 65 on PPMB | 282.92 | 375.00 | 657.92 |
| Employable single parent under 65 and 1 child | 375.58 | 570.00 | 945.58 |
| Single parent 65 or over, and 1 child | 672.08 | 570.00 | 1,242.08 |
| Single parent on PPMB and 1 child | 423.58 | 570.00 | 993.58 |
| Employable couple under 65 | 307.22 | 570.00 | 877.22 |
| Couple, both 65 or over | 949.06 | 570.00 | 1,516.06 |
| Couple, 1 person under 65, 1 over 65 | 700.56 | 570.00 | 1,276.56 |
| Couple both under 65, and on PPMB | 452.06 | 570.00 | 1,022.06 |
| Employable couple under 65 and 1 child | 401.06 | 660.00 | 1061.06 |
| Couple, both on PPMB and 1 child | 546.06 | 660.00 | 1,206.06 |

Note: A minimum shelter allowance of \$75 per month is guaranteed to recipients who are 60 to 64 years old or who are receiving PWD benefits.
 *The basic needs (support) allowance does not increase if you have more than one child.
 **Shelter rates go up \$35 per month for each additional person in your family (beyond 2 people).

Page 15

Table 4 PWD rates

| Family size and composition | Basic needs (support) allowance* | Shelter allowance maximum** | Total payment |
|--|----------------------------------|-----------------------------|---------------|
| Single person on PWD | \$531.42 | \$375.00 | \$906.42 |
| Single parent on PWD and 1 child | 672.08 | 570.00 | 1,242.08 |
| Single parent on PWD and 2 children | 672.08 | 660.00 | 1,332.08 |
| Couple, one on PWD | 700.56 | 570.00 | 1,270.56 |
| Couple, both on PWD | 949.06 | 570.00 | 1,519.06 |
| Couple, both on PWD and 1 child | 1,043.06 | 660.00 | 1,703.06 |
| Couple, one on PWD, the other over 65 | 946.06 | 570.00 | 1,516.06 |
| Couple, one on PWD, the other over 65, and 1 child | 1043.06 | 660.00 | 1,703.06 |

Note: A minimum shelter allowance of \$75 per month is guaranteed to recipients who are 60 to 64 years old or who are receiving PWD benefits.
 *The basic needs (support) allowance does not increase if you have more than one child.
 **The PWD shelter rate increases by \$90 for the third person, \$40 for the fourth person, \$50 for the fifth person, and \$35 for each additional person.

Table 5 Hardship assistance rates

| Family size | Basic needs (support) allowance* | Shelter allowance maximum** | Total payment |
|--|----------------------------------|-----------------------------|---------------|
| Single person under 65 | \$235.00 | \$375.00 | \$610.00 |
| Single person over 65 or on PWD | 531.42 | 375.00 | 906.42 |
| Single person on PPMB | 282.92 | 570.00 | 852.92 |
| Single parent under 65 and 1 child | 375.58 | 570.00 | 945.58 |
| Single parent on PPMB | 423.58 | 570.00 | 993.58 |
| Single parent 65 or over, or on PWD, and 1 child | 672.08 | 570.00 | 1,242.08 |
| Couple, both under 65 | 307.22 | 570.00 | 877.22 |
| Couple, both under 65, both on PPMB | 452.06 | 570.00 | 1,022.06 |
| Couple, 1 65 or over, or on PWD | 700.56 | 570.00 | 1,270.56 |
| Couple, 1 65 or over or on PWD, and 1 child | 794.56 | 660.00 | 1,454.56 |
| Couple, both under 65 and 1 child | 401.06 | 660.00 | 1,061.06 |
| Couple, 1 on PPMB | 396.22 | 570.00 | 956.22 |
| Couple, both on PWD | 949.06 | 570.00 | 1,519.06 |
| Couple, both on PWD, and 1 child | 1043.06 | 660.00 | 1,703.06 |
| Couple, 1 on PPMB, and 1 child | 490.06 | 660.00 | 1,150.06 |
| Couple, both on PPMB, and 1 child | 546.06 | 660.00 | 1,206.06 |

*The basic needs (support) allowance does not increase if you have more than one child.
**Shelter rates go up \$35 per month for each additional person in your family (beyond 2 people).

Shelter rates at a glance

| Family size | Maximum shelter allowance |
|-------------|---------------------------|
| 1 | \$375.00 |
| 2 | 570.00 |
| 3 | 660.00 |
| 4 | 700.00 |
| 5 | 750.00 |
| 6 | 785.00 |
| 7 | 820.00 |

Note: Add up to \$35 per month for each family member (beyond 7 people).

Increases to other allowances

| Page # | Description | |
|--------|---------------------------|---------------------------------------|
| 20 | Guide animal allowance | \$95.00 per month |
| 22 | Natal allowance | \$45.00 per month |
| | | \$90.00 per month for multiple births |
| 22 | School start up allowance | \$84.00 for children aged 5–11 |
| | | \$116.00 for children aged 12–18 |



Contents

Contents

| | |
|---|----|
| Part 1: Introduction | 1 |
| Who is this booklet for? | 1 |
| What is social assistance on reserve? | 2 |
| Part 2: Applying for social assistance | 4 |
| Where do I apply for social assistance? | 4 |
| What do I bring to my first appointment? | 4 |
| What if I move off reserve? | 5 |
| What are my responsibilities while on social assistance? | 5 |
| What if I disagree with a decision about my case? | 6 |
| Part 3: Monthly benefits | 7 |
| How do I qualify for monthly benefits? | 7 |
| What is the social assistance benefit? | 10 |
| What are Persons with Persistent Multiple Barriers (PPMB) benefits? | 12 |
| What are Persons with Disabilities (PWD) benefits? | 13 |
| What is hardship assistance? | 16 |
| Part 4: Other benefits | 19 |
| Special allowances | 19 |
| Additional benefits, allowances, and services | 24 |
| Part 5: Appeals and complaints | 29 |
| How do I ask for an appeal? | 29 |
| What is an administrative review? | 29 |
| What if I don't like the results of the administrative review? | 30 |
| What happens at an appeal hearing? | 30 |
| What happens after the appeal hearing? | 31 |
| What if I don't like the appeal committee's decision? | 31 |



| | |
|---|-----------|
| What can I do if the appeal procedure is not followed?..... | 31 |
| How do I make a complaint about my worker? | 31 |
| Part 6: Protecting your rights | 32 |
| Who can help me with social assistance on reserve? | 33 |
| What if I need legal aid? | 35 |
| Glossary | 36 |



Introduction

This booklet describes what you can do if you need financial help and you live on reserve in British Columbia. It explains the following:

- How social assistance on reserve works
- How social assistance on reserve is different from assistance off reserve
- What social assistance benefits you can get on reserve
- Who can get social assistance on reserve
- How to get social assistance on reserve
- What to do if you're turned down for social assistance benefits

Earlier editions of this booklet were called *Welfare Rights on Indian Reserves in British Columbia*.

Who is this booklet for?

This booklet is for you if you live on reserve in British Columbia and you need financial help — even if you are not a First Nations person. It will help you even if you're staying on a reserve for a short time only.

This booklet does not describe the rules about social assistance off reserve (known as income assistance or welfare) — even if you are a First Nations person. If you live off reserve, you can apply for assistance at the nearest office of the BC Ministry of Employment and Income Assistance (MEIA), formerly called the Ministry of Human Resources. If you need help with your application off reserve, please see the Legal Services Society (LSS) publication *Your Welfare Rights: A User's Guide to BC Employment and Assistance*. LSS also publishes a series of fact sheets describing welfare off reserve.

This booklet and other LSS publications are available for free at your nearest legal aid office. You can also read them online at www.lss.bc.ca or order printed copies from:

Distribution
Legal Services Society
400 – 510 Burrard Street
Vancouver, BC V6C 3A8
Phone: (604) 601-6075
Fax: (604) 682-0965
E-mail: distribution@lss.bc.ca



What is social assistance on reserve?

Social assistance is money and other benefits for people who need financial help and have no other reasonable way of getting money. Social assistance on reserve is also known as welfare.

Social assistance benefits

Social assistance benefits for people living on reserve include regular monthly benefits and Persons with Disabilities (PWD) benefits, as well as a range of other benefits. Each type of monthly benefit consists of a shelter allowance and a basic needs allowance (also called a support allowance), and has its own eligibility criteria. For more information about monthly benefits, turn to Part 3: Monthly benefits, on page 7.

