

**ACROD, National Industry Association  
for Disability Services  
and  
AUSTRALIAN CEREBRAL PALSY ASSOCIATION**

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**OVERVIEW OF DEVELOPMENT OF SOCIAL COMPACTS AND  
OTHER ARRANGEMENTS BETWEEN GOVERNMENT  
AND THE COMMUNITY SECTOR**

**Version 3 – September 2002**

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*This is the third overview of the situation around Australia and in three other countries. It relies on information publicly available on web sites and communication with State / Territory government departments and the community sector. If differing perceptions are held about progress within a State or Territory, or there is new information about developments, feedback to ACROD (contact details at end) would be appreciated.*

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## **INTRODUCTION**

ACROD, the national industry association for disability services, and the Australian Cerebral Palsy Association (ACPA) continue to monitor the development of social compacts and other arrangements between government and the community sector.

In this paper, the first part provides an overview of some of the elements that both contribute to, or prevent, workable arrangements between government and the community sector.

The second part is in two sections: summaries of the situation across Australia, followed by fuller descriptions. The various relationships with State / Territory governments have been developed, in most cases, after consultation through the relevant Council of Social Service (COSS) and with community service providers. Attempts to encourage the development of a social compact with the federal government are described under the heading 'Commonwealth'.

The third part covers some international examples: Canada, New Zealand and the United Kingdom. More detail is provided about the Compact in England as it has been used as the basis for the development of the ACT Compact, the first in Australia.

Attachment 1, *Resources*, provides direct links to the key documents and web sites referred to in the text.

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## **CRITICAL ELEMENTS FOR THE WORKABILITY OF COMPACTS OR OTHER ARRANGEMENTS**

### **1. Positive elements**

Information publicly released since the introduction of the Compact in England has identified key factors that positively contributed to its implementation, such as:

- \* Mutual respect
- \* Shared commitment to the project
- \* Shared vision, aims and targets
- \* Shared commitment to risks and rewards
- \* Agreed action plan
- \* Adequate resources available to plan and enable implementation
- \* Agreed concrete deliverables
- \* Consultations across the sector, including with community and ethnic minorities traditionally excluded, throughout negotiations
- \* Adequate time for relationships between the parties to develop
- \* Relevance to funding service agreements and consultation processes
- \* Monitoring techniques and mediation service for long term support of the relationship
- \* Central coordination and promotion
- \* Key individuals and positions identified throughout the process
- \* Good leadership
- \* Cultural shifts preventing progress identified and change facilitated
- \* Recognition that process matters more than structure
- \* Accountability arrangements transparent, consistent and widely known
- \* Awareness not taken for granted and promoted across government and community
- \* Regular updates on implementation, identifying what is working and what needs to be addressed
- \* Principles translated into successful, sustained and innovative ways of working, for example, through the publication of agreed codes of conduct and good practice guidances
- \* Compact agreed to and signed off by both Government and Opposition
- \* Government undertook to:

- recognise and support the sector's independence, including the right to campaign, challenge and comment on government policy
- appraise with the sector all new policies and procedures at the development stage to identify implications their within a reasonable response time frame
- \* Sector understood it will:
  - provide high standards of governance and accountability to users and funders
  - develop appropriate quality standards

The Codes of Good Practice on Funding and Policy Development released in Canada identify the following principles that underpin them:

- \* Commitment
- \* Mutual respect
- \* Inclusiveness
- \* Accessibility
- \* Clarity
- \* Transparency
- \* Responsibility
- \* Accountability

## **2. Negative elements**

In Australia, early experiences have identified some key factors that adversely affect positive negotiations. Not all of these factors are present in negotiations in all States and Territories.

- \* Differing perceptions of the purpose and objectives
- \* Differing perceptions of the process
- \* Lack of unity in the community sector
- \* Bureaucratic reluctance to work with the parties involved
- \* Concern the relationship of smaller organisations with government being overlooked in negotiations
- \* Lack of a key agency or unit to steer the partnership
- \* Key players not easily identified or contactable
- \* Public information on process and progress difficult to locate
- \* Time frame not maintained
- \* Asserting organisational independence with funding bodies that are parties to the negotiations can be compromised
- \* Content of sector campaigns can be compromised by negotiations
- \* Lack of clarity about:
  - action plan
  - timeframe for implementation

- performance indicators, monitoring and review
  - \* Lack of consultation on key issues affecting the viability and sustainability of the community sector
  - \* Negotiations conducted while existing tensions between partners remain unresolved
  - \* Rhetoric and platitudes not translated into day-to-day practice
  - \* Organisational 'mission drift' as the partnership agenda steers it away from its core objectives
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## SUMMARY OF DEVELOPMENTS

### AUSTRALIA

#### 1. Australian Capital Territory

- Compact "Community Partnership" between the community sector and the ACT Government, a statement of understanding about the relationship between the two sectors, launched (September 2001)
- Government community reference group to coordinate implementation of Compact established (2001)
- Review of Compact for first 12 months to be held (2002)
- Joint Community/Government Reference Group looking at the implementation of the Compact met once; due to meet again shortly – ACROD ACT has been granted a place in the group (July 2002)

#### 2. New South Wales

- Mental Health Council conducted Mapping, Analysis and Performance (MAP) Project to identify key planning and funding issues (July 2000)
- Premier's Department reviewed grants program to identify issues on the relationship between service planning, funding arrangements and accountability (July 2000)
- Premier's Department reviewed ways to enhance capacity of NGOs, especially smaller ones, to delivery effective, efficient, sustainable services (July 2000)
- Development of a Compact between the NSW Government and its Government and non-government service providers announced (November 2000)
- NCOSS papers, *Consultation Discussion Paper* and *Developing Relationships – Overseas Trends*, released (2000)
- Forum of Non-Government Agencies (FONGA) responded to *Consultation Discussion Paper*

