

Aboriginal Peak Organisations Northern Territory

An alliance of the CLC, NLC, CAALAS, NAAJA and AMSANT

Developing agreed principles to guide service delivery and development work by non-Aboriginal NGOs in Aboriginal communities in the Northern Territory

A Discussion paper

for the

**Forum on the role of Non-Indigenous Organisations' engagement in
Aboriginal Communities in the Northern Territory
Alice Springs, 11 February 2013**

**Aboriginal Peak Organisations of the Northern Territory
(APO NT)**

January 2013

1. Introduction

Aboriginal Peak Organisations NT (APO NT), Strong Aboriginal Families, Together (SAF,T), National Congress of Australia's First Peoples, ACOSS and NTCOSS have come together to address concerns and opportunities presented by the increasing presence of non-Aboriginal non-government organisations (NGOs) in service delivery and development work in the NT. This discussion paper seeks to outline some of the key concerns and issues, details current parallel initiatives, and proposes a process for setting guidelines and reaching agreement on the most appropriate role for non-Aboriginal NGOs in the NT. Importantly, it also considers the role that governments need to play to create an enabling environment for good development practice, better service delivery outcomes and greater Aboriginal control.

APO NT, SAF,T, National Congress, ACOSS and NTCOSS have agreed to jointly host a Forum to bring together senior representatives of non-Aboriginal NGOs operating in the NT with Aboriginal NGOs and peak organisations in the NT. This paper has been prepared by APO NT to help initiate discussion amongst forum participants.

The Forum presents an important opportunity to consider the role of non-Aboriginal NGOs and government in Aboriginal development and service delivery and to contribute to work already begun, for example by the Commonwealth Coordinator General and the Commonwealth's Communities for Children (CfC) program (see [Appendix A](#)), with a specific focus on the NT context. It aims to develop and promote appropriate models of:

- how non-Aboriginal NGOs should operate in the Aboriginal service delivery and/or development space in the NT;
- how governments should approach the contracting out of service delivery;
- how Aboriginal organisations can play a lead role in testing and implementing the development model most effective for remote Aboriginal Australia; and
- how governments and non-Aboriginal NGOs can best support this development work, including by recognising the expertise and experience of Aboriginal NGOs.

The forum will be held in February 2013 in Alice Springs.

2. Context

Aboriginal NGOs have long delivered services in the Northern Territory, often using a community development approach with an emphasis on good governance, local involvement and capacity strengthening. The strength of Aboriginal NGOs includes: strong relationships with communities, understanding of community needs, cultural competence, and a permanent presence in Aboriginal communities. Changing government policy and a lack of ongoing resourcing has had some impact on the effectiveness of Aboriginal NGOs, as well as the capacity of these organisations to document and evaluate their work, but overall it is clear that many organisations have legitimacy among their Aboriginal clients and with the Government departments that fund them, and that they are delivering positive outcomes in the very challenging NT environment.

The Aboriginal NGO sector has long been concerned about the consequences of the increasing use of non-Aboriginal NGOs in Aboriginal service provision, particularly in relation to the fragmentation of service delivery, lack of coordination with Aboriginal organisations and service providers, lack of genuine capacity development outcomes and indeed the gradual erosion, undermining and loss of Aboriginal-controlled organisations.

A further concern has been an apparent lack of recognition of the experience and expertise of Aboriginal organisations engaged in development work in remote Aboriginal Australia. A recent example is the advocacy by non-Aboriginal NGOs for development models for remote Aboriginal Australia based on their overseas experience without a sufficiently articulated or documented evidence base for how these internationally developed models can be effectively transferred to the remote Aboriginal setting. Advocacy for these models has largely occurred without apparent reference to the development work of Aboriginal organisations and in the absence of a partnership approach.

Others have also recently raised concerns over the outcomes of the increasing trend to award contracts to non-Aboriginal NGOs, although for somewhat varying reasons. These include the former NT Co-ordinator General; Commonwealth Coordinator General for Remote Indigenous Services; ACFID Aboriginal and Torres Strait Islander Working Group; SAF,T, ACOSS, NTCOSS and National Congress (see [Appendix A](#) for more details).