Even if you are not eligible for monthly benefits, you may apply for some other benefits, such as guardian financial assistance. For more information about these benefits, turn to Part 4: Other benefits, on page 19.

Social assistance on reserve versus off reserve

Social assistance money for people living on reserve comes from the Government of Canada through Indian and Northern Affairs Canada (INAC). Assistance for people living off reserve in BC, known as income assistance or welfare, comes from the BC provincial government through the Ministry of Employment and Income Assistance.

INAC tries to make its social assistance rules on reserve the same as those off reserve in each province (note that when BC makes a change to off-reserve assistance, it sometimes takes INAC several months to update its policies). Right now, rules about assets and income, the requirement to look for work while receiving benefits, shelter and basic needs rates, and almost all other social assistance benefits are the same on and off reserve in British Columbia. However, some social assistance services and benefits are different on and off reserve. The major differences are shown in table 1 on the next page.



Table 1 Differences between social assistance on and off reserve in BC

| Social assistance on reserve | Income assistance off reserve |
|--|---|
| Administered by social development workers working for an “administering authority” (usually an Indian band or tribal council), according to federal INAC Social Development policy. | Administered by employment and assistance workers working for the BC Ministry of Employment and Income Assistance, according to provincial Employment and Assistance legislation, regulation, and policy. |
| Simple, immediate application process. | Job search and waiting period before application processed. |
| PPMB eligibility based only on medical condition. | PPMB eligibility often based on a combination of medical and employability criteria. |
| Health benefits available to all social assistance recipients. | Health benefits only available to PWD and PPMB recipients. |
| Guardian financial assistance benefits available to members of extended family. | Child in the Home of a Relative benefits available only to immediate family members. |
| Daycare subsidy not part of INAC Social Development Program. However, applicants may apply to the BC Ministry of Employment and Income Assistance. | Daycare subsidy administered under BC Employment and Assistance legislation. |
| Special needs budget is limited — allowances granted if client is eligible AND money is in the budget. | Crisis grants are available to all clients who meet eligibility criteria. |
| Client can chose a person to sit on the appeal panel. | Client has no input into who is on the appeal panel. |



Applying for social assistance

Apply for social assistance when you or your family is short of money. Don't wait until you have no money left or until you've sold your possessions.

Where do I apply for social assistance?

You can apply for social assistance with the band social development worker for the reserve you live on. You can reach the worker by calling the band office for your reserve. It is a good idea to make an appointment with your worker in advance.

What band social development workers do

Band social development workers make decisions about social assistance on reserve. They are employed by an "administering authority" of the INAC Social Development Program. The administering authority is usually the Indian band whose reserve you live on. It may also be a tribal council or other First Nations organization in your area.

Band social development workers must follow INAC policy when they make social assistance decisions. This policy is set out in the INAC manual called the *Social Development Policy and Procedures Manual*. It is important to remember that band social development workers don't make social assistance policy; they just follow it.

What do I bring to my first appointment?

When you call the worker to make an appointment, ask what you need to bring with you. Before giving you social assistance, the worker will want to see a lot of your papers proving your identity and your financial situation, including the following:

- One piece of photo ID for both you and your spouse (for example, driver's license)
- A second piece of ID for both you and your spouse (for example, Native status card, birth certificate, BC CareCard, credit card, original citizenship papers)
- One piece of ID for each dependent child (for example, birth certificate or CareCard)
- Social Insurance Number card
- An up-to-date bank book or bank statement
- Recent rent, fuel, and utilities receipts
- Statements showing recent income (pay stubs)
- Documents about your Workers' Compensation or Employment Insurance benefits
- Documents about your assets (car, house, boat)

It is important to take as many of these documents as possible with you to your appointment. If you can't find all of them before your appointment, apply anyway, but be aware that eventually you may need to produce them.



You'll be eligible for social assistance only after the information you give your worker is checked. Tell your worker if you need money immediately — for example, if you have no food or face eviction. Your worker can sometimes provide assistance while checking your information.

If your worker asks you for information that doesn't exist or that you can't reasonably get, tell your worker right away to avoid delays in getting your benefits. If you're denied social assistance because you couldn't provide this information, you can appeal.

What if I move off reserve?

If you're receiving benefits on reserve and move off reserve, you'll have to re-apply for these benefits at a Ministry of Employment and Income Assistance (MEIA) office. When you first go to the office to apply, you'll be given an appointment to see a worker in three weeks time. During those three weeks, you'll be expected to complete an orientation session and look for a job. If you face eviction or need food or medicine right away, you may be able to get an earlier appointment. Before you move, speak with your band social development worker or contact MEIA or an advocate for information on current rules about social assistance off reserve.

Note: If you're on PPMB or PWD and are planning to move off reserve, please see pages 13 and 15.

What are my responsibilities while on social assistance?

There are certain things you must do to make sure you keep receiving the social assistance benefits you're entitled to.

Looking for work

Under most circumstances, you and your adult dependants must actively look for work while you're on social assistance. You may be required to show your social development worker proof that you're looking for work, and you may have to participate in a training, education, or employment preparation program. If you don't, you can be cut off social assistance.

Exemptions to the requirement to look for work

You're not required to look for work if:

- You or a family member has PWD status
- You qualify for PPMB benefits



- You are a single parent with a child under three or a child who has a physical or mental condition that prevents you from leaving home
- You are an adult dependant who does not meet the residency requirements for working

INAC policy also states that if you are “employable” but you are unable to look for work for a short period of time because of medical reasons or personal circumstances, you may be temporarily excused from looking for work. Tell your worker right away if you feel you should be temporarily excused. You may need to provide proof of your medical condition.

Making monthly declarations

Each month you receive social assistance you’ll need to fill out a form that lists all of your income and assets, and any change in your financial circumstances or living situation. You’ll have to sign a form that says you agree that all the information you’ve given is correct to the best of your knowledge. These declarations are legal documents, and if you make a false declaration, you can be charged with fraud.

What if I disagree with a decision about my case?

Band social development workers must follow the *Social Development Program Policy and Procedures Manual* when making decisions about your case, such as whether or not you are eligible for a benefit and how much money you get. If your worker denies you a benefit, or reduces or discontinues a benefit, you may be able to appeal that decision. Turn to Part 5: Appeals and complaints, on page 29, for more information.



Monthly benefits

There are four categories of monthly benefits:

1. Social assistance benefit
2. Persons with Disabilities (PWD) benefits
3. Persons with Persistent Multiple Barriers (PPMB) benefits
4. Hardship assistance

Each benefit includes a shelter allowance and a basic needs allowance (also called a support allowance), and has its own eligibility criteria. (See sidebar below.)

How do I qualify for monthly benefits?

To get monthly benefits, you must be an adult (19 or over) living on reserve in BC and a:

- Canadian citizen,
- permanent resident,
- Convention refugee, or
- sponsored immigrant whose sponsor can't or won't provide support, as determined by INAC.

To get additional benefits for adult dependants, those adults must fit into one of the categories above or be:

- on a temporary resident's permit or a Minister's permit,
- waiting for a decision about an application for refugee status,
- subject to a deportation order that Canada Immigration hasn't carried out or can't carry out.

Shelter allowance and basic needs allowance

Your **shelter allowance** will be equal to your actual housing costs, up to a certain limit. Your costs may include:

- rent,
- mortgage or house loan payments,
- heating and utility costs (including wood for heating),
- basic phone services, and
- some forms of house and contents insurance.

Sometimes, water, sewage disposal, garbage pick-up, and other services may also be included.

The maximum amount of your shelter allowance depends on the number of people in your family. If you share custody of a child whose primary residence is with someone

else but the child stays with you for more than 40 percent of the month, you may claim a shelter allowance for up to the maximum amount for a family unit size that includes the child. To get this increased shelter allowance, you must have a court order or legal document proving that the child lives with you for the specified time.

Your **basic needs (support) allowance** is for the basic things you need that aren't included in your shelter allowance, like food, clothes, and transportation. How much you get for a basic needs allowance depends on your age, family status, and whether or not adult members of your family have disabilities or other barriers to employment.



