

# Apart and Together –

## Constructing Government – Civil Society Organizations Partnerships

### Summary

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## I. Apart and together - Summary

### Preface

The following is a partial summary of the document: “Apart and Together - Constructing Government - Civil Society Organizations Partnerships,” written in the summer of 2013 by Dr. Nissan Limor - Chair of the Van Leer Third Sector Forum, and Libat Avishai - Director of the Van Leer Third Sector Forum, at the Van Leer Jerusalem Institute. This summary was edited by Rani Dudai, Director of the Center for Lay Leadership and Civil Society, and Guy Avrutzky, Director of Strategic R&D, both from the JDC Institute for Leadership and Governance. The full document contains additional information, details, and a broader analysis, including international examples of the institutionalization of government-civil society partnerships.<sup>1</sup> The full document presents the processes and motivation underlying the change in relations between government and the civil sector. It clarifies the relevant conceptual context, and in particular presents an analysis of the preconditions, characteristics, principles, tools and main insights arising from a study of the experience of establishing a constructed partnership between the government and civil society organizations in nine countries around the world.<sup>2</sup>

### Background, processes and motivation

In recent years, relations between government and civil society have been affected by two main factors: a change in the perception of the governability of governments, and the empowerment of civil society. The first factor is manifested in the transition from a management approach (New Public Management - NPM) to an approach of governability (New Public Governance - NPG), in which the government initiates, enables and shares, and reduces its part in implementation. The second factor, the empowerment of civil society, results among other things from the spread of education, increasing the desire of individuals to receive information, analyze it, and then influence those who shape policy; from the improved means for creating social networks; and from the understanding that the government is not capable of providing an exclusive solution to all of the citizen's needs and expectations. The combination of these two factors, alongside the global economic situation, the desire of countries to learn about the resources of civil society organizations (donations, volunteers, professional knowledge) and make use of them, and the awakening of the civil voice in the framework of various different social protests - all these led, at the end of the 20th century, to a trend of reexamining relations between government and civil society in general, and ways of enhancing and improving these relations in particular.

### Characteristics of the partnership frameworks

In different countries around the world, partnership frameworks between governments and civil society organizations focus on three main issues:

1. Shaping public policy based on:
  - a) Data collection, research, and study
  - b) Holding public dialogue and discussion

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<sup>1</sup> The concept of “partnerships” includes a wide range of levels of partnership (from support, through supplying services in consultation, to joint ownership and community ownership). This discussion should be approached based on an understanding that there are many ways to understand the concept, and no single recipe for partnership.

<sup>2</sup> The full document reviews the following countries: England, Wales, Canada, Australia, United States, Hungary, Estonia, Denmark and Sweden. In the appendix for this document, there is an English translation of the English, Canadian and Australian cases. The decision to translate those three cases is by no means a judgmental selection. As experience demonstrates, there is no single case that is inherently better or more successful than others. It is important to learn lessons from a wide range of cases, beyond English-speaking countries.

2. Developing tools and mechanisms for action in two aspects:
  - a) The dialogue process itself
  - b) Regulation of procedures, resources and codes of practices
3. Implementation processes:
  - a) Joint ventures (planning, operation, funding, etc.)
  - b) Feedback, learning, evaluation and revision mechanisms.

These issues are expressed in one of three forms of arrangement:

1. Drawing up a compact or framework document<sup>3</sup> between the government and civil society organizations
2. The existence of a declared public policy and its implementation in practice in a unilateral declaration
3. Cooperation and joint action, without an official signature on a compact or a definition of declared policy

Partnership compacts are a form of framework document that serve as an official, high-level tool enabling and defining the institutional relationship between the government and the civil sector organizations, setting out principles by which the relationship will work, and detailing the undertakings of the parties to each other. Formulation of the basic framework compact is followed by the implementation stage, which involves three components:

1. **Architecture of the relationship** - arrangements for support and funding, regulation, and simplification of work processes.
2. **Building infrastructures** - improving knowledge and research about civil society, improving the abilities of civil society in the areas of human capital, management, technology, and knowledge sharing.
3. **Involvement in shaping policy** - procedures, tools and methods for increasing the involvement of civil society organizations in shaping public policy.

### Preconditions

A number of preconditions have been identified for successfully institutionalizing partnership relations between the government and civil society organizations:

1. **The government's readiness and maturity:**
  - a) Government entities having an in-depth familiarity with civil society and its organizations (in the country in general, and in the fields relevant to the activities of each government ministry in particular)
  - b) Conceptual willingness for a more reciprocal relationship in which the balance of power between the sides is a negligible aspect

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<sup>3</sup> We use the terms "framework document" or "Compact." In each country, the terminology is slightly different, for example: Compact, Accord, Charter, Concordat, Cooperation Program, Partnership Strategy.

c) Economic capability and readiness to examine initiatives with broad public support.

**2. The government's ability to establish:**

- a) A committed political leadership pushing for the process
- b) The government's organizational ability to implement political initiatives and lateral management initiatives
- c) A committed senior professional echelon that is loyal to the process
- d) Patience and a long view that are not dependent on personnel changes
- e) Making resources available for long-term funding of the process and all its components, including building capabilities and skills on both sides.

**3. Organized civil society:** a civil sector with a collective voice that is able to speak on behalf of the organizations and has broad support. This is manifested in different ways, such as an across-the-board coalition of organizations, umbrella organization, well-reputed professional organization, or across-the-board organization. Creating such a social field has to include the most diverse and representative cross-section of the sector possible. In addition, it is necessary to have visible and committed leadership, and resources earmarked for building sectorial cohesion. Finally, it is important for small civil organizations to be part of the process, and to be able to influence the way it takes place.

**4. Trustworthy public reputation and positive public image of the third sector:** there must be understanding on the part of the public and government organizations with regard to the identity and nature of civil society organizations, their importance, and their vital role in the economy and social infrastructure.

**5. Political and social window of opportunity:** the right timing is important for initiating the process, from an understanding that attempts to impose a process of institutionalized partnership relations on a political and social context that is not ready to support it will reduce its chances of success.

### Fundamental insights

From all the experiences reviewed, a few fundamental insights with regard to the process emerge:

- 1. This is a lengthy and dynamic process** - in conceptual terms, it is a process without a defined endpoint, whose official establishment (for example in a compact or joint declaration) is only the opening shot and not the end product. Frameworks for institutionalization are living, dynamic frameworks, subject to constant change and revision, and they require conservation, maintenance, development, and ongoing, joint work.
- 2. This is a context-dependent process** - local circumstances, social needs, culture of the country, and existing relations between sectors have a significant impact on the process (from the planning stage to the implementation stages).
- 3. Recognition of the role of civil society** - all experiences around the world include a common foundation of government recognition of the important role of civil society and its organizations. Recognition of them as promoting values and norms, as suppliers of services and activities for the benefit of the public, and as a factor with an economic and productive contribution; recognition of

the independence of the organizations and the legitimacy of their actions in general, and their participation in processes of development and implementation of public policy in particular.