This has coincided with recent efforts by FaHCSIA to improve its Aboriginal engagement processes, most recently in engaging with APO NT and SAF,T with regard to the Communities for Children (CfC) program.

NT Specific Issues

Since the introduction of the NTER in 2007, direct source, multi-year, multi-site funding to non-Aboriginal NGOs appears to have become the preferred model for the delivery of services in remote Aboriginal communities, and concerns by government about Indigenous governance and organisational capacity, and the desire to ‘mainstream’ have resulted in an increased reliance on non-Aboriginal NGOs that are seen as less risky.¹

This process has been facilitated by governments’ penchant for ‘contestability’—but in this area a ‘contestability’ that often precludes Aboriginal organisations. This has an ideological underpinning that has failed to consider the impacts on Aboriginal organisations, employment and community development outcomes and that has resulted in many cases in Aboriginal organisations not being invited to tender, not tendering for government service contracts, or not winning those contracts. Challenging this notion of ‘contestability’ is critical to any strategy designed to re-build the Aboriginal NGO sector.

Following the announcement of significant continued funding under the Stronger Futures package there is an opportunity for Government and non-Aboriginal NGOs to change the way in which funding is allocated and spent in the NT under the Stronger Futures, and to learn lessons from issues arising from funding allocations under the Northern Territory Emergency Response (the Intervention). As the Australian Government is commencing allocation of the Stronger Futures funding, it is important for both non-Aboriginal NGOs and Government to fully consider how service delivery should operate in the NT before this funding is committed. It is also critical that a rigorous, long-term and adequately resourced approach is taken to implementing and evaluating development work in the remote context.

3. APO NT’s development approach

APO NT is committed to ensuring an enabling environment for best practice development work to be undertaken in a consistent, rigorous and systematic way. The development approach must be appropriate to cultural context and specific needs of Aboriginal people in the NT. Central to APO

¹ Northern Territory Coordinator-General (2012) *Office of the Northern Territory Coordinator-General for Remote Services Report*, June 2011 to August 2012, Department of Housing, Local Government and Regional Services, Northern Territory Government 2012, p.57

NT's approach is the need for resourced, competent and legitimate Aboriginal organisations to undertake service delivery and development, represent their constituents regarding policies and priorities, and enter into partnerships with non-Aboriginal NGOs and all levels of government. APO NT asserts that good development practice in the NT must fundamentally contribute to the (re) building of such Aboriginal organisations, or (in some cases) other governance arrangements which deliver Aboriginal control over decision-making, finances and outcomes.

The NT Coordinator General noted that:

There is a growing body of evidence demonstrating the efficacy and benefits of well-managed, community-based and controlled organisations that can provide culturally appropriate and responsive services ... Aboriginal community controlled health services have played a significant role in providing primary health care services, having sound local knowledge, cultural competence and experience in delivering a diverse range of complementary health programs.²

The evidence and need for Aboriginal control is well-established: in health research as a basis for improved health and wellbeing outcomes; in development research and practice; and in international human rights covenants, most notably the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The Declaration protects the right to self-determination for Indigenous peoples including the right “to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions” (Article 23).

In opposition to such understanding is the experience of the diminishment of Aboriginal control and the loss and attrition of Aboriginal NGOs that has resulted from changes to Aboriginal policy, funding and service delivery over many years.

APO NT is conducting a research project to document and analyse the attrition of Aboriginal organisations in the NT, which will be important in providing an evidence-base for planning the growth of Aboriginal organisations in the NT.

4. Making partnerships work

The Aboriginal and non-Aboriginal sectors need a new approach to working together in order to obtain the best possible outcomes for service delivery and capacity development for Aboriginal communities in the NT. This approach needs to be based on control for Aboriginal people and their organisations, genuine partnership and recognition of the respective capacities each partner brings.