Assets and income

Your social development worker will also look at your assets and income. If your assets are worth too much or your monthly income is too high for your “family unit,” you won’t qualify for monthly benefits. Also, you may not qualify if you get rid of assets to make yourself eligible for social assistance.

Assets

Assets are things you own, such as money, trust property, a house or land, cattle, and other possessions that you could sell for cash.

Some assets are called “excluded assets.” Examples of excluded assets are your family home, necessary household equipment, work clothes, commercial fishing boats (if you fish), farming equipment (if you farm), breeding stock, Canada Child Tax Benefits, the BC Family Bonus, and GST credits. Your social development worker shouldn’t include these kinds of assets when deciding if you qualify for social assistance.

Other assets, including your bank accounts and non-essential possessions that can be sold, are counted. Your family won’t qualify for social assistance if the total value of these assets is too high.

Your first family vehicle is considered an excluded asset if you have less than \$5,000 of equity in it. If you have more than \$5,000 of equity in your vehicle, you may be required to sell it to become eligible for assistance. (People applying for or receiving PWD benefits — see page 13 — may be allowed to have more than \$5,000 of equity in their vehicle.)

Note: When you apply for social assistance, tell your band social development worker about all of your assets, whether you believe they are “excluded assets” or not. If your worker includes assets you believe should be excluded, you can appeal. See Part 5: Appeals and complaints, on page 29, for how to appeal.

Income

“Income” is money that comes into your household, but does not include:

- social assistance benefits,
- GST credits,
- federal sales tax credits,
- Child Tax Benefits, or
- post-adoption assistance payments.

Some income, such as wages and salaries, is considered “earned income.” Other income, such as child support payments and Employment Insurance benefits, is considered “unearned income.” Usually, unearned income will be deducted from your social assistance cheque, dollar-for-dollar. Some forms of earned income may be exempt for certain categories of people — meaning that this income won’t be deducted from



your benefits. For example, if you have been receiving PWD benefits for more than three months, you can now keep \$400 of earned income from employment each month without having it taken off your social assistance cheque. Ask your social development worker about other earned income exemptions.

Note that the Canada Child Tax Benefit (CCTB) won't be deducted from your monthly social assistance benefits as long as you receive the CCTB every month. However, if you don't receive your CCTB cheques for a period of time and then later get a lump sum back payment for the cheques you missed, this payment is not considered exempt income and will be deducted from your social assistance cheque. Be sure to tell your social development worker right away if your CCTB cheque doesn't come.

Note: When you apply for social assistance, tell your band social development worker about all of your income — earned, unearned, exempt, or non-exempt. If your worker includes income you believe should be exempt, you can appeal. See Part 5: Appeals and complaints, on page 29, for how to appeal.

Family unit

A family unit means a single person or a couple with or without dependent children under 19 years of age who live at home. If you live with another adult, you may be considered members of the same family unit if:

- you share household responsibilities,
- you share income or one of you supports the other, or
- you act like spouses (either same-sex or heterosexual)

Note: Only one person in a family can receive social assistance for the whole family. However, two or more people (who are not the spouse or dependant of the other) or families can share a home and still be eligible for social assistance. The administering authority will divide the total shelter costs by the number of people living in the same dwelling. This is called "shared shelter." If you share a home with another adult who is not your spouse or dependant, and your worker decides to pay you as a family unit, you can appeal this decision.

If you are under 19

If you are under 19, you may qualify for assistance only in exceptional circumstances and only after every effort has been made to get your parents to assume financial responsibility for you. The social development worker will involve a child social assistance agency in your case if child protection concerns arise or if you live in a marriage-like relationship.



People under 19 have the right to appeal if they have been denied social assistance or their benefits have been cancelled or reduced. See Part 5: Appeals and complaints, on page 29, for how to appeal.

If you are a child-in-care

If you are a child-in-care (of the Ministry of Children and Family Development or a First Nations child and family services agency) and you have a baby, you may qualify for assistance to pay for your baby's needs.

What is the social assistance benefit?

The social assistance benefit is the monthly benefit most people get when they receive assistance on reserve.

What your assets can be worth

To be eligible for the social assistance benefit, your assets can't be worth more than a certain amount. The amount depends on the number of people in your family unit and their ages. Your worker will take into account the cash you have on hand as well as your other assets. See table 2 below for how much you can have in cash and total assets and still be eligible for social assistance.

| Family size | Applicant — Total assets | Applicant — Cash assets* | Recipient | PWD or Person in Care Facilities |
|---------------------------|--------------------------|--|-----------|----------------------------------|
| Single person | \$1,500 | Social assistance entitlement plus \$150 | \$1,500 | \$3,000 |
| Single parent and 1 child | 2,500 | Social assistance entitlement plus \$250 | 2,500 | 5,000 |
| Couple | 2,500 | Social assistance entitlement plus \$250 | 2,500 | 5,000 |
| Couple and 1 child | 2,500 | Social assistance entitlement plus \$250 | 2,500 | 5,000 |

*Cash asset limits apply only in the month you apply for assistance. They don't apply to people applying for or receiving PWD benefits or their dependants.

How much you get each month

The shelter and basic needs allowances for most families are listed in table 3 on the next page.



Table 3 Social assistance benefit and PPMB rates

| Family size | Basic needs (support) allowance* | Shelter allowance maximum** | Total payment |
|---------------------------------------|----------------------------------|-----------------------------|---------------|
| Single person under 65 | \$185.00 | \$325.00 | \$510.00 |
| Single person 65 or over | 531.42 | 325.00 | 786.42 |
| Single person under 65 on PPMB | 282.92 | 325.00 | 607.92 |
| Single parent under 65 and 1 child | 325.58 | 520.00 | 845.58 |
| Single parent 65 or over, and 1 child | 625.08 | 520.00 | 1,078.08 |
| Single parent on PPMB and 1 child | 376.58 | 520.00 | 896.58 |
| Couple under 65 | 307.22 | 520.00 | 827.22 |
| Couple, both 65 or over | 949.06 | 520.00 | 1,329.06 |
| Couple, 1 person under 65, 1 over 65 | 700.56 | 520.00 | 1,220.56 |
| Couple, both under 65 and on PPMB | 452.06 | 520.00 | 972.06 |
| Couple under 65 and 1 child | 401.06 | 555.00 | 956.06 |
| Couple, both on PPMB and 1 child | 452.06 | 555.00 | 1,007.06 |

Note: A minimum shelter allowance of \$75 per month is guaranteed to recipients who are 60 to 64 years old or who are receiving PWD benefits.
*The basic needs (support) allowance does not increase if you have more than one child.
**Shelter rates go up \$35 per month for each additional person in your family (beyond 2 people).

If you are denied or cut off social assistance

The band social development worker may turn you down for or stop your social assistance benefit if you:

- don't have identification,
- quit a job without a good reason or were fired because of something you did,
- aren't looking for work,
- turned down a job you could do,
- are on strike or locked out from your job,
- haven't looked for other sources of money, or
- are waiting for other benefits such as Employment Insurance or Workers' Compensation.

If you're turned down for, or cut off, the social assistance benefit, you might still qualify for hardship assistance (see page 16) or other important benefits (see Part 4: Other benefits, on page 19).

If your band social development worker turns you down for social assistance or a particular benefit, you can appeal this decision. See Part 5: Appeals and complaints, on page 29, for how to appeal.



What are Persons with Persistent Multiple Barriers (PPMB) benefits?

PPMB benefits are for people who have a medical condition (other than an addiction) that seriously affects their ability to find or keep a job. PPMB is a temporary benefit, approved for up to two years at a time.

PPMB recipients don't have to look for work. If all adults in the family unit have the PPMB designation, the family can get higher rates and benefits than a family receiving social assistance.

How you qualify

You may qualify for PPMB benefits if:

- you have been on assistance (on or off reserve) for 12 out of the last 15 months, AND
- you have a medical condition (other than an addiction) that:
 - seriously affects your ability to look for, accept, or continue employment, AND
 - has lasted for at least a year and will likely last for two more years, OR
 - has occurred frequently in the last year and will likely continue for the next two years.

How you apply

If you think you may qualify for PPMB benefits, contact your worker. Your worker will probably want to meet with you to talk about your medical condition and the PPMB criteria.

Your worker will then give you a medical report form that must be completed by your doctor. Make sure to tell your doctor how your medical condition stops you from looking for or accepting work.