- NCOSS called for moratorium on implementation of competitive tendering pending development of the *Compact* (June 2001)
- NCOSS welcomed end of competitive tendering, particularly for disability advocacy services (September 2001)
- FONGA still involved in negotiations on the *Compact* – progress expected in first quarter of year (2002)
- No further developments reported (July 2002)

### 3. Northern Territory

- *Strategy 21 – Directions 2005* announced intent: “to create and enhance a Territory wide network of services which delivers continuing improvement in the health and wellbeing of all Territorians” (April 1999)
- Department of Health and Community Services (DHCS) and NTCOSS worked together in ‘partnership’ project to develop service contracts, including clause on ‘mutual obligation’ (2000)
- DHCS funded NTCOSS to review mutual obligation schedule (2000-2001)
- Senior government officers met to consider how Office of Local Government *Set of Principles – Next Step* can be broadened to a “whole of government
- DHCS funded NTCOSS to undertake DHCS / sector forums with funded non-government organisations, where a number of sector issues and priorities were identified (March 2002)
- NTCOSS recommended development of a compact or partnership agreement across whole of government (May 2002)
- NTCOSS finalising a 6-month project *Building a Sustainable Community Sector* (July 2002)

### 4. Queensland

- Community Services Strategy endorsed and paper *Strategic Directions: Investing in Queensland’s Community Services* released (August 1999)
- Government approved policy document *Statement of Partnership between Government and Community Services* (April 2000)
- Seven community forums held (October / November 2001)
- *Community Engagement Division Directions Statement* released by the Department of Premier and Cabinet (November 2001)
- Draft version of Community Services Industry Plan (CSIP) distributed for comment (December 2001)
- ACROD Queensland working with Disability Services Queensland (DSQ) to improve communication and consultation and develop a partnership arrangement across the DSQ Funding Reform strategy
- Evaluation of Single Service Agreement to be presented to State Cabinet (February 2002)

- Conference to prioritise strategies from consultation process on CSIP held (February 2002)
- CSIP presented to Minister for Families (April 2002)
- CSIP currently being considered (July 2002)

## 5. South Australia

- Paper, *Working Together*, a framework for relationship between the Department of Human Services and non-government community service providers released (January 2001)
- Implementation of framework occurred through working parties (2001)
- SACOSS wrote to Premier expressing concern with lack of understanding of its intent and lack of additional resources (January 2002)
- Evaluation of implementation of framework to be conducted (May 2002)
- Disability sector concerned that the development of the *Working Together* framework did not adequately consult with people with disabilities (July 2002)
- Current government priority focus is on *Generational Review of the South Australian Health System* (July 2002)
- New government portfolio of Social Inclusion is focusing on issues such as school retention rates and homelessness (July 2002)
- No progress reported on *Working Together* framework

## 6. Tasmania

- Changing Relationships (CR) Strategy established (1996)
- CR rebadged as the *Partnerships Project* (2000)
- TasCOSS appointed manager of the *Partnerships Project* (2000)
- Reference Groups, Division Consultative Forums, Agency-Sector Forum, and Working Groups established (2001)
- ACROD Tasmania and TasCOSS agreed to go over service contracts (2001)
- TasCOSS reported lack of clarity of Department of Health and Human Services (DHHS) and community sector views of 'partnership' (2001)
- TasCOSS issued paper, *Draft Compact between Tasmania Department of Health and Human Services and Funded Community Service Organisations* (December 2001)
- Concerns expressed at ACROD Tasmania conference about Compact being developed across whole of the government and community sector (March 2002)
- TasCOSS reported future of Partnerships Project in doubt following decision to approve inadequate indexation of only 2.61% (July 2002)
- TasCOSS reported the community sector needs to decide whether continued cooperation with DHHS can continue as unconditionally as in the past (July 2002)

## 7. Victoria

- Submission by Department of Human Services (DHS) to *Inquiry into the Department of Human Services Service Agreements* referred to acceptance of the need for improved relationships with funded agencies (March 2001)
- DHS and peak body representatives held preliminary discussions (September 2001)
- DHS released paper *DHS Funded Agency Partnership Project (FAPP) Statement of Purpose and Options for Proceeding* (November 2001)
- Follow-up meeting between DHS and peak body representatives held (November 2001)
- Sub-committee met to start setting agenda for future development (December 2001)
- Sub-committee meeting held (January 2002)
- Sub-committee meeting held (13 February 2002)
- *Department of Human Services / Health, Housing and Community Sector Partnership Agreement – First Draft for Discussion* released (June 2002)
- ACROD Victoria Partnership Forum, *The Relationship between Human Services and Service Providers* raised issues and highlighted missing elements (July 2002)
- *Victorian State Disability Plan 2002-2012* released (September 2002)

## 8. Western Australia

- WACOSS paper *Healing the Social Divide: A call to the political parties to address the social needs of Western Australia* – areas requiring urgent attention included “building a community partnership” released (December 2000)
- Working party formed in Department of Premier and Cabinet on Contracting Not-for-Profit Organisations for the Delivery of Community Services, included WACOSS representation (September 2001)
- WACOSS advised funding Working Party continuing to meet (January 2002)
- WACOSS advised that the first Gallop budget had been analysed against *Healing the Social Divide*: many recommendations had been implemented; remaining significant gaps had been reworked into pre-budget submission for 2002/2003 (July 2002)

## 9. Commonwealth

- ACROD and ACOSS called for a Commonwealth Compact (October 2001)
- Minister for Family and Community Services yet to be convinced a social compact would provide any more benefits than the current ‘social coalition’ approach (2001)
- Department of Family and Community Services (FaCS) advised generic Agreement to be widely applied, including to service providers (2001)

- ACROD provided comments to FaCS on content of proposed generic Agreement (February 2002)
- Commonwealth generic Agreement implemented by FaCS (June 2002)
- No further developments (July 2002)

