

Ms Fiona May  
A/g Senior Director | Industry Development  
Strategic Policy  
Community Services Directorate  
220 London Circuit, Canberra ACT  
GPO Box 158 CANBERRA ACT 2601  
Email: [Fiona.May@act.gov.au](mailto:Fiona.May@act.gov.au)

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Dear Fiona,

Families ACT welcomes the opportunity to comment on the ACT Government's Commissioning Roadmap for NGO Services in the Community 2021-2023 document.

Overall, the document clearly sets out and explains the commissioning reforms over the next 2 years moving towards a collaborative commissioning approach in the ACT. While we generally support the intentions of the document, we have the following comments:

#### **The Government – NGO relationship and choice of language**

One of the premises of commissioning is that it is a new approach to procurement. There is no doubt this new approach is well intentioned and offers the promise of a better way for government and the community sector to work together to the benefit of all parties involved, not least service users. However, ACT Government staff have admitted that this move to commissioning may be more challenging for government than its community sector partners.

We believe that part of this challenge is the development of an understanding of why partners may be sceptical about the process and that the repetition strain of competitive tendering (not always managed well in the past) has damaged trust. In this context we believe that it is essential to identify the triggers that can lie in poorly chosen language. Government needs to be aware that wording it may view as innocuous can be received as inflammatory. Emblematic of this is the phrase "value for money" (page 8).

Pay and conditions for community sector staff lag significantly behind those of ACT government employees because of under-funding. The community sector adapts, improvises and "makes do", but is sandwiched between this lack of resources and its concern for the welfare of service users. Non-government organisations provide excellent value for money, but at a considerable cost to their staff.

In this context, when government uses the phrase "value for money", it is offensive and a real impediment to a respectful working relationship. We are concerned that the phrase suggests a bargain shopping approach which many identify as the driver of previous procurement processes where government squeezed organisations to provide services at or under cost and the reason the sector is now so underfunded. Now that we are commissioning for outcomes the focus will need to be on quality not on a "good deal".

While there is only one reference to the phrase in the Roadmap on page 8 in relation to the ACT Procurement Framework, we believe this is once too often. We think that the ACT Government Procurement Board might need to be educated about the offense this type of language and approach causes within the NGO sector particularly the damage to collaborative work that can ensue.

#### **Levelling the playing field for smaller organisations**

Families ACT is concerned that tendering processes generally advantage larger organisations which have the capacity to employ staff who can be tasked to specialise in preparing procurement related documentation. Smaller organisations with fewer workers have less slippage and often lack the expertise to cope with procurement processes without impacting on service delivery. If this new commissioning approach in the ACT is

about doing things in new and better ways, ensuring this playing field is made more level is a good way of contributing to the success of this reform.

Now that we are devising a roadmap, Families ACT believes it would be an opportune moment to factor in supports for smaller organisations to complete commissioning requirements.

#### **Timeframes for commissioning pathways**

We welcome the explanation of the five commissioning pathways that services might follow in the 2021-2023 period (on page 11) including their rationale and intended impact. However, we believe that the current COVID 19 lockdown could potentially impact the suggested timeframes for each pathway, particularly for pathway 4 – collaborative design and market assessment – with the potential contract transition being scheduled for April – June 2022.

#### **The need to progress commissioning versus the importance of good process**

We generally agree with the overarching priorities listed on page 12, but are concerned about some of the community sub-sector priorities.

We note that commissioning pathway 5 (Decommissioning) is only proposed for the sub-sector 'Statutory Children, Youth and Families Services' (on page 15). The Commissioning priorities for this sub-sector include the current consultation work on the next iteration of the *A Step Up for Our Kids Out of Home Care Strategy 2022-2032* (ASUFOK). Some of our members have raised strong concerns that the development of the next iteration of ASUFOK is being hurried through during the COVID19 lockdown without providing adequate time and opportunities for the voices of families and children (service users) to be heard.

While we agree that wherever practical commissioning work needs to continue during the Lockdown, this should not be at the expense of good process. Families ACT is concerned about a perception that the Lockdown is being used as an excuse to pay lip service to vital service user consultation processes. Skimping on vital consultation processes will not only deprive the reformed ASUFOK of vital consumer input, but could also adversely impact this collaborative commissioning approach as a whole. We strongly recommend that the impact of the current COVID 19 lockdown be taken into consideration when planning commissioning priorities and activities, especially in relation to ASUFOK.

Thank you again for the opportunity to comment on the Commissioning Roadmap. If you need further clarification, please don't hesitate to contact me.

Kind regards,



Will Mollison  
Executive Officer  
Families ACT