When the doctor has completed the form, return it to your worker. Your worker will look at it and decide if you qualify for PPMB benefits.

If you get approved for PPMB benefits, you will be given a review date. This is when your benefits will end. If you still require PPMB benefits after this date, you'll have to apply again.

What your assets can be worth

The amount of cash and assets you can have and still be eligible for PPMB benefits is the same as for social assistance benefit recipients. See table 2 on page 10.



How much you get each month

If all the adults in your family unit have PPMB status, your monthly basic needs (support) allowance will be higher than the allowance for people receiving social assistance. PPMB rates are set out in table 3 on page 11.

If you move off reserve

If you've been getting PPMB benefits on reserve and you then move off reserve, you'll have to re-apply for PPMB benefits through the provincial Ministry of Employment and Income Assistance (MEIA). This may be a problem because current provincial regulations say that a person must have been receiving provincial income assistance for 12 of the last 15 months before they can get PPMB benefits. MEIA may make you wait 12 months before you can get PPMB benefits. In the meantime, you would only get regular income assistance.

If you're collecting PPMB benefits on reserve and are planning to move off reserve, speak with an advocate immediately.

If you are denied PPMB benefits

If you're denied PPMB benefits, you can appeal. See Part 5: Appeals and complaints, on page 29.

What are Persons with Disabilities (PWD) benefits?

PWD benefits are monthly benefits for people with certain types of physical or mental disabilities. Families who qualify for PWD benefits receive a higher basic needs (support) allowance than families receiving the social assistance benefit.

How you qualify

You may be eligible for PWD benefits if you live in BC and you:

- are 18 years of age or older, AND
- have a severe mental or physical impairment that:
 - a doctor confirms will last for two years or longer, AND
 - a health professional says directly and significantly restricts your ability to perform daily living activities.

You also have to show that because of your disability, you need help from another person, an assistance animal, or an assistive device to manage daily living.



How you apply

Applying for PWD benefits can be quite complicated. It is a good idea to talk to an advocate before beginning the process. For information on contacting an advocate, turn to Part 6: Protecting Your Rights, on page 32.

To apply for PWD benefits, you need to get a PWD application form from your band social development worker. Your worker will sign the cover page. Applications without this signature won't be processed.

The PWD application form is about 35 pages long and asks for a lot of information from not only you, but also your doctor and a person known as an "assessor." Many people choose to use their doctor as their assessor, too. However, the PWD application form lists other people who can fill this role. If your band social development worker is a social worker, he or she may qualify as an assessor. Your advocate or your worker can help you choose an assessor.

Once you get the PWD application form from your worker, make an appointment to see your doctor and/or assessor. Be prepared to discuss how your disability affects you on your bad days and how much help you need because of it. Even if it is difficult, you need to give details.

Once you, your doctor, and your assessor have completed the application, take it back to your band social development worker, who will send it to INAC. INAC will look at it and decide if you qualify for PWD benefits. This may take several weeks.

If your application is approved, you will be sent a letter telling you when your benefits will start. The letter will also give you a date when your application will be reviewed. This will be between two years and five years from the time you start receiving PWD benefits.

What your assets can be worth

To be eligible for PWD benefits, you can have up to the following in assets, including cash:

- \$3,000, if you are single person
- \$5,000, if you have one or more dependants

PWD rates

The basic needs (support) allowances and maximum shelter allowances for PWD recipients are described in table 4 on the next page.



Table 4 PWD rates

| Family size and composition | Basic needs (support) allowance* | Shelter allowance maximum** | Total payment |
|--|----------------------------------|-----------------------------|---------------|
| Single person on PWD | \$531.42 | \$325.00 | \$856.42 |
| Single parent on PWD and 1 child | 625.08 | 520.00 | 1,145.08 |
| Couple, one on PWD | 700.56 | 520.00 | 1,220.56 |
| Couple, both on PWD | 949.06 | 520.00 | 1,469.06 |
| Couple, both on PWD and 1 child | 949.06 | 610.00 | 1,559.06 |
| Couple, one on PWD, the other over 65 | 949.06 | 520.00 | 1,469.06 |
| Couple, one on PWD, the other over 65, and 1 child | 949.06 | 610.00 | 1,559.06 |

Note: A minimum shelter allowance of \$75 per month is guaranteed to recipients who are 60 to 64 years old or who are receiving PWD benefits.

*The basic needs (support) allowance does not increase if you have more than one child.

**The PWD shelter rate increases by \$90 for the third person, \$40 for the fourth person, \$50 for the fifth person, and \$35 for each additional person.

If you move off reserve

If you've been getting PWD benefits on reserve and you then move off reserve, you may have to re-apply for PWD through the provincial Ministry of Employment and Income Assistance (MEIA). MEIA will check with INAC. If you've previously completed the PWD application form on reserve, you should get the benefits off reserve with no problem, but MEIA will want a copy of the application you gave to INAC.

However, if you had originally been collecting Disability Level 2 benefits and then got PWD benefits without completing the PWD application form, MEIA will require you to fill out the PWD application form. Until this form is completed, reviewed, and approved, you'll only get regular social assistance benefits. If this situation applies to you, speak to your social development worker or an advocate before you move off reserve.

If you are denied PWD benefits

If you're denied PWD benefits, you can appeal. See Part 5: Appeals and complaints, on page 29.



What is hardship assistance?

Hardship assistance is a monthly benefit for people who don't qualify for social assistance, PWD, or PPMB benefits, but who will suffer "undue hardship" without some financial help. Hardship assistance is intended to be short-term and only covers basic needs such as shelter and food.

Eligibility criteria

To qualify for hardship assistance, you must be ineligible for other monthly benefits and living on reserve when you apply. You must have no other source of money and be facing undue hardship if you don't get financial assistance.

You must also be:

- a Canadian citizen;
- a permanent resident;
- a Convention refugee;
- a sponsored immigrant whose sponsor can't or won't provide support, as determined by INAC; or
- a sponsored immigrant who is waiting for INAC to decide if the sponsor can or will provide support.

You may qualify for hardship assistance if you are:

- waiting for a Social Insurance Number or other documentation;
- waiting for money from other sources such as Employment Insurance;
- on strike or locked out and unable to support yourself; or
- supporting one or more dependent children and you have income or assets worth more than the allowable levels, but you can't use the income or assets to support yourself or your family.

You'll need to show that you:

- can't afford to pay for your own or your family's basic needs (like food, clothing, and housing);
- don't qualify for regular benefits;
- have tried unsuccessfully to get money elsewhere; and
- haven't recently spent money on unnecessary things.

How you apply

Apply for hardship assistance from your band social development worker as soon as you need financial help that you can't get elsewhere. You must reapply for hardship assistance each month you need it. In most cases, hardship benefits are limited to three consecutive months.



What your assets can be worth

The amount of cash and assets you can have and be eligible for hardship assistance is the same as for social assistance (see table 2, on page 10); however, you may still be eligible for hardship assistance if your income or assets are over these levels but you can't use the income or assets to support yourself, and you have dependent children.

How much you get each month

Like other monthly benefits, hardship assistance consists of a shelter allowance and a basic needs (support) allowance. Hardship assistance is only for basic needs such as shelter and food. All available income and assets, including the Canada Child Tax Benefit, are deducted from hardship assistance. The current rates are shown in table 5.

| Family size | Basic needs (support) allowance* | Shelter allowance maximum** | Total payment |
|---|----------------------------------|-----------------------------|---------------|
| Single person under 65 | \$185.00 | \$325.00 | \$510.00 |
| Single person over 65 | 301.92 | 325.00 | 626.92 |
| Single person eligible for PWD | 531.42 | 325.00 | 856.42 |
| Single parent under 65 and 1 child | 296.00 | 520.00 | 816.00 |
| Single parent 65 or over, and 1 child | 366.00 | 520.00 | 886.08 |
| Single parent eligible for PWD, and 1 child | 625.08 | 520.00 | 1,145.08 |
| Couple, both under 65 | 307.22 | 520.00 | 827.22 |
| Couple, both under 65, both on PPMB | 401.06 | 520.00 | 921.06 |
| Couple, 1 under 65, 1 over 65 | 471.06 | 520.00 | 991.06 |
| Couple, both over 65 | 541.06 | 520.00 | 1,061.06 |
| Couple, 1 under 65, 1 over 65, and 1 child | 471.06 | 555.00 | 1,026.06 |
| Couple, both over 65 and 1 child | 541.06 | 555.00 | 1,096.06 |
| Couple, 1 person under 65, 1 eligible for PWD | 700.56 | 520.00 | 1,220.56 |
| Couple, both on PWD | 949.06 | 520.00 | 1,469.06 |
| Couple, both on PWD, and 1 child | 949.06 | 555.00 | 1,504.06 |
| Couple, 1 on PWD, 1 over 65 | 949.06 | 520.00 | 1,469.06 |

*The basic needs (support) allowance does not increase if you have more than one child.
**Shelter rates go up by \$35 per month for each additional person in your family (beyond 2 people).