Governments tend to agree on two key issues:

- a) The need of civil society organizations for a more secure and stable status (particularly in the field of public funding and support).
- b) The need to involve civil organizations and partners in the process of shaping public policy.

4. **Constant flexibility and openness** - building partnership mechanisms to facilitate constant change, amendment and expansion, from drawing up the text of the partnership documents, through the choice of partners, levels of partnership, topics under discussion, to the accompanying organizational infrastructure.

### Main characteristics

Institutionalization of relations between the government and civil society has various mechanisms and tracks. In many cases, framework documents for the partnership are produced and drawn up in the process of establishing the relationship between the sides. There are a number of typical key elements in the formulation of these framework documents, whether they are signed bilaterally, unilaterally, or not signed at all.

1. **Representation** - declaration identifying the unique nature of each of the sides and defining the bodies representing the sectors in the process, how they are appointed, and the undertakings and responsibility of each one of them.
2. **Common principles** - roles and functions of the partners to the compact; recognition of the autonomy, rights and obligations of the partners; and a declaration of common values, such as active civil participation in decision-making, accountability, openness and transparency.
3. **Areas of cooperation** - outline of the areas that are of interest to the parties, for example, the supply of services, education, fostering volunteering, and community development.
4. **Practical tools for collaboration** - public discussions, periodic consultations, joint bodies for taking decisions, exchange of information, the right to initiate legislation, and so on.
5. **Public funding** - undertaking to develop a code of good practice for effective funding, description of new mechanisms of support, a declaration regarding promoting legislation enabling the self sustainability of civil society organizations.
6. **Implementation of planned activities** - including planning an implementation program, timetables, targets, allocation of responsibility, proposed tools for feedback and review, developing mechanisms for conflict resolution and dealing with breaches of the compact, and so on.

Alongside the common foundations, there are characteristics that distinguish between the different versions of the framework documents, as follows:

1. **Form of the framework documents** - differences in their level of operative detail, length, and

whether there are annexes and accompanying documents such as secondary documents, or codes of practice in different spheres.

2. **Institutional status** - ranging from anchoring in existing or new legislation to informal documents under the sponsorship of public leaders.
3. **Signatories to the framework documents**
  - a) On the public side, it could be the parliament, the government, a group of ministries or a single ministry coordinating ties with civil society.
  - b) On the civil side, it could be all the organizations (joining individually), umbrella organizations representing the entire sector or segments of it, or a complete absence of signature on the civil side in cases of unilateral government policy.
4. **Segments of the sector on which the framework document focuses** - the entire sector, a particular sub-sector (for example, organizations operating by means of a large number of volunteers), or a broader and more diverse cross-section of civil society organizations.
5. **Scale of the government and civil organizational infrastructure supporting the process** - from a broad range of specific and new support and monitoring organizations routinely engaged in building capabilities, assistance and feedback, to a limited, "borrowed" and ad hoc organizational infrastructure.
6. **Declared objectives** - compacts usually focus on the results of the process (for example, development of better relations between the parties) or on achieving specific targets (initiating a particular piece of legislation, improving particular social indices, and so on).
7. **Intensity of the partnership** - from a general declaration regarding the need for interaction between the sides, to defining the details of types of partnership and levels of consultation.

### Applicable components

There are a number of applicable principles that can be learned from previous experience around the world. The basic understanding is that weighty, significant and continuous efforts are required to operate, maintain and achieve the goals of the partnership frameworks. These applicable principles include:

1. **Clarifying the common interest and the parties' ownership of the framework** - It is important to clarify the existence of a common interest among the parties involved, and to state explicitly that existence of the partnership depends on the goodwill of both sides. It is important for the common agenda to be owned by both sides, and preferable to avoid a situation in which one side expects the other to lead. The issue of ownership is directly connected to the issue of representation:
  - a) On the part of the government, such frameworks can be established at the responsibility of the Prime Minister, one or more ministers, members of Parliament, or a combination of representatives from the senior civil service and different institutional echelons.
  - b) On the civil side, the picture is more complex due to the nature of the sector, which is characterized by multiple and diverse opinions, orders of priority, and wishes. In any event, the issue of choosing and appointing civil representatives is explicitly set out as the responsibility of the civil society organizations, and is outside the responsibility of the government partner.

There are three basic options for representation of the civil side:<sup>4</sup>

- i. Representatives of the largest national civil umbrella organization in the country
- ii. Representatives of a number of umbrella organizations, large sectorial network organizations, infrastructure organizations, and leading, central civil organizations working together as a coalition or as a designated group
- iii. Sometimes, civil society will not have any joint representation or joint signature, and the agreement will be made unilaterally by a government authority.

All processes for constructing and establishing partnership relations between the government and civil society organizations are characterized by what is called the “aspiration gap”: on the one hand, the partnership framework aspires to include the broadest possible definition of civil society and its organizations, while on the other, the non-government organizations that are partners, and participate actively in the processes of structuring and implementing the partnership frameworks, are liable to be limited in their scope and in the degree to which they are representative. The argument is that despite the differences in terminology used in the different partnership frameworks to describe the non-government partners (third sector, civil society organizations, civil society, and so on), in practice, whether declared or not, this usually refers to non-profit organizations supported by the government or by private donors, which are involved in providing social services and human services. Experience shows that organizations that do not provide services tend to show less interest in the partnership frameworks. This issue is dealt with in two ways: one, by expanding the range of partners in the framework, and the other, by offering an open opportunity for each organization or civil entity to join the partnership framework at any point in time on an individual basis.

2. **Importance of planning the application aspect of the partnership framework** - Planning implementation of the basic compact or framework usually takes place right from the stage of preliminary discussions, in formulating the framework documents, while maintaining a willingness to be flexible and allow changes in planning in the future. Planning the implementation activities relates to two spheres: one is the process of constructing the framework compact; the second is the process of implementing it in practice. It is important that the planning stage include flexible mechanisms and defined activities for planning implementation of the partnership framework, such as: drawing up plans of action for implementation in each government ministry, setting up a joint committee or work group to plan the process of implementation, allocating a designated organizational entity to be responsible for ongoing implementation, establishing liaison offices in the government to be responsible for implementation, and more. The compact or framework documents will preferably include guidelines for the implementation stage, such as: establishing work groups, developing a process of feedback and evaluation, developing arrangements for changing or amending the compact, timetable for implementation, allocation of responsibilities and mechanisms enabling flexibility.
3. **Involvement of the parties from the earliest stages** - It is important to establish a consistent, methodical, orderly, committed and long-term practice of joint meetings, joint discussions and joint

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<sup>4</sup> Civil representation can be divided into circles or stages: where there is civil representation in constructing and formulating joint framework compacts, it is not infrequently found that there is a first, inner and more limited circle of representatives of civil society that is intensively involved in initiating and constructing the partnership with representatives of the government, including formulating drafts of the framework, and so on. Sometimes there will be a second, broader outer circle of civil organizations that are partners in the process, at the stages at which wider public discussions are held on formulation of the compact, amendments, issues relating to its implementation, and so on. This broad circle makes use of technological tools, such as on-line surveys, on-line forums, and discussion group and symposium tools, and so forth.



work. The frequency, topics and forums vary from one country to another, but the fact that they are established and consistent is significant and vital. This practice needs to be implemented jointly by both sides, right from the earliest stages of the initiative.