## INTERNATIONAL

### 1. Canada

- Broad consultation held across Canada as the draft Accord is developed (2000 / 2001)
- Prime Minister released final document of the Accord (December 2001)
- Implementation plan to be developed jointly by the Government and voluntary sector (for spring 2002)
- VSI web site reported (June 2002):
  - Three working groups formed to develop plans and products to implement the Accord
  - Two draft codes of good practice (funding, policy development) drafted
  - Six regional focus groups field-tested draft codes, with interdepartmental consultations yet to be held

### 2. New Zealand

- Minister for Community and Voluntary Sector asked for work program to make improvements and strengthen community sector (December 2001)
- Government signed Statement of Government Intentions for an Improved Community-Government Relationship (December 2001)
- Forum to develop and prioritise practical proposals for strengthening the community sector and improving its relationship with government (June 2002)
- Community and Government Steering Group to report to Minister (30 June 2002)
- No new developments reported (September 2002)

### 3. United Kingdom

- Compacts with the community sector established across the United Kingdom across whole of government (1998)
- *Compact: getting it right together – Compact on Relations between Government and the Voluntary and Community Sector in England*, following extensive consultation, launched (November 1998)
- Good practice guidances (five) published (2001-2002)
- Second annual meeting to review Compact held (early 2002)

## MORE DETAIL ON DEVELOPMENTS

### AUSTRALIA

#### 1. Australian Capital Territory

In September 2001, the ACT Government launched its *Compact – Working Better Together: the first step*.

“The Compact between the community sector and the ACT Government is a statement of understanding about the relationship between the two sectors. Through the Compact, government and community sector organisations and groups hope to achieve a better working relationship for the benefit of people and communities in the ACT.”

The ‘community sector’ is defined as including a wide range of not-for-profit community organisations, self help groups, community associations and consumer advocacy groups.

The ACT Compact, the first of its kind in Australia, which draws on the Compact in England:

“... is an enabling framework that derives its status from broad endorsement in the community sector and across government. It is intended to promote mutual understanding and guide community sector and government representatives to adopt processes and behaviour that value the role, contribution, perspective and expertise of both sectors.

The Compact will be used in four main ways:

- \* To build common understandings and improve dialogue
- \* As a guide to the way communication and processes are managed by each sector, and to behaviour in the relationship
- \* As a means of drawing attention to and resolving problems in the relationship
- \* As a basis for evaluating and improving how the relationship is working.”

While there have been statements of support from the community sector, including those printed in the Compact paper, some concerns have been expressed about the thrust of the Compact, including:

- \* Most community groups involved in the Writing Group and Reference Group receive most of their funding from the ACT Government, which could have skewed the development of the Compact
- \* The independence of NGOs is questionable – it appears that the Compact requires them to behave more like an arm of government
- \* The relationship with smaller, lower funded bodies needs strengthening

ACROD ACT was involved in the consultation process to develop the Compact. Since its launch, a government community reference group is coordinating the ongoing implementation of the Compact. To date, ACROD ACT has not been offered a position on that committee, but will actively seek one.

In January 2002, ACTCOSS stated:

“This first attempt at a Compact will need to be criticised, evaluated and reviewed over the coming 12 months. It will also require other supporting documents and processes to be developed around it, for example, grievance procedures, performance measures, and a new look at consultation protocols. ACTCOSS looks forward to working with the ACT Government to improve the Compact.”

In May 2002, the ACT Chief Minister released the Reid Review of the organisational arrangements of government health services. One of the recommendations accepted by the government will see the phasing out the purchaser-provider model of service delivery in health.

In July 2002, ACROD ACT advised that it had been granted a place on the Joint Community/Government Reference Group looking at the implementation of the ACT Compact over the last 12 months. The Group has only met once but is expected to become more active in the near future.

## **2. New South Wales**

In July 2000, it was reported by the Mental Health Council that NSW Health had funded a Mapping, Analysis and Performance (MAP) Project to identify key planning and funding issues for mental health non-government organisations (NGOs). The Cabinet Office engaged independent consultants to advise on the development of a Compact between the NSW Government and NGOs. The Consultation Discussion Paper (2) states that the aim of having a Compact is to articulate an agreed understanding of what is desirable in the relationship between the NSW Government and NGOs regarding their respective roles and responsibilities.

The Premier's Department undertook a review of the grants programs operating across a range of human service portfolios. The government stated it was interested in identifying issues and gathering views on the relationship between service planning and funding arrangements, accountability and the need for flexibility or change in allocating available funding to meet changing community needs.

The Premier's Department also reviewed ways to enhance the capacity of NGOs, especially smaller ones, to deliver effective, efficient and sustainable services. The review gathered information on the practical realities of the operating environments of NGOs and ways in which government can assist NGOs to provide cost-effective services.

Consultations were conducted for the above three projects between March and June 2000, with the report completed in July 2000.

In November 2000, NCOSS posted the following information on its web site [www.ncoss.org.au](http://www.ncoss.org.au)

*"A Compact between the NSW Government with its Government and non-Government service providers is currently under development. A review is being undertaken in close consultation with community organisations. The aim of having a Compact is to have an agreed understanding of a desirable relationship between NGOs and the NSW Government regarding their respective roles and responsibilities. It recognises that a partnership between Government and non-government is a key in creating a stronger community that meets the needs of all members."*

At that time, NCOSS also published two papers on its web site:

- \* *Relationships between the NSW Government and Non-Government Organisations - Consultation Discussion Paper*
- \* *Developing Relationships between Government and Non-Government Organisations - Australian and Overseas Trends*

The Context of the *Consultation Discussion Paper* states:

"The NSW Government is committed to improving outcomes for families and communities and recognises that services provided by both the Government and non-government providers are critical to the health and wellbeing of communities.

The Government desires that relationships across this service network are based on sound principles and practices. On this basis the Government is reviewing in close

consultation with all service providers, both Government and non-government, what this relationship should be.