When you have to repay hardship assistance

If you expect to get money from another source (like Employment Insurance, Workers' Compensation, or an ICBC settlement) in a few weeks, you may have to sign an agreement to repay your hardship assistance when that money arrives. You may also have to pay back hardship assistance you receive in other circumstances.



Sometimes you don't have to repay hardship assistance. You shouldn't have to repay hardship assistance if:

- you are a victim of family violence and pursuing assets or support would likely lead to further violence against you,
- your sponsorship agreement broke down,
- you are on strike or locked out, or
- you don't have sufficient ID to qualify for social assistance.

Ask your worker if you'll have to pay back your hardship assistance.

If you are denied hardship assistance

Your worker may turn you down for hardship assistance if:

- you lost your job because of something you did and you didn't fight the decision,
- you refused to accept a job you could do,
- you've used money or assets for purposes other than basic needs,
- you aren't looking for work, or
- you haven't used up or looked for other sources of money.

If you're turned down for hardship assistance, you might still qualify for other benefits. Turn to Part 4: Other benefits, on page 19, for more information about other benefits.

If your worker turns you down for hardship assistance or requires you to repay money you don't believe you should have to repay, you can appeal the decision or file a complaint. See Part 5: Appeals and complaints, on page 29.



Other benefits

You may be eligible for other benefits depending on your needs and what kind of assistance you receive. You may qualify for additional benefits (see page 24) even if you're not eligible for or receiving social assistance. Ask your social development worker for more information.

Special allowances

Special allowances are for people receiving social assistance, PPMB benefits, or PWD benefits. In some cases, people receiving hardship assistance may also be eligible.

Camp fee allowance

If the administering authority has funds available in its special needs budget, adults receiving PWD benefits and children of families on social assistance may get money to attend a recognized camp once a year.

Children with disabilities and children of long-time social assistance recipients have priority.

December supplementary allowance

If you receive social assistance, PPMB benefits, or PWD benefits, you may be eligible for a December allowance to help with holiday expenses. The following amounts are available:

- Single person — \$35
- Couple — \$70
- Families with children — \$70, plus \$10 per dependent child

Diet allowance

If you or your dependants have a medical condition that requires a special diet, you may be entitled to receive a diet allowance. The eligible diets and related allowances include the following:

- Restricted sodium diet — \$10 a month
- Diet for diabetes — \$15 a month
- Diet for kidney dialysis — \$30 a month (if not covered through the Ministry of Health)
- High-protein diet — \$40 a month
- Gluten-free diet — \$40 a month
- Diet for dysphagia — \$40 a month
- Diet for cystic fibrosis — \$50 a month



You must show the worker written proof, such as a doctor's letter, of your dietary needs.

If you're receiving a natal allowance but your medically necessary special diet isn't pregnancy-related, you can receive both benefits. People receiving hardship assistance do not qualify for this benefit.

Note: BC has stopped issuing allowances for high-protein diets to people off reserve unless they have certain types of medical conditions. At the time of writing this booklet, these new restrictions did not apply on reserve. However, they may in the future. Check with your worker before applying for a high-protein diet allowance.

Family bonus top-up allowance

If your family receives social assistance or hardship assistance and your BC Family Bonus is less than \$123.50 each month, you may be eligible for a "family bonus top-up" allowance (which pays the difference between the amount of your family bonus and \$123.50).

If your family receives social assistance or hardship assistance but you are not eligible for the family bonus, your monthly benefit may be increased by \$123.50:

- for the calendar month in which a dependent child is born (a child is not eligible for the family bonus in the first month), and
- for each month following the month a dependent child reaches 18 until the child is 19 (a child over 18 is not eligible for the family bonus).

For more information on the family bonus, see page 25.

Guide animal allowance

If you or a dependant uses a guide animal certified under the Guide Animal Act, you may be eligible to receive \$62 a month to help with the costs of maintaining the animal.

Incentive allowance

The incentive allowance covers clothing, transportation, babysitting, and other costs related to volunteer work. The purpose of the allowance is to encourage you to do work that will enhance your employability skills and may lead to paid employment. Only one person in a family unit may receive an incentive allowance at any one time.

How you qualify

To qualify for an incentive allowance, you must be:

- receiving PPMB benefits;
- receiving PWD benefits or be the dependant of someone receiving PWD, and be unable to participate in employment or training skills programs;



- “temporarily excused” from working or looking for work;
- a single parent with a child who is under 3 or who has a physical or mental condition that prevents you from working; or
- 15 or over and a dependant of someone receiving social assistance or guardian financial assistance.

You’ll be required to sign an incentive agreement with your worker and perform a number of volunteer hours each month for an approved organization or business. You’re not eligible for an incentive allowance if you’re taking part in a work opportunity program or a training or educational program such as Aboriginal Social Assistance Recipient Employment Training (ASARET).

How much you get

You can receive an incentive allowance of up to \$100 a month if you complete the agreed number of hours in your contract. If you can’t complete all of your hours, you may receive a partial allowance for the work that you were able to do. An incentive allowance contract extends up to six months, with one extension of up to another six months within a three-year period.

Note: The incentive allowance is not deducted from your benefits.

Infant formula allowance

You may get a formula allowance for a baby’s first 12 months if breastfeeding is impossible or ill-advised (for example, when the mother has HIV or breast cancer, or is receiving methadone treatment). You must provide a letter from your doctor confirming that you have a medical condition that prevents breastfeeding to receive the formula allowance.

Babies with special dietary needs — as a result of food allergies or the failure to thrive, for example — can receive specialized formula for an unspecified time period.

Moving costs

You may be eligible for up to \$500 to help with moving costs if you are eligible for social assistance and:

- you are unemployed and need to move to accept a confirmed job offer,
- you must move for health reasons, or
- you are forced into a local move because your home is:
 - destroyed,
 - unfit for habitation,
 - about to be demolished, or
 - occupied by the owner.



You must provide your worker with written proof of the reason for your move and two estimates of the moving costs from licensed movers or truck rental agencies, before you can get a moving allowance.

Your moving costs may also be paid if you're moving to repatriate to your home reserve in your best interests or in the best interests of your dependent children.

This benefit isn't available for people moving from off reserve to the reserve. Nor is it available for a move from the reserve to a home off reserve if other suitable on-reserve housing is available. People evicted due to their own actions are not eligible for this allowance.

Note: Speak with your social development worker before you move. You may not be reimbursed for your moving costs if you move before checking with your worker.

Natal allowance

If you are pregnant or have a child less than seven months old, you may be entitled to receive \$35 a month to help with additional costs related to pregnancy or a new baby. The allowance may increase to \$70 a month in the case of multiple births. The allowance can last up to six months.

You can get this natal allowance if you're receiving guardian financial assistance, but not if you're receiving hardship assistance.

To receive a natal allowance, you'll need to show your worker written confirmation of your pregnancy from a doctor or a midwife.

School start-up allowance

If you are a parent or guardian of dependent non-status children up to 18 years old who are attending kindergarten or grade school full-time, you may be eligible for additional money to help with back-to-school costs. (Children with Indian status are eligible for funding through their band's education program.)

The amount available for children from kindergarten age to 11 years old is \$42. For children from 12 to 18 years old, the amount is \$58.

Special needs allowance

Special needs allowances are for people who receive social assistance, PPMB benefits, or PWD benefits, and face a one-time financial emergency that can't be covered by their regular benefits. Payment of this allowance depends on the priorities and budget of the administering authority.



How you qualify

To qualify for a special needs allowance, you must:

- receive social assistance, PPMB benefits, or PWD benefits, and
- need the money for an unexpected emergency to prevent imminent danger to your physical health or to protect a child.