4. **Designated organizational and institutional infrastructure** - Designated bodies must be established for the purpose of the partnership, with defined responsibility and clear roles. In most countries, government units have been set up which function as liaison and mediation bodies, while on the civil side, assistance bodies or support units have been set up within existing umbrella organizations. These bodies and units use earmarked government funding. In both sectors there are training programs and in-service training for the staff of these bodies and units, and sometimes the issue of professional training is included in the text of the framework documents themselves. The human infrastructure staffing the designated bodies includes “compact leaders” with an honest commitment and in-depth understanding of the partnership framework between the sectors.
5. **Increasing awareness of the partnership framework and disseminating information about it** - It is important for the general public, as well as all the government and civil sectors, to be aware of the processes of formulating and implementing the partnership framework, and for there to be an ongoing familiarity with the partnership documents, the significance of the partnership, its objectives, the ways in which it is implemented in practice, opportunities for joining, success stories, and more. A marketing and public relations system is needed to provide ongoing support for the partnership framework, and ensure that there are public information campaigns about it. There are various means that are used for this purpose, such as: designated websites, events and conferences for the general public, publication of reports or information sheets, interviews with the media, dissemination of presentations and video clips.
6. **Mechanisms for examination, feedback, evaluation, reporting and change** - Since the partnership processes are dynamic, there must be supplementary mechanisms and systematic measures for ongoing examination and periodic evaluation of the partnership's progress and implementation. Feedback and evaluation processes should preferably begin at the earliest stage. In most countries, regulated bodies have been set up to monitor and evaluate the partnership framework (such as a joint work group for the two sectors for review and evaluation, or separate evaluation and feedback units in each of the sectors). The feedback mechanisms will examine the process of constructing and formulating the joint framework, and the actual implementation of the joint framework. Evaluation mechanisms are change-oriented and are committed to providing a periodic report on the partnership's progress. Tools for feedback and evaluation are diverse, and include: case studies, analysis of success and failure stories, mapping research studies, on-line surveys, joint discussions, in-depth interviews, and so on.
7. **Indicators for examining the compacts' progress and impact** - There are no unequivocal answers to the questions of measuring progress, evaluating improvement, and isolating the impact of the structured partnership frameworks from other influences. They depend on the context, and all partnership frameworks around the world today are struggling with these questions. Over the years, various indicators have been developed from which it is possible to gain a preliminary idea of the way different countries cope with the challenge. Examples of indicators: the rate of increase in the number of civil society organizations providing services, the number of individuals choosing to

receive service from civil society organizations, the number of local compacts signed in a given period (and the quality of their implementation), the number of public discussions and consultations on relevant draft legislation, the number and scope of the structural changes made to the institutions of government and civil society organizations in order to support the partnership, the number of joint initiatives at the national or local level, and so on.

8. **Establishing an information system** - There are a number of target audiences for a relevant information system: dialogue partners from the sectors, the civil service, civil society organizations, and the general public. Resources must be invested in developing an effective and reliable information system to enable central practical components in the partnership to function. The role of this system is to engage in data collection, processing, and analysis, regular production of information, and carrying out research prior to shaping policy and the evaluation studies of its implementation and results.
9. **Dispute and conflict resolution system** - In most countries, the parties have preferred not to make use of the formal legal system, but instead to set up specific mediation and conflict resolution systems for the partnership framework between them. Sometimes a body is created for this purpose, and sometimes authority and areas of responsibility are added to existing bodies.

### Difficulties and criticisms

The process of creating structured partnership relations between the sectors is not free of criticism and difficulties. It is important to be aware of the considerable complexity of the process and to recognize the voices of criticism directed at it. Below are a number of substantive criticisms:

1. The process restricts the autonomy of the civil sector and concentrates power in the hands of the government.
2. In the absence of a binding legal status, the partnership documents and frameworks cannot change inter-sector relationships, which are usually characterized by inherent tensions.
3. The frameworks relate to a minority of civil society organizations. It is necessary to challenge the partners in the process more to expand the dialogue to as many other civil society organizations as possible.
4. This is a good tool for good times, when there are no cuts in public expenditure. The fear is that during times of economic crisis, for example, the government will lean on the budget and volunteers of civil society to carry out its tasks, without any desire on its part to maintain the partnership and invest the necessary resources for its meaningful existence.
5. Extending collaboration is liable to be seen as helping the government get out of its responsibility to provide services for its citizens.
6. These arrangements have a dual nature: they answer the short-term interest of the players promoting them, but aspire to meet medium and long-term needs. It is claimed that where the weight of the short-term interests of the players promoting the partnership framework is greater and more central than the desire to deal with substantive and long-term problems, the partnership framework will not last.

Reviewing the criticisms directed at institutionalized partnership frameworks is not intended to invalidate the idea of partnership compacts or their practical application. What is important to learn from this series of criticisms is that the cooperative relationship between government and the civil society organizations also involves disagreements and even conflicts with regard to values, policy, and programs. Partnership frameworks know good times and bad times, and there is no clear recipe for guaranteeing their success. Moreover, it is important to see the compact partnership framework as one tool, one strategy among many other strategies and tools, which together are likely to create the infrastructure for better and more effective relations between the two sectors.

### Summary

The process of constructing a relationship between government and civil society is a complex and protracted one, and in effect is without an end date. It is important to devote thought to the way in which the insights detailed in the full document are implemented.

Moreover, it is important to remember that the experiences of other countries are a local and time- and context-dependent illustration of a series of principles and a particular fundamental approach. These examples from other countries are not any kind of “model.” The different experiences illustrate different mixes of practical tools, and changes made over time in order to cope with local difficulties, circumstances and needs.

There is no single case or single type of compact or framework that is more correct or more suitable than others. Although all the processes include similar targets, conditions, principles, and mechanisms, each of them has its own unique nature arising from the local and cultural background of the sectors and the original relationship between them. It can even be said that framework agreements reflect the cultural, social and political fabric of each country, and express unique issues that are of concern to each of the sectors in each country at different times.

Studying the fullest and broadest possible array of lessons learned, the insights and the main characteristics of the processes involved in structuring partnership relations between sectors in different parts of the world is important, but should be done, first and foremost, in parallel with the study, examination, and in-depth and up-to-date familiarity with the relations existing in Israel, including local perceptions, needs and dilemmas among the two sides. It is only in this way that construction of a partnership framework between the sectors can suit the Israeli context.

It should be noted that the place of Israel's government is not absent from this process; it too, like other governments around the world, has been working in recent years to include extra-governmental entities in various processes. In Israel, we can identify a number of significant milestones in building relations between government and civil society, among them the Gal-Nur Committee (2002), the Aridor Committee (2006), and, of course, Government Resolution 3190 (February 2008) defining its policy towards the business sector working for public objectives and towards civil society. In the wake of this resolution, tri-sector roundtables, the GuideStar website, and the Tvuna volunteer enterprise have been established, as well as the government-civil society venture for which this document has been written.