There are two aspects of this relationship that are being examined in this review:

- \* The potential overarching role of a compact to support a positive working relationship between the Government and community organisations
- \* How day-to-day working relationships should be managed to optimise outcomes for the community and also meet accountability objectives

The consultation is the first stage in implementing the Government's undertaking relating to families and communities. The objective of this stage is to explore what could usefully be included in such a *Compact*, and to identify issues of relevance to two related projects, namely the Grants Administration Review, and the Capacity Building Project for NGOs."

The Forum of Non-Government Agencies (FONGA) provided a response to the *Consultation Discussion Paper*.

On 24 June 2001, NCOSS made the following statement in its media release *Parliamentary Inquiry highlights problems with competitive tendering*:

"We call for a moratorium on the implementation of competitive tendering in human services in New South Wales, pending the development of a Compact between the Government and the non-government sector."

In September 2001, NCOSS in its media release *NCOSS welcomes end of competitive tendering process* welcomed the announcement by the Department of Ageing, Disability and Home Care (formerly Ageing & Disability Department) of the cancellation of the competitive tendering process for disability advocacy and information services.

"NCOSS and disability advocacy groups had identified a number of problems with the process. These problems were also highlighted by the recent Legislative Council Inquiry into the process. ... Having met with the new Director General of the Department this week, we are hopeful that this decision signals the beginning of more effective, open relationships between the Department and non-government organisations."

In January 2002, NCOSS advised that the NSW Government had restated its commitment to developing a *Compact* with non-government organisations. FONGA is

still involved in these negotiations with government, with progress expected in the first quarter of 2002.

In July 2002, NCOSS advised that no further action had occurred, although a response from the NSW Government was expected shortly, perhaps within a month.

### **3. Northern Territory**

In April 1999, the Minister for Health, Family and Children's Services in his *Ministerial Statement Future Directions – Strategy 21*, the Department's Corporate Plan for the 21<sup>st</sup> Century made the following statement under Strategic Directions for Health and Community Services.

“Territory Health Services will accelerate the development of a sector which offers choice of providers to the community, access to a broader range of resources, and depth of health and community service expertise.”

Key Performance Statements included:

“A strengthening of strategic partnerships with key stakeholders, for more effective policy, program and service development”.

In 2000, the Department of Health and Community Services (DHCS) and NTCOSS worked together in a 'partnership' project to develop service contracts, which included a clause on 'mutual obligation'.

In 2000-2001, NTCOSS was funded by DHCS to review the mutual obligation schedule. One of the key recommendations of this project was for a partnership agreement / memorandum of understanding to be developed between DHCS and the sector to provide a framework for working together. A number of mutual obligations and issue areas had been identified for inclusion in that type of arrangement.

In 2001, the Office of Local Government released its *Set of Principles – Next Step*. At the end of 2001, senior officers from all NT Government departments met to look at how these principles may be broadened to a “whole of government approach”.

In March 2002, DHCS funded NTCOSS to undertake DHCS/sector forums with funded non-government organisations (180) in the Territory. A number of sector issues were identified, including:

- \* viability / risk management (priority)
- \* resource allocation (priority)

- \* workforce development including volunteers
- \* communication and consultation with the sector and the community
- \* capacity building (priority)
- \* strategic planning and the development of a 3-to-5 year industry plan (priority)
- \* performance measures, service standards and accountability (priority)
- \* indigenous sector development
- \* development of frameworks and protocols across a range of business areas
- \* development of relationship parameters (priority)

The development of relationship parameters was also identified as a priority that should be attended to first, possibly in conjunction with a specific project aimed at achieving short term gains for the sector, for example, viability / risk management.

In May 2002, NTCOSS recommended in its first submission on the Territory Government Budget that a compact or partnership agreement be developed, via the Chief Minister's Department, between the social and community sector and the Territory Government, and that this should be across the whole government, not just with DHCS.

In July 2002, NTCOSS advised it is currently finalising a six-month project, *Building a Sustainable Community Sector*. This project will address the immediate viability issues for the sector, identified at the forums. It is envisaged that the project will form the first stage of what is seen as being a 12-month to 2-year partnership project. Key issues raised are expected to lead to the formation of a number of working parties. It is also possible that a number of partnership projects will result.

#### **4. Queensland**

In August 1999, the Queensland Government endorsed a Community Services Strategy, with approval being given for the release of the paper *Strategic Directions: Investing in Queensland's Community Services*.

In April 2000, the Department of Families released the policy document *A Statement of Partnership between Government and Community Services*. Its development involved non-government service providers representing the broad range of community organisations, State and local government, for-profit service providers and consumers.

The Statement recognises that the term 'community service providers' applies equally to government and non-government service providers. The Statement is a guide to the partnership between all community service providers in the delivery of community services in Queensland. It lists the roles and responsibilities of government and community service providers and ten principles:

- \* Quality service provision
- \* Interdependence
- \* Independence and autonomy
- \* Consumer participation
- \* Recognising volunteers
- \* Recognising paid workers
- \* Meaningful communication
- \* Accountability for public funds
- \* Valuing diversity
- \* Recognising Aboriginal and Torres Strait Islander peoples

Further work occurred on the preparation of a strategic framework for the development of a Community Services Industry Plan (CSIP), with a report made to government before the end of 2000. The Department of Families took over carriage of the CSIP from the Department of the Premier and Cabinet.

In July 2001, the development of the Industry Plan was tendered out. The Peaks Community Services Strategy Interest Group at its July meeting stated:

“... the Industry Plan should be developed as an example of the partnership between government and non-government sectors and this should be reflected in the consultancy being guided by advisory processes reflecting government and non-government interests”.

In January 2002, the Department of Families advised ACROD:

“There has been much work done on the CSIP. A draft version was produced in December 2001 and distributed for comment to both community agencies and Government officers involved in the seven community forums conducted in October / November 2001. People from a broad range of community agencies and Government Departments, and from places all over Queensland, attended these forums.