How much you get

A special needs allowance covers one or more of the following:

- Up to one month's rent arrears to prevent eviction
- Up to \$200 for arrears for utilities (heat, electricity, and phone), only once, to prevent immediate disconnection
- Necessary furniture (bed, bedding, kitchen table and chairs, sofa, lamps, dresser, and cooking utensils)
- Necessary appliances (stove, refrigerator, and washing machine)
- Exceptional items recommended by your doctor (vacuum cleaner, humidifier, dehumidifier)
- Repairs to a house you own and live in that are required for health or safety
- Replacement of essential furniture, food, and clothing lost to fire, flood, or other disaster

Special transportation

If the administering authority has enough money in its special needs budget, you may be eligible for assistance with your transportation costs within BC, including necessary meals and shelter, to attend:

- a rehabilitation centre,
- a family court hearing as a witness for a family member, or
- a training program at a non-profit achievement centre for people with disabilities.

This benefit is also available for people visiting a parent, spouse, or child in an institution when a doctor or worker at the institution recommends the visit. It may also be available to someone taken to court who doesn't have the funds to return home.

Transition to employment programs

INAC provides limited funds for training, education, and temporary employment of people receiving social assistance on reserve. The amount of these funds varies from band to band and runs out from time to time. Ask your worker if these funds are available to you.



Work clothes and work transportation benefit

If you are a single parent returning to work, you may be eligible for up to \$200 for necessary clothing and local transportation costs, provided the administering authority has enough money in its special needs budget.

You'll have to provide your worker with written proof of your start of employment and two estimates of your expenses.

This benefit isn't available to transients or people getting hardship assistance.

Workforce entry benefit

If you're returning to work, you may be eligible for up to \$200 for necessary clothing and one month's local transportation costs, provided the administering authority has enough money in its special needs budget. You'll have to show your social development worker written proof of your start of employment.

You may receive both a workforce entry benefit and a work clothes/work transportation benefit. The workforce entry benefit is available once every 12 months.

Additional benefits, allowances, and services

The following benefits and services are available to people with low incomes. You may not need to be eligible for or receiving social assistance to qualify for these benefits.

Adult care

Adult care services are available to elderly people or people 19 or over with physical or mental disabilities who are no longer able to live in their own homes. These services may be provided in a family care home or an institution (continuing care facility).

Apply for adult care through your social development worker. If you qualify, the administering authority will pay the care provider directly, and be reimbursed by INAC. If you have enough income, you will be expected to pay part of the costs.

Burial/cremation allowance

A burial/cremation allowance is money to help pay for simple funeral or memorial service, and cremation or burial of a family member. Ask your social development worker for more information.

How you qualify

The administering authority will provide this allowance only if the deceased was living on reserve at the time of death or if the funeral or burial takes place on a reserve in BC. The administering authority gives the money directly to the funeral home.



If the deceased wasn't living on reserve at the time of death but burial will take place on reserve, the Ministry of Employment and Income Assistance (MEIA) may pay some of the costs. You must contact MEIA directly. The administering authority may pay the balance of the costs not covered by MEIA.

Note: To have burial/cremation expenses paid for, you must have approval from the administering authority before you arrange for the burial/cremation. This is very important, because the contribution by the administering authority depends on the status, place of residence, and financial circumstances of the deceased and his or her family.

How much you get

The allowance will cover the cost of an "Imperial 2, cloth-covered" casket or the equivalent, or a cremation urn up to a cost of \$200. It will also cover some, or all, of the cost of transporting your deceased relative, plus funeral expenses up to \$690 for a child under 12 and \$917 for someone older.

If the deceased lived on a reserve some distance from the place of death, the expense of transporting the body to the reserve may also be covered. However, the administering authority won't pay for transporting a body from outside BC.

Child care services

Child care services for people living on reserve are provided by MEIA. If you are a parent or custodian of children and require child care to allow you to work, to attend school or training, or to look for work, you may apply for a child care subsidy directly from MEIA. You may also be eligible for a child care subsidy if a child and family social assistance agency recommends it as part of a child protection plan.

A worker from MEIA will do a financial assessment. Depending on your income, MEIA may cover all or part of these costs.

Family bonus and family bonus top-up allowance

If you have a low income and dependent children living with you, you can get the BC Family Bonus. The BC Family Bonus has two parts: the BC Basic Family Bonus and the BC Earned Income Benefit. Benefits from these programs are combined with the Canada Child Tax Benefit (CCTB), which includes the National Child Benefit Supplement, into a single monthly benefit.

The family bonus cheque comes from the federal government. To get the family bonus, you have to file an income tax return and apply to the Canada Revenue Agency for the CCTB.



If your family receives the social assistance benefit or hardship assistance and your family bonus is less than \$123.50 each month, you may be eligible for a “family bonus top-up” allowance (which pays the difference between the amount of your family bonus and \$123.50).

If your family receives the social assistance benefit or hardship assistance but you are not eligible for the family bonus, your monthly benefit may be increased by \$123.50:

- for the calendar month in which a dependent child is born (a child is not eligible for the family bonus in the first month), and
- for each month following the month a dependent child reaches 18 until the child is 19 (a child over 18 is not eligible for the family bonus).

Guardian financial assistance

If you have a child who isn't your own son or daughter living with you on reserve, you may be eligible for guardian financial assistance in certain circumstances, even if you don't qualify for social assistance or other benefits. This can happen if the parents of the child are unable to care for or financially support their child and place the child in your home on reserve.

How you qualify

You may qualify for guardian financial assistance if:

- the child is not your own,
- you and the child live in the same house on reserve,
- the child's parents agree (in writing) that the child can live with you, and:
 - the child's parents are attending treatment or are unable to care for the child due to a mental or physical disability;
 - there are child protection concerns or a recommendation from the Ministry of Children and Family Development or a First Nations Child and Family Services agency, or
 - the administering authority believes it is in the best interests of the child.

When you apply for guardian financial assistance, your worker will check the income of the child's parents. If the parents have more income than they'd get on social assistance, the parents will be asked to pay that extra income to you. The amount you get from guardian financial assistance will then be reduced by that amount from the parents.

If you have legal (court-ordered) custody of the child, you may be eligible for guardian financial assistance without the written consent of the child's parents, if all other sources of maintenance have been explored and you meet the criteria. If you're denied guardian financial assistance but are receiving social assistance, you can include the child as a dependant.



How much you get

The maximum amount of guardian financial assistance you can receive per child is shown in table 6 below.

| Age of child | Maximum allowance |
|------------------|-------------------|
| Birth to 5 years | \$257.46 |
| 6 to 9 years | 271.59 |
| 10 to 11 years | 314.31 |
| 12 to 13 years | 357.82 |
| 14 to 17 years | 402.70 |
| 18 years | 454.32 |

Note: These amounts can change. Consult your worker or advocate for current rates.

Note: You may also apply for the Canada Child Tax Benefit for the child in your care. This benefit won't affect your guardian financial assistance rates. In addition, the Child Tax Benefit won't be deducted from your social assistance.

Health benefits for non-status people

Status Indians receive non-insured health benefits through the Medical Services Branch (MSB) of Health Canada. If you (or a dependant) are non-status and live on reserve, you may be eligible for some insured and non-insured benefits through the Social Development Program. For example, you may be eligible for basic or enhanced Medical Service Plan coverage or, with a written recommendation from a doctor or dentist, non-insured health benefits such as prescription drugs, eyeglasses, dental care, medical equipment, and hearing aids. It is best to get pre-approval from your worker before you buy any non-insured items.

Note: Everyone receiving social assistance is eligible for PharmaCare coverage. PharmaCare can help you pay for prescription drugs and medical supplies. You need to register get PharmaCare coverage. This involves signing a consent form and returning it to PharmaCare. You can register, or check to see if you are registered, by going to the PharmaCare website at <https://pharmacare.moh.hnet.bc.ca>. For more information or to register by phone, call 1-800-663-7100 (outside Vancouver) or (604) 683-7151 (in Vancouver).



Homemaker services

Homemaker services are available to elderly people or people 19 or over with physical or mental disabilities who require assistance with some basic tasks so they can live safely and with dignity in their own homes. Homemaker services are usually limited to help with cleaning, laundry, or meal preparation, but, in exceptional circumstances, they may include help with transportation, banking, or shopping.

