

# ACT Health and Community Services Directorates: commissioning of Peak Bodies

## Introduction

ACT Health (ACTHD) and Community Services (CSD) Directorates value the important role of peak bodies as sector partners in supporting the delivery of health and support services in the community and are seeking to secure peak body funding as soon as possible in the current commissioning cycle, preferably through Deeds of Grant for five (5) year periods.

This paper is a consultation document which outlines the proposed approach by ACTHD and CSD to gather feedback related to commissioning peak bodies. ACTHD and CSD want to provide peak bodies and the organisations and stakeholders they represent an opportunity to collaboratively design funding deliverables, shared outcomes and evaluation measures that will benefit the community.

## Background

Commissioning requires we identify and maximise opportunities for collaboration to reach shared objectives to meet community needs.

The ACT Approach to Commissioning<sup>1</sup> includes the principles and shared priorities to guide the way government and community sector partners will work together to undertake commissioning. The ACT Approach was developed following consultation with NGO sector partners, including peak bodies.

With the release of the Commissioning Roadmap and The ACT Approach to Commissioning on 5 August 2021, the Minister for Families and Community Services and Health confirmed the five reasons behind the ACT's shift to commissioning. They are to:

1. Better respond to community need, both existing and emerging, through increased flexibility and opportunities for innovation;
2. Improve integration across the service systems to support seamless and holistic care, and transitions between services;
3. Reduce the pressure on our hospitals and other crisis services, such as homelessness or statutory services for children, young people and families, by prioritising prevention and early support;

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<sup>1</sup> [The ACT Approach to Commissioning](#)

4. Improve equity in health and life outcomes for priority population groups, through commissioning decisions made about where and how to focus support; and
5. Improve sector sustainability through closer partnerships and better understanding the needs of our service delivery partners.

ACTHD and CSD currently fund several peak bodies which perform a representative role for specific consumer or industry segments as distinct from other service delivery.

ACTHD has maintained Service Funding Agreements for peak bodies until now, while CSD moved most of their peak body function funding over to Deeds of Grant in 2016.

### Functions of Peak Bodies

Peak bodies represent a segment of the community (consumer or carer peak) or a segment of service providers (industry peak). Some represent both. Peak body roles encompass both social reform (outward looking) and industry development (inward looking) functions.

Industry and community representative peak bodies are currently funded by ACTHD and/or CSD for some, or all, of the following activities:

- Policy advice and systemic advocacy
- Representation of the sector and/or interests of stakeholder group(s)
- Growing and disseminating the evidence base to guide the work of the sector and identify the needs of the community
- NGO sector capacity building, quality assurance, coordination and development services
- Sector training and professional development
- Information dissemination and communication

Individual organisations differ on whether they fulfill some or all these functions. In the context of human services and drawing on the literature<sup>2</sup>, the following definition of peak bodies is proposed by CSD and ACTHD:

*A peak body is a representative non-government organisation that provides information dissemination services, membership support, coordination, advocacy and representation, relevant research, policy and sector development services for its members and other interested parties. The role of a peak body does not include direct service delivery to community members.*

### Why Commission Peak Bodies?

ACTHD and CSD see peak bodies playing an important role in contributing to commissioning processes and supporting their stakeholders to participate in service planning and design activities. These roles are not limited to commissioning of a single funding stream. For example, we anticipate ACT Shelter will have a strong interest in the commissioning of homelessness services. However, ACT Shelter may also make a valuable contribution in relation to the experience of homeless people who access mental health and alcohol and other drugs services and in the shaping of future service delivery in these sectors.

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<sup>2</sup> Abridged Version What is a “Peak Body”? Youth Affairs Network of Queensland Inc (2006)

Given the important role we anticipate peak bodies will play in supporting the commissioning process, ACTHD and CSD are aiming to secure future funding arrangements with peak bodies as a priority. We are proposing to finalise this process early in 2022.

We welcome feedback from the sector on these and any other drivers for commissioning of peak body funding. A proposed timeline for this commissioning is at [Appendix A](#). We recognise that the timeframes may not suit everyone and will remain flexible to work with peak bodies and sector partners.

## Opportunities

Commissioning provides an opportunity to work with stakeholders to develop and articulate a common understanding of the intention of government funding of peak body functions. We will engage closely with the identified peak organisations and also seek input from wider stakeholders, including peaks' members. Some peak bodies are funded from several ACT Government sources either within or between CSD and ACTHD. Commissioning allows us to review these arrangements and examine options to streamline processes, reduce administrative burden and simplify reporting. We would also be interested in any views on improving approaches to relationship management where peak bodies are funded from several sources.

