

29 April 2013

By email: [nationalcompact@pmc.gov.au](mailto:nationalcompact@pmc.gov.au)

Dear Sir/Madam

I am writing to you to provide the views of Family & Relationship Services Australia (FRSA) on the Australian Government's draft Code of Best Practice for Engagement with the not-for-profit (NFP) sector. As the national peak body providing leadership and representation for services that work to strengthen the wellbeing, safety and resilience of families, children and communities, we are well placed to understand the experiences of NFP sector organisations when working in partnership with Government.

FRSA supports the full implementation of the spirit of the National Compact between the Federal Government and the NFP Sector. To this end, FRSA is supportive of the principles of the Code, and its articulation of shared acknowledgements and undertakings for both Government and the sector. The Code enunciates what could be described as an ideal engagement practice. However, we would like to note some issues of concern in relation to the ability of such a Code to achieve genuine change, not only in the way in which Government engages with the sector, but more importantly the extent to which this engagement achieves genuine policy change. Our two key issues are:

1. The need for cultural change within Government to embed the principles in the Code.
2. The need for accountability in relation to the undertakings to run in both directions, including appropriate avenues for recourse if NFP organisations are not satisfied with the activities of Government in relation the Code.

A code such as this, no matter how commendable its principles, cannot achieve genuine change in isolation. Past consultative processes with the NFP sector have demonstrated that consultation can be merely lip service, particularly given cabinet processes that are restricted by timing and confidentiality issues. Rather, cultural change must take place within government departments in order to embed the principles such as transparency, authenticity, timeliness, accessibility and flexibility, as enunciated in the code. This cultural change needs to ensure genuine opportunity for the NFP sector to influence government's policy direction. In particular, there should be transparency in relation to all input received by Government during a consultative process, as well as in relation to the manner in which Government takes this feedback into account in policy and program development.

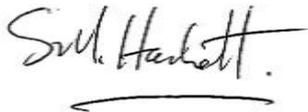
One component of the National Compact that the Code is intended to support is ensuring better communication between government and the NFP sector, so that policy decisions are in the interests of those most affected. To the extent that the Code is intended as a 'practical reference tool' for public servants and NFP sector organisations, and is not enshrined in law,

FRSA is concerned about its efficacy. While the undertakings and acknowledgements in the Code are mutual, we would like to see appropriate accountability mechanisms running from government to the sector as well as the sector to government. For example, the sector may be motivated to comply with the Code in order to protect its funding contracts. Yet past experiences with consultative processes suggest that there is no intrinsic motivation for government to comply. We note that a 'complaints mechanism' has been put in place, allowing NFP organisations to contact the Office of the NFP Sector to raise their concerns. However, we would like to see some articulation of implications or procedure in the case of serious complaints.

It is FRSA's experience that the NFP sector is genuinely committed to working with the government to find new and better ways of working together in line with the spirit of the National Compact. We endorse the principles in the draft Code of Engagement and call on the government to take steps to embed the Code so that the experience of NFP organisations working with vulnerable people affected by policy decisions can be communicated in order to genuinely affect change.

Thank you for the opportunity to comment on this issue. For more information about FRSA's views, please feel free to contact me.

Yours sincerely



Steve Hackett  
Executive Director