Recently, the Australian Government has expressed a growing preference for local Aboriginal service providers in the NT in a number of programs, including the Communities for Children program, and the new remote employment arrangements. Their reasons for preferencing Aboriginal providers includes: prior relationships with their community, understanding of community needs, cultural competence, and a permanent presence in Aboriginal communities. The preferencing of local Aboriginal organisations will have a number of important benefits for communities, including job creation for those communities and delivering greater local control over service delivery.

In situations where Aboriginal organisations lack sufficient capacity (and it should not be assumed this is the norm) there may be a need for Aboriginal organisations to partner with non-Aboriginal

² Northern Territory Coordinator-General (2012) op cit, p.57.

NGOs, where this is requested and appropriate. Some examples of successful partnerships have recently been documented, such as the partnership between Larrakia Nation and Save the Children to develop Aboriginal run playgroups in local communities.³ Such examples highlight the need for an understanding of and commitment to the principles that underpin genuine and successful partnerships between Aboriginal organisations and non-Aboriginal NGOs.⁴

An example of a potential model for future partnerships between Aboriginal organisations and non-Aboriginal NGOs that also highlights the enabling role that government also needs to provide is the Communities for Children program.

Communities for Children

FaHCSIA have been engaging with APO NT and SAF,T on the **Communities for Children (CfC)** program to be rolled out in 15 sites in the NT as part of Stronger Futures 10 year funding. National non-Aboriginal NGOs are also being consulted separately by FaHCSIA. APO NT and SAF,T have been urging for stronger Aboriginal control and more effective capacity development processes. The current model has a “Lead NGO / Facilitating Partner” for each site, that coordinates and sub-contracts local services and draws guidance from a Community Consultative Committee. We do not believe a “consultative committee” model will be effective and set the challenge for FaHCSIA to place Aboriginal NGOs (either existing or to be established for the purpose) in the governing role currently assigned to the “Lead NGO”. FaHCSIA has already recognised building Aboriginal NGO capacity as an important objective of the program.

Under the new Communities for Children (CfC) program, FaHCSIA is intending to preference Aboriginal organisations as facilitating partners over non-Aboriginal organisations. It was suggested at a recent meeting with FaHCISA that a purpose of the CfC program could be to foster the establishment of Aboriginal organisations. APO NT noted that there could essentially be three options under the CfC in order to preference Aboriginal-controlled organisations as facilitating partners:

- (1) Existing Aboriginal-controlled organisation able to become facilitating partner independently;
- (2) Existing Aboriginal-controlled organisation not able to become facilitating partner independently and would need to partner with a non-Aboriginal NGO; and
- (3) No existing Aboriginal-controlled organisation, but a requirement that the CfC program would support the establishment of a new Aboriginal organisation which would partner with a non-Aboriginal NGO.

³ *Opening the Doors Through Partnerships: Practical approaches to developing genuine partnerships that address Aboriginal and Torres Strait Islander community needs*, SNAICC, April 2002, p163.

⁴ Core principles are outlined in the report by SNAICC, *Opening the Doors Through Partnerships* (see note above).

5. Other relevant initiatives

Both the NT and Commonwealth Coordinators General have noted the concerns raised in relation to non-Aboriginal NGO service delivery, and both have come up with some principles for non-Aboriginal NGO engagement with Aboriginal communities (see boxes below).

NT Coordinator General

In her report to government the former NT Coordinator-General suggested that robust accreditation and quality assurance process is urgently needed to assess the capabilities and cultural competence of mainstream not-for-profit organisations. The NT Coordinator-General proposed a set of principles that should be applied to NGOs working in Aboriginal communities.