A conference will be held in late February 2002 to bring together all people involved in the consultations, to prioritise all of the strategies developed at the seven forums. The final report will be completed by 31 March 2002.

The evaluation of the Single Service Agreement was completed in October, and the report will be presented to State Cabinet in February 2002. It is possible that some of the recommendations in the evaluation report will be implemented through the Community Services Industry Plan.”

In January 2002, ACROD Queensland advised:

“A culture of shared leadership is emerging as the Queensland Government recognises the opportunities gained from collaborating and partnering with other sectors to develop public policy. An example of this new focus of the State Government is the establishment of the Community Engagement Division of the Department of the Premier and Cabinet. In the recently released *Community Engagement Division Directions Statement*, the Premier acknowledged that the role of Government is changing, with the community seeking better Government leadership through increased public participation in decision-making.”

ACROD Queensland also advised that it was working with Disability Services Queensland (DSQ) to improve communication and consultation across partners and develop a partnership arrangement across the DSQ Funding Reform strategy. It is hoped that this will see an end to the ‘demand’ approach to service providers to comply with policy reformed on the basis of limited consultation.

In March 2002, the Department of Families advised that, in February, after extensive consultation with government and non-government sectors, a workshop was held to assist with the finalisation of the Community Services Industry Plan. A working group was set up to develop models for the form and operation of the industry body.

The CSIP, a whole of government plan across the community services industry, including for-profit bodies, was presented to the Minister for Families in April and is currently being considered (as at July 2002).

## **5. South Australia**

In early 2001, the Department of Human Services and the South Australian Council of Social Service (SACOSS) released their jointly agreed paper *Working Together*. The purpose of the paper was to provide a framework for the relationship between the Department of Human Services (DHS) and non-government community service providers.

“*Working Together* recognises that the provision of quality community services is dependent on a relationship and way of working characterised by mutual respect and cooperation. This document provides a set of shared principles that underpin that relationship. *Working Together* also includes a number of practical measures to provide an immediate means of giving effect to these principles.”

The paper covers the following areas:

- \* Distributing resources

- \* Contracting
- \* Performance monitoring
- \* Strengthening skills
- \* Peak bodies
- \* Links to planning and advice

In January 2002, SACOSS advised that the framework covered by *Working Together* is in its implementation stage, through a subcommittee with representatives from DHS and non-government organisations. Working parties had been established in each of the areas listed above, and these meet regularly. For example, the working party on contracting is developing more consistency in negotiating contracts with non-government organisations.

Also in January 2002, SACOSS advised that a letter had been sent to the Premier expressing some concern with the existing situation. While acknowledging that the development of a framework for the relationship between government and non-government community service providers is a useful tool, SACOSS stated that problems exist on both sides around the understanding of its intent and its implementation. A lack of additional resources to develop the framework is an issue, as is the appointment of only a part-time executive officer within the Department for this task. An evaluation of the implementation of the framework is due to take place in May 2002.

In July 2002, ACROD SA advised that the government's current focus was on the *Generational Review of the South Australian Health System*, an initiative under *Working Together*, and a range of committees were being formed.

A new government portfolio of Social Inclusion, under the Minister for Health Services, has been established, with a board drawn from the public, private and community sectors. In the first instance the Social Inclusion Initiative will focus on issues including school retention rates and homelessness.

## **6. Tasmania**

In 1996, the Minister for Community and Health Services launched the Tasmanian Government's "Changing Relationships (CR) Strategy". The CR process included five working parties on Models of Consultation; Models of Service Delivery; Service Agreements; Information Technology; Funding Policy. By November 1999, a funding guidelines paper had been released, and a model service agreement and a model of consultation were being trialed.

In 2000, “Changing Relationships” was rebadged as the *Partnerships Project* to develop a set of structures and processes linking the Department of Health and Human Services with the community organisations funded by that agency. TasCOSS was appointed the manager of the Project.

The *Partnerships Project* has four main components:

- \* Reference Groups of all funded community sector organisations to provide broad direction to the representatives on the forums (listed below)
- \* Division Consultative Forums – each of the four Department of Health and Human Services (DHHS) Divisions that fund community organisations – Community and Rural Health (which also relates to disability services); Child, Youth and Family Support; Health Advancement; and Housing Tasmania
- \* Agency-Sector Forum (ASF) of senior managers from DHHS and representatives of the community sector to discuss agency-wide or cross-divisional issues
- \* Working Groups – each Divisional Consultative Forum and the ASF establish working groups to tackle specific issues identified by those Forums – generally small, with two or three representatives from the sector and DHHS

In November 2001, TasCOSS reported that there was a lack of clarity about the Department’s view on what constitutes a ‘partnership’ with the community organisation sector, as well as varying notions in the community sector of what constitutes a legitimate partnership relationship. On the positive side, it was recognised that there was considerable Ministerial support for the *Partnerships Project*, consistent with a whole-of-government recognition of its importance, and some senior Departmental staff were providing enthusiastic support. However, on the negative side, lack of information and clear channels of communication marked the interaction between DHHS and the community sector.

Community organisations, discussing whether they should channel their communications with DHHS solely through the structures of the *Partnership Project*, generally agreed that participation in the *Partnerships Project* should not constrain other avenues for pursuing their interests.

In December 2001, TasCOSS issued a *Draft Compact between Tasmania Department of Health and Human Services and Funded Community Service*

*Organisations.* This is significantly based on the ACT Social Compact which, in turn, relied heavily on the *Compact on Relations between Government and the Voluntary and Community Sector* produced in England in November 1998. TasCOSS advised that the draft:

“... will commence a consultation process with peak bodies with a view to refining, and gaining acceptance for, a ‘Compact’ document that sets out the expectations and responsibilities of DHHS and funded community organisations within their emerging relationships”.

TasCOSS will also look to broaden the Compact across government and across the community sector. However, in March 2002 at the ACROD Tasmania conference, concerns were expressed that this may be impractical, and it may be more realistic to develop a code of practice.