We emphasize that this is only a partial summary, and recommend also studying the original document, which contains greater information than we can present here.

## II. Case Studies - England, Canada and Australia

The following review of the experiences in England, Canada and Australia is a translated excerpt from the paper: “Apart and Together - Constructing Government-Civil Society Organizations Partnerships” (Limor and Avishai, 2013, Hebrew). The full version of the paper includes a review and analysis of the experiences in nine countries with regard to constructing Government-Civil Society Organizations Framework Partnerships: England, Wales, Canada, Australia, United States, Hungary, Estonia, Denmark and Sweden. The decision to translate the three cases detailed below is by no means a judgmental selection. As experience demonstrates, there is no single case that is inherently better or more successful than others. It is important to learn lessons from a wide range of cases, beyond English-speaking countries.

### England

The case in England is the most familiar and well-publicized in the field of developing compact processes for inter-sector partnerships at the national level. The first compact in the world was signed in England between the government and civil society organizations (Casey et al., 2010). This charter, the Compact, as it was called, was drawn up and presented in England in 1998, thus ushering in a new, precedent-setting era of acknowledged inclusion of the civil society organizations in the public arena. The English process is considered a kind of benchmark or example for other countries around the world in this field, although it is not without difficulties, problems, and changes in direction over the years (Casey et al., 2010).

Over the years, the original Compact signed in 1998 was accompanied by a series of documents reflecting the insights acquired with time. These attest to the fact that the Compact is not just a series of policy documents, but an ongoing process backed by an organizational infrastructure developed over the years, both on the side of the government and on the civil side. Documents created during this period were mainly codes of good practice<sup>1</sup>. Over the years, the names of the concepts were also changed; so, for example, the voluntary and community sector changed its name to civil society. Another example is the change from promoting joint action as a focus of the activity to promoting independent actions by the organizations, with government support and subject to the principles of the Compact (Kandell, 2005).

For many years, the English Compact enjoyed cross-party support<sup>2</sup>, although its interpretation and ways of implementation are not identical, each party with its own ideology and point of view. This is also how the changes that have been made recently should be understood. With the coming to power of the Conservative government under David Cameron, changes were made to the Compact itself (2009 and 2010), reflecting the worldview of the new government. The recent changes have

<sup>1</sup> For example: Funding Code (2000); revised as Funding and Procurement Code (2005); Consultation and Policy Appraisal Code (2000); Black and Minority Ethnic Voluntary and Community Sector Code (2001); Volunteering Code (2001; revised 2005); Community Groups Code (2003). These codes can be studied at the following link: <http://www.compactvoice.org.uk/about-compact/short-history-compact>  
See also: Cabinet Office (2004); Cabinet Office (2006); Cabinet Office (2006a); Cabinet Office (2006b); Cabinet Office (2008); CC (2007); CLG (2006); DBERR (2007); HMT (2004); HMT (2006); NAO (2006); NAO (2009); OGC (2004); OTC (2008).

<sup>2</sup> The Conservative Party even recommended anchoring the principles of the Compact in legislation and giving it actual legal status. It also recommended that more budgetary support should be given to small volunteer organizations from National Lottery funds.

<sup>3</sup> With regard to the essential nature of Big Society policy and criticism of it, see: Milbourne & Cushman, 2013; Hilton et al., 2010; Sage, 2012; Morris, 2012; Allcock, 2010a; Allcock et al., 2012; Cohen, 2012.

focused on results and outputs, blurring the aspect of partnership. Although this government has made changes in the Compact and the ways in which its mechanisms operate, subject to Big Society policy,<sup>3</sup> its policy, like that of its predecessor, is based on a recognition of the need to strengthen civil society. Already in 2010, its first year in power, a report was submitted to the British government entitled “Supporting a Stronger Civil Society” (Cabinet Office 2010c)<sup>4</sup>.

The historical background to the English development lies in processes that have taken place since the end of the Second World War. Since that time there has been a significant increase in the activities of civil organizations in Britain, and they have had a considerable impact on society and the economy (Hilton et al., 2012). Their activities in the field, their ties with governments over the generations, and the expansion of their activity as suppliers of social services have had a notable impact and have enabled governments to navigate their way in the public arena (Hilton & McKay, 2011; Hilton et al., 2013). Understanding their role, importance and place in the economic and social arena formed the background for processes that led to the signing of a compact between them and the government at the end of the 1990s.<sup>5</sup>

In the 1980s, Britain underwent processes of privatization as part of the Conservative government’s policy under Margaret Thatcher. This encouraged the growth of civil society organizations<sup>6</sup> as service suppliers; and at the same time, hostility and tension developed between the organizations and the government over the effect of the budgetary policy. On the one hand, there was an accelerated transition from a culture of government support and grants to a culture of contracts and competitive tenders; and on the other hand, there were cuts to the cross-government budget. Civil society leaders and activists in England feared an erosion of their independence and a reduction of their ability to operate in the fields of advocacy and public criticism. These were harmed and eroded as a result of cuts to the support budgets. Consequently, from the beginning of the 1990s this sector was in crisis, with a feeling of having lost its way. The main umbrella organization in England, the National Council for Voluntary Organizations (NCVO), set up a committee to examine the future of the sector, which was headed by an admired and renowned professor in the field of political science, Nicholas Deakin. In 1996 the committee published its recommendations in a report entitled: “Meeting the Challenge of Change: Voluntary Action into the 21st Century” (the Deakin Report, 1996). The committee made a series of recommendations, the main ones being to invest in research and development in the field of civil society in England, and to draw up a Concordat<sup>7</sup> to be signed between the government and the voluntary sector.<sup>8</sup>

In 1997, a year after the Deakin Committee report was published, the Labour Party, then in opposition, published a report drawn up by Alun Michael entitled “Building the Future Together” (Michael, 1997).

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<sup>4</sup> See also: Cabinet Office 2010a; Cabinet Office 2010b.

<sup>5</sup> Understanding the place of civil society organizations as a vital and important factor in society came up in Britain in the past in the Wolfenden Committee, 1978, and was not new in government policy. What was new was the exploitation of the window of opportunity of the Labour Party’s rise to power.

<sup>6</sup> In England, the term commonly used to describe the sector is the Voluntary Community Sector (VCS).

<sup>7</sup> The origin of the concept of the Concordat in the Deakin Committee apparently lies in the work of Prof. Deakin at that time, on aspects for improving relations between government ministries. In this work he observed recurring clashes between the interests of different ministries. He tended to believe that a stable framework, based on joint agreement, was vitally necessary and could regulate the appropriate practice and good relations between ministries and between departments.

<sup>8</sup> For the sake of historical accuracy, the first to bring up the need for regulating cooperation between the government and civil society was Lord Beveridge, who recommended this in a report issued in 1948 (Beveridge, 1948).