In addition to traditionally recognised peak bodies, a number of organisations are funded by CSD and ACTHD to deliver peak-type functions as part of their broader service delivery roles. Commissioning peak bodies collectively provides an opportunity to clarify these arrangements and more clearly define those organisations that will be funded to deliver peak services going forward. A list of organisations CSD and ACTHD currently fund to perform peak activity across the two portfolios is provided at [Appendix B](#).

## Consultation process

As part of this consultation, ACTHD and CSD aim to:

- Work with peak bodies to determine consistent core elements of peak body functions and funding. Where peak functions are unique to a particular organisation, these will be reflected in individual Deeds of Grant.
- Identify opportunities to reduce duplication and reporting burden and share a consistent approach to activity reporting focused on outcomes.
- Provide security and stability for peak organisations early in the commissioning roadmap.
- Develop a shared understanding of how peak bodies can support the commissioning process

## Grant funding as opposed to procurement

In 2020, the ACT Government developed a set of agreed criteria to apply to the use of grants as distinct from a procurement. Under ACT Government guidelines for grant funding, a grant is '*...an arrangement where public money is provided to a recipient as financial assistance by the Territory for a specified purpose that enables the recipient to achieve their goals and objectives that are consistent with Territory policy*'.

However, '*the acquisition of ...goods or services to the community*' including by a non-government organisation, is not suitable for funding via a Deed of Grant and triggers a procurement process. Any procurement process requires adherence with the *Government Procurement Act 2001*.

The peak activities described above are consistent with the specified purpose of peak bodies and suitable for grant funding where the goals are consistent with Territory policy. ACTHD and CSD propose to shift all peak funding to using a Deed of Grant instrument outside of procurement processes.

Where peak bodies provide services directly to the community, in addition to peak body functions, these services will be managed separately and not included in the Deed of Grant. If another organisation could, or does, deliver these same services, a commissioning and competitive procurement process may apply. If it is determined that a peak body or identified organisation is the only organisation which can provide those services, then a single select procurement process may apply.

## Commissioning stages: peak body engagement

### 1. *Strategise*

ACTHD and CSD recognise the knowledge and expertise that all NGO sector partners, especially peak bodies, have to offer the commissioning process. During this phase, we will meet with existing and proposed peak bodies and other sector partners to consult on:

- Proposed definition of a peak body;
- Activities expected to be undertaken by peak bodies; and
- Understanding the need for peak bodies.

If, during discussions on this phase, a need to establish additional peak bodies is identified this will be addressed through later commissioning discussions and potential budget processes.

Outcome:

- to articulate an agreed strategy for funding the role and activity of peak bodies across CSD and ACTHD.

### 2. *Design*

Once there is agreement on an overarching strategy to commission peak bodies, we will work with peak bodies to design how this is reflected in new Deeds of Grant. We will seek consistent core elements, collaborate to develop agreed outcomes and metrics, determine appropriate reporting and evaluation.

This may require a staged approach to implementing the strategy and could involve a working group/s to be established (comprised of Government and NGO sector partners), or it may be something we can achieve in a couple of workshops. We will be guided by your judgement on how this part of the process could be accomplished.

Outcomes:

- Consistent, core elements: clarity on reporting, evaluation, timeframes, and how peak bodies and Government should work together.
- Consistent wording for all peak Deeds of Grant.
- Develop outcomes and metrics for peak Deeds of Grant.
- Commissioning intentions – if a staged approach to implementing the strategy required.
- Agreement on best practice approach for conducting relationship management, including for peak bodies funded by both Directorates.

### 3. Procure

ACTHD and CSD will work directly with existing and proposed peak bodies to re-engage through a Deed of Grant, potentially for five (5) years. Wording in these Deeds will be the agreed common language developed in the previous two stages, as well as anything which is specific to certain sub-sectors/specialty areas. Further individualised consultation will occur with sector partners on Deed inclusions and content, as required.

This stage will also include a path forward on any funding of non-peak activities (services) delivered by peak bodies. Procurement processes and timeframes will be identified separately.

Outcome:

- Identified peak bodies have an executed common Deed of Grant for peak activities.

### 4. Deliver

All peak bodies have transitioned to Deeds of Grant or completed an alternative process where this is not possible, and both parties have implemented new partnership arrangements. There will be close partnership between Government and peak bodies to ensure the delivery of agreed outcomes.

### 5. Evaluation

Evaluate the commissioning process to learn from this experience of commissioning.

Ongoing evaluation of peak body activities and agreed outcomes as developed during the Design phase.

### Next Steps

ACTHD and CSD look forward to working with stakeholders to commence this important commissioning journey.