In July 2002, TasCOSS advised:

- The future of the Partnerships Project is in doubt following the “surprising decision by DHHS to approve an indexation amount of only 2.61%”
- An unfortunate impact of the Partnerships Project has been the failure of the community sector to publicise, and politicise, the tensions evident in the relationship between the sector and the Department
- The sector has failed to publicly advocate its interests, leading to an alarming complacency on the part of the Minister and her Department
- The sector will need to decide whether continued cooperation should be as unconditional as it has been in recent years

## **7. Victoria**

In March 2001, the Department of Human Services (DHS) made its second stage submission to the Public Accounts and Estimates Committee (PAEC) *Inquiry into the Department of Human Services Service Agreements*. In this submission, DHS accepted the need for improved relationships between the Department and funded agencies.

On 28 September 2001, ACROD Victoria, along with representatives of the other peak bodies, was involved in preliminary discussions with DHS. A follow-up meeting was held on 23 November 2001. For that meeting, DHS prepared a paper, *DHS Funded Agency Partnership Project (FAPP) Statement of Purpose and Options for Proceeding*, which stated that DHS proposed:

- \* the development of a Partnership Agreement

- \* a new DHS-Funded Agency Consultative Forum
- \* an annual funded agency satisfaction survey

The implementation of these three initiatives would provide an overarching framework for a range of existing projects and arrangements related to partnership. These include the development of an agency performance monitoring and review framework, regional consultative forums and Primary Care Partnerships.

The paper also noted that:

- \* the new approach involves a move from a 'purchaser-provider' relationship to one characterised by partnership and interdependence
- \* a new funding allocation approach has been implemented within DHS, with competitive tendering no longer the routine and dominant approach
- \* the new framework is informed by the key principles of best value outcomes, financial responsibility and partnership

In January 2002, ACROD Victoria advised that setting the agenda for future development had been left to a sub-committee which met in December 2001 and was due to meet again in January 2002.

DHS prepared papers for circulation ahead of the next meeting with peak body representatives on 13 February 2002.

Another DHS paper, *Partnership: Developments in Australia and Overseas*, contained some additional references, which have been added to the Resources in Attachment 1 to this overview.

In February 2002, the sub-committee met again. DHS authorised work to continue in the three streams identified in the earlier DHS paper referred to above.

In June 2002, the Policy and Strategic Projects Division of DHS released for consultation *Department of Human Services / Health, Housing and Community Sector Partnership Agreement – First Draft for Discussion*, with comments due by 26 July 2002 (see [www.DHS.vic.gov.au/pdpc](http://www.DHS.vic.gov.au/pdpc)). The first draft of this paper was jointly developed by DHS and peak bodies for the health, housing and community services sectors. In summary, the draft paper:

- recognises the mutual reliance between DHS and funded service delivery organisations and the importance in ensuring effective public policy and best service outcomes
- provides an overarching statement encompassing planning processes, program agreements, service and funding agreements and review processes, consistent with the government policy framework “Growing Victoria Together”
- is a living document to be reviewed and amended as necessary
- affirms agreed expectations of a working relationship
- recognises that DHS and service organisations have legitimate differences in governance and roles and responsibilities

The vision statement makes the following assumptions:

- health, housing and community organisations will continue to represent their communities of interest and advocate for their interests and needs
- government will administer public funds and address program development in accordance with the elected parliament’s policies and existing statutes and regulations
- there needs to be mutually agreed processes for planning, developing and delivering services, based on the principles of sustainability
- the interests of Victorians are best served by a participative working relationship

On 18 July, ACROD Victoria hosted a Partnership Forum on “The Relationship between Human Services and Service Providers”, at which representatives of ACROD national, VCOSS, Freehills solicitors and DHS presented papers. The following points were raised about the *Partnership Agreement – First Draft for Discussion*:

- It is not a true partnership agreement but has many of the understandings of a partnership relationship – requirement of fiduciary trust, perhaps even the notion of ‘social profit’ resulting from the arrangement
- It may have some legal standing in relation to the Funding and Service Agreement
- The relationship being established was not clear:
  - Who should sign the agreement and where/how should it be circulated?
  - Is it part of the Funding and Service Agreement or a stand-alone document?
  - Should it be signed by ‘peak’ representatives on behalf of the sectors or by organisations themselves?
  - How much weight is to be placed on the value of the agreement?
- ‘Statement of Relationship’ may be a better name
- Items presently missing are:
  - the status and use of fundraised moneys

- the role and functions of peak bodies
- the role and relationships of Human Services with itself – which part is the partnership with – funded provider or head office with powerful regions?
- definitions of key words like ‘fair’
- respect of the right of organisations to lobby, protest and take political positions
- Training organisations and departmental staff about this document and the funding agreement would be important – joint training would be a demonstration of the partnership
- Clear outcomes and goals should be measured for effectiveness and linked with the satisfaction survey and semi-annual council meeting
- The possibility of a formally bi-partisan document being signed by both major political parties should be explored

The State Government released its *Victorian State Disability Plan 2002-2012* in September 2002. The following statements appear under ‘Working in Partnership’:

“The Victorian Government recognises that it cannot achieve all of the changes outlined in this State Disability Plan by working alone. It will need to work together with others to achieve real and lasting change for people with a disability in this State. ... Working in partnership means developing and strengthening relationships, and working collaboratively with and between:

- different organisations across government (such as government departments and statutory authorities)
- service providers in the non-government sector (including for-profit and not-for-profit organisations)
- local governments
- community groups
- businesses and industry leaders
- the Commonwealth Government
- the broader community

Working in partnership does not mean that the Government is giving up its responsibilities. Nor does it mean that there will always be agreement on all issues. All governments must make difficult decisions about priorities and about the allocation of resources.”

## **8. Western Australia**

In December 2000, WACOSS released the document *Healing the Social Divide: A call to the political parties to address the social needs of Western Australia*, developed through a consultation process with WA community service organisations.