The report called for an agreement to be drawn up between the government and the voluntary community sector, in very similar terms to the Deakin Report, but making use of a different word - Compact. After the New Labour Party under Tony Blair won the elections in 1997, Prime Minister Blair appointed Michael to be responsible for the Voluntary Services Unit in the Home Office. In October 1997, official talks began between a group of leaders from the voluntary community sector (established by the umbrella organization NCVO as a follow-on to the Deakin Report) and representatives of the government, including representatives of the Prime Minister's Office and other ministries. After a series of consultations and discussions lasting about a year, the preparatory work was completed, and in November 1998, the Compact was launched and signed (Kendall, 2008, Barasi, 2000). The Compact was signed by the prime minister of the day, Tony Blair, the then Home Secretary Jack Straw, and Kenneth Stowe, who chaired the working group of the voluntary and community sector for relations with the government.

The initiative underlying the Compact was innovative and aimed to revitalize the tense relations between the government and civil society organizations. It sought to design a new public policy with a social aspect (Kelly, 2007; Haugh & Kiston, 2007), as well as present a "new approach to [inter-sector] partnership... based on shared values and mutual respect." It was intended to build a relationship based on integrity, objectivity, accountability, openness, honesty, independence, diversity, equality, citizen empowerment, volunteering, and leadership, and to be a starting point, the start of a new way, and not an end.

The Compact won encouragement from the government, where its two principal supporters were the Prime Minister and the Chancellor of the Exchequer (Lyons & Passey, 2006; Allcock, 2010b). It is no wonder that, against the background of this support, the British government invested considerable efforts and resources in guaranteeing the Compact's success, including budgets for operating a mechanism for putting the Compact into practice, means for strengthening organizational infrastructures, research budgets, and so forth. Results were soon seen - the Compact repositioned the voluntary community sector organizations as players in the process of shaping and determining public policy. It included better conditions than in the past, with the emphasis on improving funding and support for the volunteer sector, relating to the organizations as public service suppliers. The Compact was planned to serve as a framework for ongoing dialogue between the government and the civil society organizations in England, that is, a starting framework rather than an end product. The Compact was also intended to serve as an example for compacts to be signed between civil society organizations and local authorities (Osborne and McLaughlin, 2002).

The approach underlying the Compact was open and broad, and over time was given additional expression in the change of name given to the organizations, from the Voluntary and Community Sector (VCS) to Civil Society. This came from the understanding that the organizations are not only service suppliers. Although they have a role to play in this sphere, it is not their only role (HMT, 2002). The supply of services by the organizations was seen at that time as an expression of collaboration, and not the contractual relationship of a supplier (Murdock, 2006).

The English Compact is voluntary and is not legally binding; the authority arising from the Compact is derived solely from the agreement between the parties, the sponsorship and the support that it

received and receives from the government and from the voluntary sector.

It points out that the government and the voluntary sector have complementary functions and common values, and emphasizes that voluntary and community action is vital for development, and is at the heart of a democratic and inclusive society. Among the common principles agreed in the Compact: recognition of the importance of the voluntary sector (civil society organizations) and importance of respecting its independence; and recognition of the added value of working together towards common goals. Each party in the Compact declared central undertakings and intentions. For example, the government declared that it would increase opportunities for consultation, and that it would develop a code of good practice in the spheres of funding and budgeting voluntary sector organizations. A key component in the English Compact process is the creation of codes of good practice, including the “Consultation and Policy Appraisal Code”<sup>9</sup> giving instructions for government consultation with the voluntary sector, and the “Funding and Procurement Code,”<sup>10</sup> committing the government to multi-year funding and covering the main organizational expenses, with the aim of helping to build volunteer sector capacity. The original English Compact includes an in-built Memorandum of Understanding and five codes of good practice in the fields of: funding; consultation and policy development; issues relating to black and ethnic minorities; volunteering; and community groups.

Furthermore, the Compact sets out the appropriate way to resolve disputes regarding the issues and implementation of the Compact, including looking for the viewpoint of a mediator when necessary, as part of the Compact’s mediation apparatus, funded by the Home Office and managed by the Centre for Effective Dispute Resolution (CEDR).<sup>11</sup>

The Compact states that an important part of its implementation and its success is that there is an annual meeting between the government and representatives of the voluntary and community sector. The aim of this meeting is to review and examine the Compact’s performance, and progress in implementing the issues agreed upon. The content of the meeting and reports will be published for the general public. A summary of the meeting will be submitted to Parliament and published on the Internet. The Compact also states that follow-up and appraisal of its implementation will be carried out jointly by the Compact working group from the voluntary sector, government representatives, and representatives of local government. At the same time, the voluntary sector holds an annual survey in which it collects data on inter-sector relations, in the communities in which there are local compacts.<sup>12</sup>

With the government’s encouragement, and following on from the National Compact, local compacts developed over time at the level of districts and towns in England. These mainly focused on social services, although in some cases they also included local health and education authorities, arts, sports groups and community businesses (Casey et al., 2009; Casey et al., 2010).<sup>13</sup> The NCVO umbrella organization convened a working group that developed a guide to setting up and implementing local and regional compacts, with the aim of encouraging and enabling adoption of the compact and adapting

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<sup>9</sup> [http://www.compactvoice.org.uk/sites/default/files/consultation\\_and\\_appraisal.pdf](http://www.compactvoice.org.uk/sites/default/files/consultation_and_appraisal.pdf)

<sup>10</sup> [http://www.compactvoice.org.uk/sites/default/files/funding\\_and\\_procurement.pdf](http://www.compactvoice.org.uk/sites/default/files/funding_and_procurement.pdf)

<sup>11</sup> See the website: [www.cedr.com](http://www.cedr.com)

<sup>12</sup> [http://www.compactvoice.org.uk/sites/default/files/annual\\_local\\_compacts\\_survey\\_2013.pdf](http://www.compactvoice.org.uk/sites/default/files/annual_local_compacts_survey_2013.pdf) and the link:

[http://www.compactvoice.org.uk/resource-tags/annual\\_surveys](http://www.compactvoice.org.uk/resource-tags/annual_surveys) See for example the link:

<sup>13</sup> The literature notes that the field of education was relatively excluded from these developments.

it to local contexts in England. An annual prize is awarded to the most successful local compact. Since the original Compact was launched, a number of appraisals have been conducted, focusing on its implementation in practice. In 2005 an appraisal was carried out by the Home Office and determined that the Compact had become an integral part of the policies being set, it had set in motion the implementation of government measures aimed at significantly strengthening the voluntary sector in England, and had helped develop a better understanding between the sides. At the same time, it was found that the Compact and the accompanying codes were too long, and sometimes difficult to understand and apply, thus making it difficult for the sides to follow the instructions in the Compact and implement them in full. Evidence of flawed implementation was found among both parties to the Compact, in particular with respect to funding, and it was found that there was no mechanism to identify successful performance, on the one hand, and inappropriate practice, on the other hand. Additionally, it was found that there was no mechanism of enforcement against those infringing the instructions and provisions of the Compact.