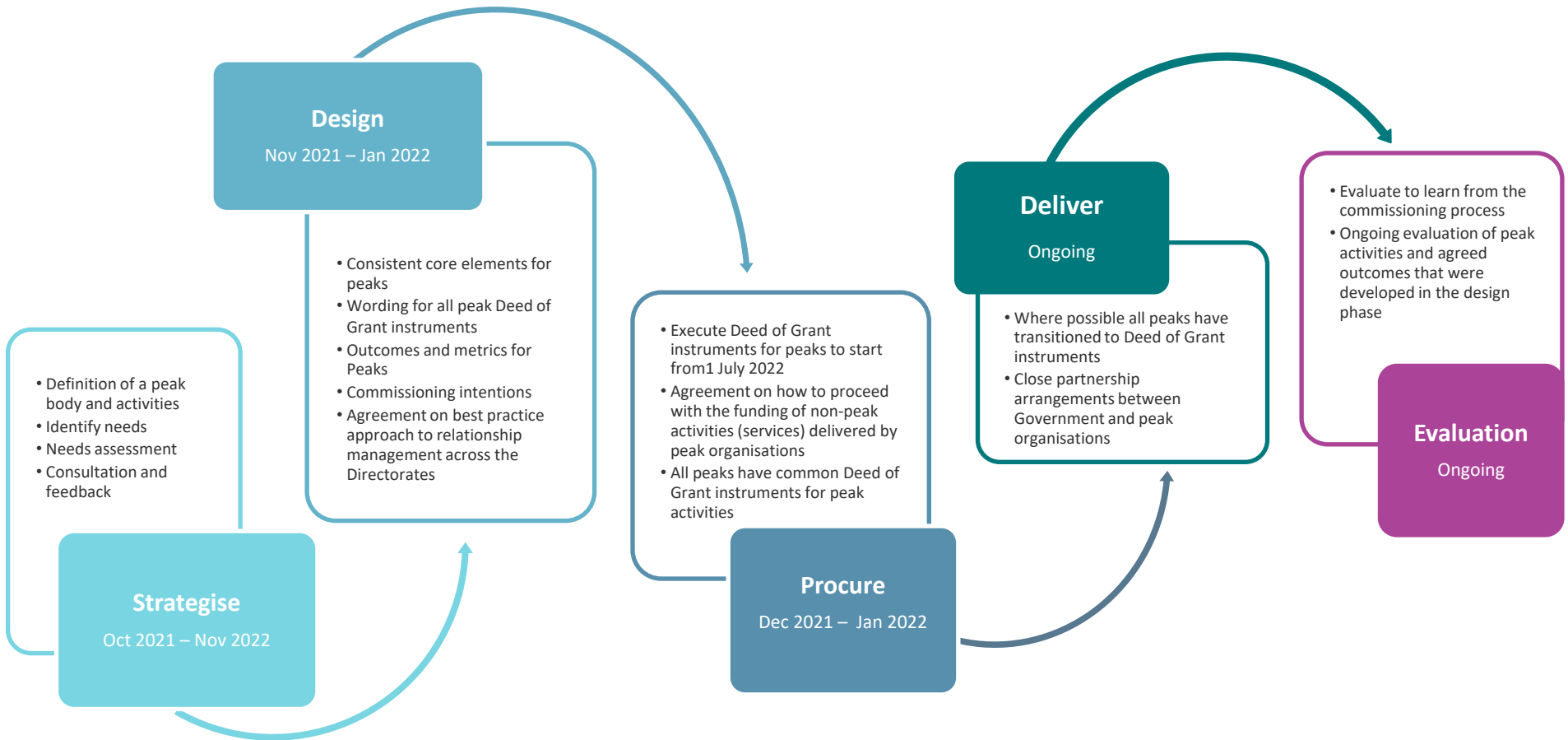
This paper has been developed to provide transparency of ACT Government intentions for funding of peak bodies. We welcome feedback on the proposed approach and the drivers for this work. We will be in touch with invitations to participate in the Strategise phase of this work in the near future.



[www.act.gov.au/commissioning](http://www.act.gov.au/commissioning)

# Commissioning of Peak Activities

## Timeline



The following organisations currently receive funding for peak activity and are proposed to be included in peak funding via Deed of Grant instruments:

Organisation receiving funding from ACTHD	Organisation receiving funding from CSD
ACT Council of Social Service (ACTCOSS)	ACT Council of Social Service (ACTCOSS)
Council on the Ageing (COTA)	Council on the Ageing (COTA)
Carers ACT	Carers ACT
ACT Mental Health Consumer Network (ACTMHCN)	ACT Shelter
Alcohol Tobacco and Other Drugs Association (ATODA)	Families ACT
Dementia Australia	National Disability Services
Health Care Consumers Association (HCCA)	Volunteering and Contact ACT
Mental Health Community Coalition (MHCC)	Women with Disability ACT
Palliative Care ACT	Youth Coalition of the ACT
Women's Health Matters	