The existing approach by Government to not-for-profit contractual arrangements needs to be overhauled and redesigned to include:

- a national accreditation scheme for not-for-profits, similar to AusAID NGO accreditation and a robust quality assurance framework;
- development of a partnership toolkit so both parties (non-Indigenous not-for-profit and Aboriginal organisations) are clear about the rationale for partnerships, what each party can bring to the arrangement, and examples of governance, decision making, accountabilities, reporting, etc.;
- multi-year contracts requiring not-for-profit organisations to strengthen and enhance the organisational capacity of local Aboriginal community organisations or to facilitate their establishment when necessary;
- a mandatory Capacity Development Plan to be assessed with a weighting scale to demonstrate it is an essential requirement of the funding agreement;
- a schedule of approved/accredited non-Indigenous not-for-profits (similar to the approved consultants register) and details of their particular expertise or specialisation, for example education, health. This would help communities to have access to information about a pool of not-for-profits and what they have to offer; and
- a sustainability plan to detail how services will be funded to continue and who will deliver these services post the not-for-profit contract.

Commonwealth Coordinator-General for Remote Indigenous Services (CGRIS)

The CGRIS held a meeting of key NGOs, NGO peak bodies, Indigenous peak bodies and relevant government agencies. The draft guiding principles arising from the meeting on 15 October 2012 are:

- Respect community cultural values in the planning and provision of services in Remote Service Delivery (RSD) communities by engaging with local Indigenous communities.
- Identify meaningful targets that reflect the needs, priorities and accountabilities set by the local Indigenous communities and organisations.
- Ensure community development and capacity building by training, education, social and economic participation and empowerment while delivering services and establishing partnerships scoped with the local Indigenous communities and organisations.
- Establish a robust project governance to ensure sound operation, assessment and prioritisation process by partnering with local Indigenous communities and organisations.
- Sustain ongoing monitoring, evaluation and reporting to ensure that services and partnerships from the collaboration and integration are achieving their intended outcomes.
- Confirm achievable exit strategy and hand over plan to empower local Indigenous organisations and communities by reinforcing their accountability.
- Reform government procurement policy and funding agreements to encourage local Indigenous NGOs to play a more active role in delivering services to the Indigenous communities.

There are a number of other current initiatives that are attempting to deal with the issues outlined in this paper. For a summary of current initiatives see [Appendix A](#).

6. Draft Principles

The following are a set of draft principles which might be applied by both NGOs and Government in the delivery of services and development initiatives to Aboriginal communities in the NT.

Principles for non-Aboriginal NGOs

These principles apply to non-Aboriginal NGOs considering engaging in either service delivery or development projects in Aboriginal communities in the NT. In supporting these principles, non-Aboriginal NGOs agree to undertake to:

- **Consider capacity:** Non-Aboriginal NGOs shall objectively assess whether they have the capacity (either in service delivery or development practice) to deliver effective and lasting outcomes in the NT context.
- **Recognise existing capacity:** Non-Aboriginal NGOs will recognise the particular strengths of Aboriginal NGOs and identify how they can contribute to further developing this capacity.
- **Research existing options:** Non-Aboriginal NGOs shall thoroughly research existing Aboriginal service providers and development agencies before applying for service delivery contracts or prior to considering community development projects. APO NT should be contacted for advice where there appears to be no relevant Aboriginal organisation/s providing services or undertaking development work.
- **Don't compete:** Where there is an Aboriginal NGO willing and able to provide the service, non-Aboriginal NGOs shall not compete with the Aboriginal service provider.
- **Work in partnership:** Where there is an existing Aboriginal NGO service provider or development agency, non-Aboriginal NGOs will seek to establish whether there is interest in developing a partnership and proceed according to the wishes of the Aboriginal NGO. Partnerships will be based on building rather than displacing Aboriginal organisational capacity and control.
- **Recognise, support and promote existing development practice:** Non-Aboriginal NGOs acknowledge that many Aboriginal organisations already have robust and effective development practices, and agree to recognise and support these practices, including through partnership arrangements.
- **Work together with Aboriginal people to create strong and viable Aboriginal organisations:** Non-Aboriginal NGOs agree to work under the direction of existing Aboriginal organisations and communities to help create sustainable governance and leadership in Aboriginal communities in the NT. This may require the dedication of self-generated resources to assist with this process.
- **Ensure Aboriginal control, not just consultation:** Non-Aboriginal NGOs agree that Aboriginal organisations need to be in the 'driver's seat' and have control of development initiatives, services and programs delivered to their communities.
- **Develop a clear exit strategy:** All non-Aboriginal NGOs should have an exit plan and this should be devised in consultation with the partner Aboriginal organisation. Any contracts with government must contain a component which outlines a succession plan and long term planning for local Aboriginal organisations to deliver services.