As a result of a series of additional appraisals, a government commission was appointed for the Compact, a government ministry for third sector affairs was established, and at the beginning of 2007, a new non-governmental support and assistance institution was set up - the Commission for the Compact, with the aim of reinforcing and monitoring implementation of the Compact.<sup>14</sup> At the same time, a designated unit for implementation of the Compact was established - the Active Community Unit (ACU).

In 2007, Prime Minister Gordon Brown instructed that a report be drawn up on the future role of civil society organizations, prompted by social and economic developments in England. The report - "The future role of the third sector in social and economic regeneration" (HMT, 2007) - reaffirmed the government's commitment to partnerships with the sector, and explicitly encouraged the sector's advocacy and empowerment roles.

Central organizations in the voluntary sector, such as the Compact Voice organization,<sup>15</sup> were formed in order to represent the sector and provide support and assistance in aspects of implementing the Compact in the field, and to oversee its performance alongside the government.<sup>16</sup>

Since the Compact process in England is dynamic and undergoes regular periodic appraisal,<sup>17</sup> in 2010 a process of renewing and amending the Compact was launched, and refreshed and renewed Compacts were published,<sup>18</sup> reformulating the accompanying codes such as to make them an integral part of the text of the Compact in a manner that is concentrated, easy to use, and clear.<sup>19</sup> The renewed Compact

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<sup>14</sup> This body was closed in 2011, as part of the British government's policy of cutting the public budget.

<sup>15</sup> See the website: <http://www.compactvoice.org.uk/about-compact>

<sup>16</sup> Voluntary organizations often help represent organizations that come up against the government's failure to comply with the instructions and principles of the Compact. A well-known case is that of Leicester, where the town council decided to cut considerable support to voluntary sector organizations operating within its jurisdiction. The organizations sued the town council in court, on the grounds that it had not consulted with them before taking this decision, as required under the principles of the Compact. The court ruled in favor of the organizations and instructed the town council to restore the funding cut from the organizations without consultation prior to the decision (Toftisova, 2005).

<sup>17</sup> See, for example: Green, 2009.

<sup>18</sup> See the website: [http://www.compactvoice.org.uk/sites/default/files/the\\_compact\\_2009.pdf](http://www.compactvoice.org.uk/sites/default/files/the_compact_2009.pdf) and also [http://www.compactvoice.org.uk/sites/default/files/statement\\_on\\_renewal\\_of\\_compact\\_2010.pdf](http://www.compactvoice.org.uk/sites/default/files/statement_on_renewal_of_compact_2010.pdf)

<sup>19</sup> In the framework of the program to change and renew the Compact-Compact Plus- it was also proposed to establish an array of sanctions for failure to comply with the Compact, by presenting the need to acquire the status of "member" of the Compact, and taking away membership status if necessary.



was published together with a Guide to Accountability and Transparency with regard to steps for dealing with deviations from proper implementation of the Compact.<sup>20</sup>

Every year, an event is held in England called Compact Week.<sup>21</sup> This is devoted to discussing experiences with the Compact and presenting cases in which the Compact helped voluntary and community organizations in their relations with the government. During this week, both sides are required to carry out at least one action to promote the Compact and learn about it.

Since the Conservative government came to power (2010), it has been argued that the English National Compact is in crisis, at a low point, and in the process of a substantive change to its character (to the point of being in danger of losing its significance), against the background of changes in support and political policy in England today ( Zimmeck et al., 2011). It is claimed that the change in focus, the transition from 'partnership' to 'results', demonstrates substantial backtracking and loss of shared vision.

The change blunts the emphasis of the inter-sector partnership and reduces the spheres of regulated relationships, in the transition to relating to organizations as public service suppliers alone, and emphasizing the contractual relations between them and the government. In the opinion of the critics, the difficulty lies in implementation because of the lack of effective mechanisms for independent monitoring of activities, with the emphasis on government accountability and ways of implementing its part in the Compact. At the same time, the authors note that greater success is being seen at local levels rather than at the national level, and their conclusion is that the future of the tools that have been developed appears more promising at the local level than at the national level (ibid).

The English charter, known as the National Compact, relates to England alone and not elsewhere in the United Kingdom. At the same time, other parts of the UK have followed in England's footsteps and also created compacts. So, for example, in Scotland (SCVO),<sup>22</sup> in Wales (WCVA)<sup>23</sup> and in Northern Ireland (NICVA),<sup>24</sup> compacts have been forged that are based, to one degree or another, on the (English) National Compact.

Marilyn Taylor (Taylor, 2012) points to a number of results achieved by the English Compact. Primarily, she mentions that the civil society organizations have been strengthened; they believe in their abilities today more than they did in the past. This result is due, according to her, to a number of factors: first, dialogue with the national and local administration has brought them closer to these entities and given a better recognition of the way in which they operate. Secondly, from experience gained since the first Compact was signed, they have increased their ability to implement programs and propose better quality services to the public; and thirdly, the connection forged at the local level, both in terms of institutional contacts and in terms of implementation of the activity in practice, has strengthened the organizations' image.

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<sup>20</sup> See the website: [http://www.compactvoice.org.uk/sites/default/files/the\\_compact\\_accountability\\_guide.pdf](http://www.compactvoice.org.uk/sites/default/files/the_compact_accountability_guide.pdf)

<sup>21</sup> See the website: <http://www.compactvoice.org.uk/compactweek2012>

<sup>22</sup> See the website: <http://www.scvo.org.uk>

<sup>23</sup> See the website: <http://www.wcva.org.uk>

<sup>24</sup> See the website: <http://www.nicva.org.uk>

## Canada

In December 2001 the Prime Minister of Canada signed an Accord and launched the document known as “An Accord between the Government of Canada and the Voluntary Sector.”<sup>25</sup> This document was the climax and extension of the Voluntary Sector Initiative that had begun a few years earlier (Casey et al., 2010; Hall et al., 2005; Brock, 2010). Peter Elson (Elson, 2008) describes the period since the mid-1990s as a critical transition period in relations between state and civil society in Canada. Signing the Accord was one of the characteristics of this period, and it was influenced by British policy promoting this matter in Britain.

The Canadian background to the process, similar to the English case, lies in the late 1980s and 1990s, a period of increasing tension between large parts of the Canadian voluntary sector and the government due to cuts in budget and support, and the adoption of “contractual regimes” in the government (Phillips et al., 2001; Elson, 2013), and as noted by Elson, the transition from a regime of ‘citizenship-based programs’ to one of ‘service-based contracts’ (Elson, 2008; Casey et al., 2010). While the first type relates to programs growing out of civil activity, the second type relates to the provision of services in the framework of tenders published by the government.

Diana White (White, 2006) notes that there are substantive differences between the English process and the Canadian, arising from the difference in government structure. In Britain there are two tiers: central government and communities, while Canada has federal government and provinces, the latter representing an additional layer separating the federal government and the communities.

In 1995, at the initiative of the National Coalition of Voluntary Organizations in Canada, a voluntary sector roundtable was established. This included the Canadian Center for Philanthropy, umbrella bodies, and central umbrella organizations in the fields of environment, culture, social services, health and sport, overseas aid organizations, religious organizations and churches. The roundtable began putting pressure on the government to grant consistent and broader tax reliefs in order to encourage giving and donating in Canadian civil society (Casey et al., 2010).