When you apply for homemaker services, your social development worker will do an assessment of your needs and approve only those services he or she feels you require, and will review these services from time to time. If you have enough income, you may be required to pay for some of the homemaking services yourself.

Family members and people who live with you won't be approved as homemakers, though family members who care for relatives may be eligible for respite benefits.

Transient benefits

Transient benefits include money and accommodation for people travelling through the area and staying on the reserve for only a short time.

How you qualify

To qualify, you must be a single person or a member of a childless couple staying on reserve temporarily and have no intention of becoming a permanent resident there.

How much you get

You may get up to three days of basic needs (support) allowance and a reasonable shelter allowance.

If you want to stay on reserve

If you are a transient person eligible for social assistance and you decide to stay on reserve permanently, you may get up to one month of support allowance. If housing is available on the reserve, you may also get up to one month of shelter allowance.



Appeals and complaints

You have the right to ask for an administrative review of your social development worker’s decision if he or she refuses your application, or reduces, suspends, or cancels an allowance or service. You can also file a complaint if you don’t like the way your social assistance application or claim is handled. It is best to get an advocate to help you file an appeal or complaint (see Who can help me with social assistance on reserve? on page 33).

Note that you can’t ask for a review of “non-discretionary” issues where your worker must apply social development policy. Non-discretionary issues include:

- general eligibility requirements such as the requirement to complete an application and notify the administering authority about the change in circumstances;
- the amount of assistance rates, and
- changes in your rates because of a policy change.

How do I ask for an appeal?

First, tell your worker that you want to ask for an appeal of his or her decision. Ask for a Request for Administrative Review form.

Next, complete the Request for Administrative Review form and mail or give it to your worker within 20 business days of being notified of the decision you’re appealing. Include any relevant documents and evidence you have to support your case.

If you’re asking for a review of a decision that reduces or cancels a social assistance benefit you’re already getting, your worker must pay you the full benefit until the review is completed. If you lose the review, you will have to pay this money back.

What is an administrative review?

A person assigned by INAC who was not involved in the original decision must review your Request for Administrative Review form and make a decision within 20 business days to:

- deny your request,
- confirm your worker’s decision, or
- change your worker’s decision.

This “administrative review” decision will be written on an Administrative Review Decision and Request for Appeals Committee Hearing form, and you’ll receive a copy.



What if I don't like the results of the administrative review?

If you are not satisfied with the results of the administrative review, you can appeal. Fill out section 3 of the Administrative Review Decision and the Request for Appeals Committee Hearing form explaining why you are not satisfied, and return it to the administering authority within seven business days of receiving your copy of the review results.

Within 14 business days of getting your completed Administrative Review Decision form, your worker must make sure that an appeal committee of three independent people is formed to hear your appeal. The three committee members must be:

1. Someone you chose. This person can't be a relative. You must name this person on the Administrative Review Decision and the Request for Appeals Committee Hearing form.
2. Someone chosen by your band or tribal group. This person can't be an employee of your band or tribal group or of INAC.
3. A chairperson chosen jointly by your nominee and the person nominated by the band or tribal group. If these people are can't agree to a chairperson, the band chief and the INAC manager will chose a person together.

The chair must make sure the appeal hearing starts within 10 business days of his or her nomination, and must notify you, the chief and council, and INAC of the date, place, and time of the hearing at least 2 business days before it is to take place.

Appeal committee members are reimbursed for travel, accommodation, and meal expenses.

What happens at an appeal hearing?

You must attend the appeal hearing or send a representative (or advocate) on your behalf. You can bring an advocate with you. If you send a representative in your place, you must advise the chairperson of this in writing. If you don't attend or send a representative, your appeal can be dismissed.

At the hearing, you have the right to explain all your reasons for appealing your worker's decision. You may need to show documents related to the decision and to bring witnesses.

You also have the right to see any documents considered by the appeal committee members and the right to question any of their witnesses at the hearing. Your social development worker will have to explain his or her decision and answer your questions about it.

The INAC manual says that the appeals committee may only consider information, records, or testimony included in the materials submitted to the Administrative Review. This suggests that you can't present new evidence at your appeal. However,



the manual also says that the Appeals Committee can consider any “relevant” information. Speak to an advocate about the evidence you should provide at an Appeals Committee Hearing.

If the hearing can’t be finished in one day, the chairperson can adjourn it for up to 20 business days and finish it later.

All information collected and shared during the hearing is confidential.

What happens after the appeal hearing?

At the end of the hearing, the appeal committee members must decide by a majority vote if they want to accept or reject the decision made by your worker. The appeal committee can also suggest changes to social development policy and procedures. When the appeal committee makes its decision, it sends a report to INAC.

If the manager of the Social Development Unit at INAC agrees with the appeal committee’s decision, he or she will order the social development worker to carry out the decision. If the manager of the Social Development Unit at INAC disagrees with the appeal committee’s decision, he or she will meet with the chairperson of the committee to find a solution.

INAC will inform you and the appeal committee chair about the final decision.

What if I don’t like the appeal committee’s decision?

If you are not satisfied with the result of the appeal, you may ask for a judicial review by the Federal Court of Canada. If you decide to do this, contact an advocate or lawyer as soon as possible. See *Who can help me get social assistance on reserve?* on page 33, for how to find an advocate.

What can I do if the appeal procedure is not followed?

If these procedures are not followed, you can complain. Call Indian and Northern Affairs Canada at (604) 775-5100 or 1-800-665-9320 and ask to speak to the social development specialist for your area. Or talk to your advocate about what to do.

How do I make a complaint about my worker?

If you think you were treated unfairly by your social development worker or someone who works for the administering authority, you can complain to his or her supervisor. The supervisor might be a social development manager, the band manager, or band administrator. If you are still not satisfied, you can complain to the chief and band council. Talk to your advocate about this.



Protecting your rights

Here are some suggestions that will help you get and keep your social assistance benefits.

- 1. Learn as much as you can about social assistance**

Read this booklet. Look at a copy of the INAC *Social Development Program Policy and Procedures Manual*. Read as much as you can about social assistance and social assistance rights.

- 2. Protect your rights**

Your worker might make a mistake. Compare what your worker tells you with what it says in the *Policy and Procedures Manual*. If you ask, your worker should show you the part of the manual on which he or she bases a decision.

- 3. Keep all documents and receipts**

The social assistance world runs on paper. You often need evidence — on paper — to make your point or prove your case.

- 4. Make notes**

Make notes of all the conversations you have with your worker, including what he or she tells you about benefits. These notes will help if there is a future disagreement. Also, take notes on when, where, and to whom you send appeal documents.

- 5. Take a friend or advocate**

You're allowed to bring a friend or advocate to meetings with your worker. You also have the right to have your advocate attend your appeal hearing.

- 6. Appeal if you think a decision is wrong**

Appealing a decision doesn't mean you're insulting the worker. You're just saying that you disagree with his or her decision. Even if you don't win your appeal, the appeal committee may find the information you provide helpful in suggesting changes to social assistance policy.

- 7. Reapply if your circumstances change**

If you get turned down for a social assistance benefit and then your circumstances change (for example, if you lose your job, or you suddenly have a lot of medical expenses, or you marry and have a family to take care of), it is important that you apply for social assistance again. You might qualify the next time.



Who can help me with social assistance on reserve?

An advocate is someone who helps others get the rights or benefits they're entitled to. An advocate can help you:

- apply for social assistance,
- learn about social assistance rights and benefits, and
- appeal decisions made by your social development worker.

There are advocates and advocacy groups across BC that help people with social assistance. Most advocates are more familiar with provincial social assistance legislation and rules than with social assistance on reserve. All advocates, though, can give you information and help you with your social assistance application, appeal, complaint, or problem.

Your advocate is on your side. He or she should treat you with respect and keep your case confidential.

How to find an advocate

To find an advocate in your area, call the legal aid office or anti-poverty organization nearest to you. To find your local legal aid office, look in the white pages of the phone book under "Legal Aid — Legal Services Society." If your area doesn't have an office, call the Legal Services Society Call Centre at (604) 408-2172 (in the Lower Mainland) or toll free at 1-866-577-2525 (outside the Lower Mainland).

Other resources

The following resources, primarily Web-based, may be able to help you with an on-reserve social assistance matter.