The key issues raised by WACOSS are contained in Commitment 1.2 in the document, which stated:

“That a working party on ‘Government and Community Sector relations’ be established between the Ministry of Premier and Cabinet and WACOSS to:

- \* Address the issues arising out of the Auditor General’s report entitled *A Means to an End: Contracting Not-for-profit Organisations for the Delivery of Community Service*
- \* Develop an across-government compact with the not-for-profit sector
- \* Develop the necessary protocols to ensure that peak industry bodies, and individual not-for-profit organisations have multi level input into the needs identification and in contract planning processes of government agencies involved in the delivery of community services
- \* Develop a sector appropriate framework to govern the funding of community services incorporating flexible funding practices such as competitive tendering, direct innovation / research funding and seed funding to establish services with a community development approach
- \* Implement a consistent approach across all State government departments that fund community services, including three to five year funding of recurrent services and appropriate annual cost of living funding adjustments to cover the external compliance costs related to tax, industrial, service accountability and other legal requirements associated with providing contracted services to the community.”

The September 2001 issue of ACROD News carried an article “News from WACOSS”. This referred to the formation of a Working Party in the Department of Premier and Cabinet on Contracting Not-for-profit Organisations for the Delivery of Community Services.

The ‘funding’ Working Party, which includes WACOSS representation, addressed the sector’s concerns on contracting and competitive tendering of community services by State authorities and the need for an across-government compact with the not-for-profit sector to be developed.

In January 2002, WACOSS advised that the funding Working Party continued to meet. WACOSS has written a Discussion Paper, due to be released in February 2002, which will raise issues for the development of policy for funding, program planning and design.

In July 2002, WACOSS's web site carried the following update:

“WACOSS developed an extensive document of the sector's priorities in the lead-up to the February State election. All parties responded and this resulted in a scorecard being produced on the responses and social policy promises. With the election of the Labor government, WACOSS has followed through and analysed *Healing the Social Divide* against the first Gallop budget. Quite pleasingly, many of the recommendations have been implemented, however, there remain some significant gaps. Many other recommendations are also the subject of ongoing negotiations and consultations with the government. WACOSS will now re-work those unfulfilled commitments into a new pre-budget submission for 2002/2003.”

## **9. Commonwealth**

ACROD, the national industry association for disability services, and ACOSS (Australian Council of Social Service) have called for a Commonwealth Compact.

ACROD, in its media release of 18 October 2001 referring to the document, *Disability Services: Policies for the Next Federal Government*, stated:

“ACROD supports the negotiation of a formal agreement between the Commonwealth Government and the community welfare sector, as a means of introducing greater equity and clarity into the relationship with Government.”

ACOSS, in its media release of 18 October 2001 stated:

“We want the major political parties to commit a new deal, a formal agreement that better defines the Federal Government's relationship with the community sector a negotiated relationship which respects our full role, not just in service delivery but in policy development to find solutions and in advocacy on behalf of our clients' needs.”

The Labor Party in the 2001 Federal Election campaign announced “a new way of working with the community sector”. The discussion paper, *Working Towards a Community Compact*, set out ideas on how a compact between a future Labor Government and community organisations would ensure there is better cooperation in designing policies that affect families and communities. The Shadow Minister for Family and Community Services said:

“Labor's Community Compact will create an equal partnership to tackle issues such as growing inequality and disadvantage in communities ... and also provide a forum for strengthening the not-for-profit sector”.

In the lead-up to the 2001 Federal Election, the Australian Democrats expressed support for a social compact between the Commonwealth Government and community organisations.

Approaches in 2001 to the Minister for Family and Community Services received the response that the government is yet to be convinced that a social compact would provide any more benefits than the current 'social coalition' approach.

ACROD believes that one issue that should be covered by a formal agreement between the Commonwealth Government and community organisations is the negotiation of contracts. This is particularly so in the light of the move by the Department of Family and Community Services, driven by its legal section, to develop a generic Agreement for wider application, including service providers, for implementation in 2002 / 03. Such a move has the potential to give one-sided protection to government; make it harder to negotiate changes; give blanket intellectual property rights to government; and be contrary to the Departmental rhetoric about 'individualisation' of services.

In January 2002, ACROD made the following comments to the Department of Family and Community Services:

"While the reasons for the Department's wish to develop a generic Agreement are understandable, the weakness of such an Agreement is its inability to take into account the diverse circumstances that apply across the various services and projects funded by the Department. It is for this reason that the 'one size fits all' approach is being discarded elsewhere in human services. A generic Agreement could provide a useful template, but the flexibility to negotiate changes to suit particular circumstances needs to be retained.

Wherever possible the Agreement should apply reciprocal conditions (mutual obligations) to reflect the partnership between the Commonwealth and the non-government sector that both are seeking to foster.

The Agreement should also reflect the Commonwealth's policy to purchase outputs and outcomes and not focus on how inputs are employed to achieve those outputs or outcomes."

In July 2002, there were no developments at the Commonwealth level to report.

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## **INTERNATIONAL**

### **1. CANADA**

The Voluntary Sector Initiative (VSI) is a joint initiative to strengthen the capacity of the voluntary sector and to enhance the relationship between the sector and the Government of Canada.

During 2000 / 2001, broad consultation took place across Canada as a draft Accord was developed. A total of about 2000 local organisations were involved in the consultations on the draft Accord.

In December 2001, the Prime Minister released the final version of the Accord. This spelled out the values, principles and commitments that will underlie the future relationships. An implementation plan for taking the Accord forward will be developed jointly by the voluntary sector and the Government of Canada for spring 2002.

In June 2002, VSI advised that three working groups had been formed to help develop plans and products to implement the Accord. Two draft Codes of Good Practice – one on funding and the other on policy development – had been drafted as guides to interactions in these areas between government departments and voluntary sector organisations. Six regional focus groups across the country recently field-tested the draft Codes. Interdepartmental consultations will be held in the federal government. Comments were invited from the sector by 24 June. The Codes can be accessed on the VSI web site ([www.vsi-isbc.ca/eng/draft\\_codes.cfm](http://www.vsi-isbc.ca/eng/draft_codes.cfm)).