The election campaign of the Liberal government that was re-elected in 1997 related to the reciprocal relationship between the government and the voluntary sector, and recognized the fact that Canada’s ability to offer opportunity and security to its citizens was dependent on the vitality and ability of its civil society and the voluntary sector organizations (ibid).

At the end of 1997, with funding from a private foundation, the voluntary sector roundtable appointed a committee of six senior, well-regarded Canadians to investigate and examine the performance and accountability of the voluntary sector. The background to the appointment of this committee was the government’s budgetary decisions, which provoked public opposition. In February 1999, after many discussions, the committee, headed by Ed Broadbent (Edward J. Broadbent), issued a final report (Broadbent Report, 1999). The report included a recommendation to the federal government and the provincial governments to enter into discussions in dialogue with the third sector, in order to set up

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<sup>25</sup> This charter is called an ‘accord’ in English, unlike one that is called a ‘compact’. See the website: [http://www.vsi-isbc.org/eng/relationship/pdf/the\\_accord\\_doc.pdf](http://www.vsi-isbc.org/eng/relationship/pdf/the_accord_doc.pdf)

<sup>26</sup> See the website: <http://www.vsi-isbc.org/eng>

a mechanism with the aim of promoting understanding and agreement concerning the desired relationship between the two sectors. Underlying the decision was the insight that these organizations have an important place in Canada's social fabric, and that it is essential to incorporate their capabilities in the state effort to promote society and the welfare of the citizens.

After the elections held in Canada in 1997, Jean Chr tien, head of the Liberal party, was elected as Prime Minister. In 2000, this government was forced to call early elections due to political instability and the demands of the Reform Party of Canada, which worked together with the Progressive Party in an attempt to lead political and economic changes in the country. Following Jean Chr tien's re-election, in light of the political situation and the Broadbent Report, which came from the civil society organizations, in June 2000 the government decided to establish a task force for the third sector<sup>26</sup> (Casey et al., 2010).

The task force comprised deputy ministers of a number of government ministries, and senior civil servants. Later, through dialogue and agreement between the government task force and representatives of the voluntary sector roundtable, it was decided to establish three joint roundtables, headed by joint chairs. The roundtables dealt with discussing and defining the relationship between the government and the voluntary sector. The Roundtable for Building a New Relationship proposed an accord between the government and the voluntary sector, to be a document outlining and guiding the developing relations (ibid).

Unlike in other cases, where the initial initiative came from the government, in the Canadian case it was the civil society organizations that pushed the government and led to the establishment of the task force and the roundtables, instigation of the inter-sector collaboration, and eventually - signing the accord.

The Accord (VSI, 2001) that was signed in December 2001 was not a legally binding document. After it was signed, the Canadian government allocated C\$95 million for a period of five years. This budget was intended to fund a series of activities, among them coordination of participation in the sector, development of information technologies, building funding models, improving management skills, building infrastructures for organizations, collecting and processing data, expanding databases, implementing research studies, and creating public awareness of the voluntary sector's contribution to Canadian society (Casey et al., 2010). This was an important venture, vital for strengthening inter-sector relations and building infrastructures and capabilities in civil society organizations in Canada. The Accord was accompanied by two documents: (1) a code for funding the voluntary organizations - A Code of Good Practice on Funding (VSI 2002a); (2) a code of consultation processes between the government and organizations in the sector - A Code of Good Practice on Policy Dialogue (VSI, 2002b).

In 2003 a number of reports were published that laid the foundations for promoting the process. The first was a guide to implementing codes of good practice (The Rubber and the Road, a Workbook for Implementing the Codes of Good Practice) (VSI, 2003a). The second was a report on the progress of moving processes forward (Taking the Accord Forward) (VSI, 2003b). The third, a detailed document by a team from the voluntary sector roundtables, examined different aspects of civil society organizations in Canada, their potential, their capabilities in practice, the professional infrastructure, management

ability, financial soundness, and so forth (The Capacity to Serve: A Qualitative Study of the Challenges Facing Canada's Non-profit and Voluntary Organizations) (VSI, 2003c).

In 2004, an evaluation report was published - The Journey Continues (VSI, 2004). This report points to the activities that were carried out, showing progress according to the outline program. Another report indicating the activity's success among volunteer sector organizations and their stronger ties with the communities was published in 2006 (RT Report, 2006). Among the factors helping to promote the process was the assistance given to organizations in connection with assimilating technology.<sup>27</sup>

At the same time, in the above-mentioned evaluation report from 2004, the results of an on-line survey were analyzed, indicating that more than half of the respondents from the federal offices noted that their relations with the volunteer sector organizations had remained unchanged over the preceding year, while only a quarter answered that their relations had improved.<sup>28</sup> Improvements that were mentioned included a higher level of involvement and participation in constructive dialogue, improved ways of working together, and greater involvement of the volunteer sector in government activities. Alongside these improvements, the Accord and the initiative as a whole were seen by many over the years as ventures with very limited success (Casey et al., 2010).

A major problem that was expressed related to the fact that the Volunteer Sector Initiative (VSI) was a government project that was defined and limited in time (five years), accompanied by a workforce that came from other existing organizations. Despite recognizing the project's value, there were doubts as to its long-term benefit. In the opinion of researcher Susan Philips (Philips, 2004), its character as a one-time venture, as opposed to an ongoing process of building and maintaining a lasting relationship, gave both sides the feeling of a "case" that was seemingly dealt with and closed. The feeling formed within the volunteer sector that the Accord did not improve the conditions and environment of its activities, but took control away from it (Casey et al., 2010). From the sector that initiated the endeavor (Broadbent committee), to a sector subject to restrictive arrangements in its work with the government. In 2006, the organization Imagine Canada issued a report on the state of volunteer sector organizations, and conclusions with regard to its findings. After reviewing the difficulties and proposing solutions, the report states:

"The results of the NSNVO show that non-profit and voluntary organizations are an integral part of Canadian society. They not only provide many of the services that Canadians rely on every day, but are also major vehicles for citizen engagement. The survey also shows, however, that many of these organizations are struggling to fulfill their missions. Participants in our roundtable sessions offered literally hundreds of suggestions for strengthening Canada's non-profit and voluntary organizations." (Imagine Canada, 2006, p. 27).

In 2006, a Conservative government was voted in after 12 years of Liberal rule. The new government was dismissive of the Accord, which was seen as an historic event and no more than that. Despite the fact that the Accord was viewed as a positive product when it was launched, it had lost its luster as a result of operative issues (funding that came to an end and was not renewed), and in the end was not seen as a tool helping to deal with important and central issues. At the same time, the processes

<sup>27</sup> See the website: <http://www.vsi-isbc.org/eng/imit/reports.cfm>

<sup>28</sup> See the 2004 report at: [http://www.vsi-isbc.org/eng/relationship/pdf/journey\\_continues.pdf](http://www.vsi-isbc.org/eng/relationship/pdf/journey_continues.pdf)

that took place at the joint roundtables were seen as constructive, and as forums creating trust between individuals who were involved in the discussions on both sides. However, as stated, this trust did not become entrenched.