BC Aboriginal Network on Disability Society

Provides a variety of support services to First Nations people with disabilities
(250) 381-7303; 1-800-381-7303

E-mail: bcands.bc.ca

Web: www.bcands.bc.ca

First Nations and Inuit Health

Information about the health issues facing First Nations people and the health-related services offered by the First Nations and Inuit Health branch of Health Canada.

Web: www.hc-sc.gc.ca/fnih-spni/index_e.html



First Nations Profiles

A website providing current national First Nation community profiles, which include general information about the First Nation, the First Nation's government, Tribal Councils, and reserves.

Web: http://pse2-esd2.ainc-inac.gc.ca/FNProfiles/FNProfiles_home.htm

Guide to Aboriginal Organizations and Services in BC

A resource listing of community-based services and organizations, found in PDF on the home page of the Ministry of Aboriginal Relations and Reconciliation website in the right hand sidebar under "Other topics."

Web: www.prov.gov.bc.ca/arr

Indian and Northern Affairs Canada (INAC) — BC Region

The federal department primarily responsible for meeting the federal government's constitutional, treaty, political, and legal responsibilities to First Nations, Inuit, and northerners. The department provides a range of programs and services to support First Nations and Inuit communities.

(604) 775-5100; 1-800-665-9320 (toll free within BC)

E-mail: bcinfo@ainc-inac.gc.ca

Web: www.ainc-inac.gc.ca

LawLINK

A website offering links to information about the law in BC on topics including Aboriginal law, consumer and debt, legal help, welfare, and wills and trusts.

Web: www.lawlink.bc.ca

Legal Services Society

The BC legal aid organization, which provides legal information, advice, and representation services (see page 35).

Web: www.lss.bc.ca

PovNet

A website for advocates, people on welfare, and community groups and individuals involved in anti-poverty work. It provides up-to-date information about welfare and housing laws and resources in British Columbia and Canada, and includes a list of community-based advocates in each province/territory.

Web: www.povnet.org



Services for First Nations People

An online guide to federal government services and programs for First Nations people.
Web: www.ainc-inac.gc.ca/pr/pub/ywtk/sgp_e.html

Social Development Resource Centre

An organization created by INAC and the First Nations Development Society to provide ongoing training and support, especially policy clarification, for social development workers.

(604) 924-4153; 1-800-991-7099

Web: www.resourcecentre.org

What if I need legal aid?

If you think you need legal aid, contact the Legal Services Society (LSS). LSS provides legal aid services across BC for low-income people dealing with certain criminal, family, and immigration law problems. Although LSS does not provide legal representation (a lawyer) to help people with social assistance problems, LSS offers legal information and advice services at many legal aid offices, on the Internet, and over the phone.

To find your local legal aid office, look in the business listings of the white pages of the phone book under “Legal Aid – Legal Services Society,” or check the LSS website at www.lss.bc.ca under Legal aid. If you can’t get to a legal aid office, contact the LSS Call Centre at (604) 408-2172 (Lower Mainland) or 1-866-2525 (toll free, outside the Lower Mainland).

For legal information, contact:

- **LawLINE**, a toll-free telephone service that provides general legal information and, in some cases, advice about legal issues. It is a service for people who can’t afford a lawyer but don’t qualify for legal aid. LawLINE is staffed with lawyers and paralegals, and can arrange immediate access to telephone interpreters as needed. Call (604) 408-2172 (Lower Mainland) or 1-866-2525 (toll free, outside the Lower Mainland). After you connect, press 7 to get to LawLINE.
- **LawLINK**, for help finding legal information and self-help resources on the Internet. This service has two parts:
 - A website (www.lawlink.bc.ca) with links to information on legal topics including Aboriginal issues, welfare, pensions and benefits, and legal help.
 - Free public access computers in a variety of locations across BC, including all LSS regional centres. You can use the computers to search for legal information on the Internet. At these locations there is also direct telephone access to LawLINE, and free legal information booklets. For addresses of LawLINK computers, call your local legal aid office.



Glossary

Aboriginal peoples:

In Canada, this term refers to the descendants of the original inhabitants of North America. The Canadian Constitution recognizes three groups of Aboriginal people — Indians (including non-status Indians), Métis, and Inuit. These are three separate peoples with unique heritages, languages, cultural practices, and spiritual beliefs. The term is also used in other countries to refer to the indigenous people or first inhabitants of a given area.

Band:

A body of Indians for whose collective use and benefit lands have been set apart or money is held by the Crown, or who have been declared to be a band for the purposes of the Indian Act. Each band has its own governing band council, usually consisting of one chief and several councillors. Community members choose the chief and councillors by election or sometimes through custom. The members of a band generally share common values, traditions, and practices rooted in their ancestral heritage. Today, many bands prefer to be known as First Nations.

Band council:

A body elected according to provisions of the Indian Act to be responsible for “the good government of the band” and delegated the authority to pass by-laws on reserve lands. Also known as chief and council.

Chief and council: See Band council

Department of Indian and Northern Affairs:

The federal government department responsible for meeting the government’s constitutional, treaty, political, and legal responsibilities to First Nations, Inuit, and Northerners. Referred to as Indian and Northern Affairs Canada (INAC).

Extended family:

A group of people associated by birth, marriage, or close friendship that nurture and support one another.

First Nation:

A term that came into common usage in the 1970s to replace the word “Indian.” Although it is widely used, no legal definition of First Nation exists. It refers to both status and non-status Indians, and some bands have chosen to replace the word “band” in the name of their community with First Nation.

Indian:

A term used historically to describe the first inhabitants of the “New World,” and a legal term defined in the Indian Act. In Canada, there are status Indians, non-status Indians, and treaty Indians (see separate definitions). Although some First Nations people still refer to themselves as Indians, the term has been generally replaced by Aboriginal people (as defined in the Constitution Act of 1982) or First Nations.

**Indian Act:**

Canadian federal legislation first passed in 1876 and amended several times since. It sets out certain federal government obligations and regulates the management of Indian reserve lands, moneys, and other resources.

Indian and Northern Affairs Canada:

See Department of Indian and Northern Affairs

Indian reserve:

Initially created by colonial governors, and later by the Canadian government, Indian reserves are defined in Section 2 of the Indian Act as parcels or tracts of land that have been set apart by the federal government for the use and benefit of an Indian band. The legal title to Indian reserve land is vested in the federal government.

Indian status:

An individual's legal status as an Indian, as defined by the Indian Act.

Non-Status Indian:

An Indian person who is not registered as an Indian under the Indian Act. He or she is not a member of a band and is not entitled to any of the rights and benefits specified in the Indian Act.

Off reserve:

A term used to describe people, services, or objects that are not part of a reserve but relate to First Nations.

Registered Indian:

A person who is defined as an Indian under the Indian Act and who is registered under the act.

Status Indian:

A person who is registered as an Indian under the Indian Act. The act sets out the requirements for determining who is an Indian for the purposes of the Indian Act.

Treaty Indian:

A status Indian who belongs to a First Nation that signed a treaty with the Crown.

Tribal council:

A regional group of First Nations members that delivers common services to a group of First Nations.

This glossary has been adapted, with permission, from the terminology listed on the Indian and Northern Affairs Canada website at www.ainc-inac.gc.ca/pr/info/tln_e.html.

Information about the law from the Legal Services Society

Your Welfare Rights

This free 100+-page booklet explains the rules about welfare for people living off reserve in BC, including who is eligible, how to apply, what benefits are available, your responsibilities while receiving assistance, how to appeal, and how to get more information or help.

Rights and Benefits for First Nations People

This free booklet explains the rights and benefits available to registered Indians who live on or off reserve, and how to access these benefits. It includes information on medical and dental care, housing, employment benefits, and education benefits.

LawLINE

LawLINE is a toll-free telephone service that provides general legal information, referrals to other resources, and, in some cases, advice about legal issues. Call (604) 408-2172 or 1-866-577-2525.

LawLINK

The LawLINK website at www.lawlink.bc.ca can help you find plain language legal information and self-help resources on the Internet. This site provides links to information on a range of legal topics, including Aboriginal law.

Find publications or learn more about legal aid services on the LSS website at www.lss.bc.ca, or order publications from:

Distribution

Legal Services Society
400 – 510 Burrard Street
Vancouver, BC V6C 3A8
Phone: (604) 601-6075
Fax: (604) 682-0965
E-mail: distribution@lss.bc.ca