Appendix A: Current work on the role of NGOs in Aboriginal Communities

There are a number of parallel processes raising the issues of service delivery by non-Aboriginal providers in the NT:

- **Northern Territory Coordinator-General's Report⁵**, held NGO briefings via NTCOSS in Darwin and Alice that have highlighted NGO behaviour and role in capacity development – these issues are also canvassed in her just released report. In her report to government the former NT Coordinator-General proposed a set of principles that should be applied to NGOs working in Aboriginal communities:
 - 1) National accreditation scheme (similar to AusAID)
 - 2) Requirement of multi-year contracts with NFPs to strengthen and enhance organisational capacity of community organisations
 - 3) Capacity Development Plan essential deliverable under the funding agreement
 - 4) Genuine, effective partnerships – joint decision-making and accountability.
- **Commonwealth Coordinator-General for Remote Indigenous Services** has raised concerns in his reports and is currently running NGO Roundtables to discuss factors affecting the provision of holistic services to children and families in remote Indigenous communities. The roundtables have a national focus (the national RSD sites) and the Outcomes Statement from the first roundtable has fairly general and in some cases useful suggestions for improving NGO and government practice, however there is not an overt sense of supporting Aboriginal control. The Statement is at <http://cgris.gov.au/site/outcomes-statement.asp>. The CGRIS held a roundtable in Melbourne on 15 October 2012 at which a proposed set of draft guiding principles were agreed.
- **The ACFID Aboriginal and Torres Strait Islander Working Group** has been developing a 'Practice Note' for international NGOs working with Aboriginal and Torres Strait Islander communities. The Practice Note is intended to guide 'integrated development approaches'. However, following comments from APO NT that the document requires revision in relation to its proposed model of Aboriginal development and further input from Aboriginal NGOs, the document has been placed under review. The draft Practice Note is at: http://www.acfid.asn.au//resources/docs_resources/docs_practice-notes/ACFID%20Practice%20note%20-%20Indigenous%20Development%20Practice%20in%20ATSI%20Communities_2.4.pdf
- **FaHCSIA** have been engaging with APO NT and SAF,T on the **Communities for Children (CfC)** program to be rolled out in 15 sites in the NT as part of Stronger Futures 10 year funding. National Non-Aboriginal NGOs are also being consulted separately by FaHCSIA. APO NT and SAF,T have been urging for stronger Aboriginal control and more effective capacity development processes. The current model has a "Lead NGO / Facilitating Partner" for each site, that coordinates and sub-contracts local services and draws guidance from a Community Consultative Committee. APO NT does not believe a "consultative committee" model will be effective and set the challenge for FaHCSIA to place Aboriginal NGOs (either existing or to be established for the purpose) in the governing role currently assigned to the "Lead NGO". FaHCSIA has already recognised building Aboriginal NGO capacity as an important objective of the program.

⁵ Northern Territory Coordinator-General (2012) *Office of the Northern Territory Coordinator-General for Remote Services Report*, June 2011 to August 2012, Department of Housing, Local Government and Regional Services, Northern Territory Government 2012

- APO NT's **Governance and Leadership Forums** have been and will continue to address the issue of service provision by non-Aboriginal NGOs as it relates to forum topics including: health, child protection, leadership and governance and alcohol.
- The recent **FaHCSIA workshop on leadership and governance** held on 19 September also canvassed the issue of service delivery to remote NT communities by non-Aboriginal NGOs, and suggested a further opportunity to influence the funding allocation towards more effective capacity development outcomes.