### **2. NEW ZEALAND**

In December 2001, the Minister for Community and Voluntary Sector has asked for a work program to:

- \* Improve participatory processes around developing and making policy
- \* Improve resourcing and accountability arrangements
- \* Strengthen the community sector

The Government has signed a Statement of Government Intentions for an Improved Community – Government Relationship.

The work program and Statement of Intent reflect the recommendations made to Government by the Community and Voluntary Sector Working Party in its report

*Communities and Government – Potential for Partnership Whakatapu Whakaaro*, April 2001.

A forum to develop and prioritise practical proposals for strengthening the community sector and improving its relationship with government was held in June 2002. The forum was also to consider ways to progress specific strategies and actions.

A Community and Government Steering Group has been established to lead the work, monitor progress and report to the Minister by 30 June 2002.

In September 2002, no new developments had been reported.

### **3. UNITED KINGDOM**

Compacts between the government and non-government sectors have been established across the United Kingdom. They form part of a framework that prioritises community building and the strengthening of relationships between government and community

In England, the *Compact: getting it right together – Compact on Relations between Government and the Voluntary and Community Sector in England*, was drawn up following extensive consultation with the voluntary and community sector and government departments, and came into effect in November 1998.

The Home Office stated that the Compact was deliberately not exhaustive but, recognising the diversity of the voluntary and the community sector and its activities, should be seen as a general framework and an enabling mechanism to enhance the relationship between Government and the sector.

The Compact is described as a memorandum concerning relations between the Government and the voluntary and community sector. It is not a legally binding document. Its authority is derived from its endorsement by Government and the voluntary and community sector itself through its consultation process.

The Compact initially applies to central Government Departments, including Government Offices for the Regions, and 'Next Steps' Executive Agencies (whilst applying in principle to all 'Next Steps' Executive Agencies, in practice the Compact will only have effect where those agencies have a relationship with the voluntary and community sector).

The Compact in England covers:

- \* Status of the Compact
- \* Shared Vision
- \* Shared Principles
- \* Undertakings by Government
- \* Undertakings by the voluntary and community sector
- \* Issues relating to community groups and black and minority ethnic organisations
- \* Resolution of disagreements
- \* Taking the Compact forward

As part of the implementation process, guidance will be prepared to address the issues which arise under the Compact in England in respect of those Government Departments and 'Next Step' Executive Agencies which have responsibilities in more than one part of the United Kingdom. (See Attachment 1, *Resources*, for links to the Compacts in Northern Ireland, Scotland and Wales.)

At the National Centre for Voluntary Organisations (NCVO) 2001 Conference, the Chief Executive of NCVO said:

"The Compact is a 'milestone event'. ... But there are other issues crucial to building capacity within the sector. Core costs is, of course, a hardy perennial here, but government still needs to fully operationalise the Compact Funding Code and pay for all reasonable associated costs of delivery services as part of the funding package.

Risk and accountability present both dangers to be avoided and barriers to engagement. For example, while it is right and proper for voluntary organisations delivering publicly funded services to have to be accountable for the money they receive, it is madness for them to be faced by a dozen or more separate reporting requirements for each different source of funding. The dangers of such over regulation and multiple regulation is that organisations can find themselves spending too much time reporting and not enough doing real work. ... Performance indicators should, above all, be proportionate to the scale of the activity and should take account of local circumstances. And there is much more scope for performance measures to be jointly agreed in the spirit of partnership.

The risk involved in taking on government contracts also appears to present a major barrier to many voluntary organisations. So we are looking for a shared approach to risk – rather than the current wholesale shift from government to the provider. Indeed, concentrating responsibility in one organisation can prevent the risk taking necessary for successful innovation. ...

One of the dangers we face – and which therefore acts as a barrier – is the loss of independence, whether perceived or real. ...

The Compact offers a framework we can build on and strengthen in order to better preserve the sector's independence. The Compact clearly states that 'government will recognise and support the independence of the sector, including its right within the law to comment on Government policy, and to challenge that policy, irrespective of any funding relationship that exists'. This must become a reality ..."

Between January and July 2002, the following guidances were published on the Active Community Unit (ACU) web site [www.homeoffice.gov.uk/acu/acu.htm](http://www.homeoffice.gov.uk/acu/acu.htm). (Note: the ACU, formerly the Voluntary and Community Unit, "aims to promote voluntary and community activity and to support a healthy and cost effective voluntary sector".)

- *Black and Minority Ethnic Voluntary and Community Organisations: a Code of Good Practice*
- *Community Groups: a Code of Good Practice*
- *Consultation and Policy Appraisal: a Code of Good Practice*
- *Funding: a Code of Good Practice*
- *Volunteering: a Code of Good Practice*

At the second annual meeting held recently to review the Compact between Ministers and representatives from the voluntary and community sector, the following points were made:

- As so much of the relationship was occurring at the local level – extending the scope and impact of the Compact beyond and below central and local government to individual communities was of paramount importance.
- It was vital to secure local authority involvement in implementing local Compacts.
- The lack of capacity and infrastructure within the voluntary and community sector at grass roots needed to be overcome.
- Traditionally excluded community and black and minority ethnic groups needed to be engaged.
- Local authorities, government offices and regional networks have a vital role to play in encouraging the participation of key local agencies.
- Awareness of the Compact across government and the sector must not be taken for granted.
- The Action Plan must translate the Compact's principles into a truly workable guide.

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Margaret Verick, Policy Officer (ACPA), ACROD PO Box 60 CURTIN ACT 2605  
Phone 02 6282 4333 Fax 02 6281 3488 Email [mverick@national.acrod.org.au](mailto:mverick@national.acrod.org.au)

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