While the federal Accord did not succeed, initiatives at the provincial level continued to develop. In particular, it is possible to point to activities in Quebec, where a policy document was signed by the Minister for Combating Poverty and Social Exclusion, but was developed in collaboration with third sector organizations. Its application was under the supervision of an advisory council, with representatives from both non-profit organizations and government ministries. The Quebec policy document successfully survived the transition between governments, and in 2008 a new plan of action passed the discussion process.

Today, an important dialogue is developing in Canada with regard to the place of inter-sector cooperation and the possibility of updating the Accord model, based on the experience acquired in the provinces

### Australia

For most of the past decade, Australia was in a unique political situation in which there were Progressive Labor governments in all the continent's states and territories, alongside a Liberal-Conservative federal government.

As of 2001, there have been processes in which an inter-sector dialogue has begun to take place, and compacts have even been signed between the government and the civil society organizations in all the territories and regions. At the federal level, however, an initiative of this kind began with a delay of a few years<sup>29</sup> (Lyons, 2001; Melville, 2008; Casey et al., 2010). The absence of dialogue at the federal level was apparently due to a combination of two factors: the first - the world outlook of the Conservative government in Canberra; and the second - the federal character of Australia, where the activities of civil society organizations and their connections are the business of the state or territorial government, and not of the federal government (Casey & Dalton, 2006).

The state compacts in Australia, similar to compacts in other countries, have no legal or legislative status; they are a form of voluntary agreement whose enforcement is not backed by legal sanctions. A review of the compacts shows that they differ from each other, as we will indicate below:

**Victoria** - there are two topic-specific and sub-sectorial compacts: one signed in 2003, and focusing on organizations working with volunteers; the other signed in 2004 and focusing on organizations involved in human services. This latter compact is considered to have significantly improved the partnership arrangements between government ministries and organizations in this field (Casey et al., 2008a; Casey et al., 2008b).

**New South Wales** - in 2006, after a decade of discussions, a compact was signed between the government and the umbrella organization of civil society organizations. This compact was dropped by a new government coming to power just a few months later, and was replaced by a government

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<sup>29</sup> Similarly to Poland, in Australia local compacts were developed and signed at non-countrywide levels prior to the start of a national compact process.

document, the State Plan, which in practice revoked the compact and replaced it by an output-oriented work relationship (Casey et al., 2008).

**Queensland**<sup>30</sup> - in 2005 the Ministry for Communities, Disability Services and Pensioners developed a central policy document called “Strengthening Non-Government Organizations Strategy.” The strategy document was intended to promote cooperation between the government and the non-government sector, build capabilities and skills among the civil society organizations so that they can provide services to people with disabilities and the elderly population, and streamline the bureaucracy involved in government funding. The Department for Disabilities and Communities was given responsibility for implementing the strategy. A policy team works with the non-government sector on developing public policy in various fields, including volunteering and community action (Carter & Sladowski, 2008).

**Western Australia** - in June 2004, talks that began in July 2003 resulted in the signing of a document called the “Industry Plan for the Non-Government Human Services Sector,” which deals with cooperation between the government and organizations operating in the field of human services.

**South Australia** - in this state, there were parallel discussions taking place with two groups in the government ministries. One was with the Ministry of Health and the Ministry of Family and Community, promoting a plan called Common Ground, intended to create cooperation between the organizations and the above ministries. The second track was with the government unit for volunteers, and dealt with promoting a plan called Advancing the Community Together, which dealt with incorporating volunteers in community action. Despite the fact that the same people signed the two documents, they were designed in two separate tracks (Carter & Sladowski, 2008).

**Northern Territory** - after a series of discussions, in 2005 the government and representatives of the organizations signed a document of cooperation known as Common Cause.

**Tasmania** - with the agreement of the government and representatives of civil society organizations, a document of cooperation known as the Partnership Agreement was signed in May 2003.

**Australian Capital Territory** - ACT - despite the fact that this territory is the seat of the federal government, it is an autonomous region. As such, in 2004 the territorial government (ACT Government, 2004) signed a document called “The Social Compact: A Partnership between the Community Sector and the Government Act.” In this 24-page document, a joint vision and principles for action for the collective good of all people were agreed upon. In 2010 (ACT Government 2012), the Australian government published a revised version of the compact, under the title “The Social Compact: A relationship framework between the ACT Government and Community Sector.” There are two striking differences between the two documents: (1) the first document made use of the term ‘partnership’, while the second document relates to the concept of ‘relations’; (2) the first document places the Community Sector as the first party to the compact and the government as second party, while in the second document the government is the first party and the Community Sector is second.

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<sup>30</sup> See the website: <http://www.communities.qld.gov.au/resources/communityservices/about/corporate-plans/queensland-compact/implementing-the-compact.pdf>

In 2003 the federal government published a draft bill for charity organizations (Charity Bill). This was an opportunity to develop a public dialogue on the subject of civil society organizations. However, the timing for a compact process at the federal level only became possible in 2007, when the Labor government came to power and declared its intention to develop a national compact (Melville, 2008; Shergold, 2008). This was followed, during 2008, by consultations and forums for a broad public discussion about the form and content of an Australian compact. In 2009 the consultation paper on a national compact was published, and a joint task force and an advisory group from the volunteer sector were established.

In March 2010, the Australian national compact - *Working Together*<sup>31</sup> - was launched with the signature of Prime Minister Kevin Rudd and representatives of the civil society organizations. At the signing, the prime minister explained that it would open a new era - “an era of collaboration... that will fundamentally strengthen and improve the way [they] work together.”

The signing of this compact should be seen against the background of Australian government policy and the perception of the place of civil society organizations in the political fabric (Lyons & Dalton, 2011). Subsequently it was decided that a Government Ministry for Volunteer Sector Affairs and its minister would be responsible for monitoring and implementing the compact. In the different government ministries ‘compact advocates’ were appointed, to be responsible for promoting it and fostering relations with the civil sector.

In December 2010 the Reform Council for the Non-profit Organization Sector was established, replacing the advisory group from the sector that had been set up before the compact. The compact was accompanied by a process of developing a code of practice for reciprocal relations with the third sector. In the course of the code’s development, local work groups, workshops and consultations were set up in different towns, as well as an on-line forum for feedback, and an on-line survey in 2012 examining public feedback for the draft code. The Australian compact was also published in an illustrated and easy to read format (Easy English version).<sup>32</sup>

The Australian compact allows organizations that are not members of an umbrella organization to join by individual signature of the organization, not by way of the umbrella organization (Zimmeck, Rochester, Rushbrooke, 2011).

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<sup>31</sup> See the website: [http://www.notforprofit.gov.au/sites/default/files/documents/national\\_compact\\_web.pdf](http://www.notforprofit.gov.au/sites/default/files/documents/national_compact_web.pdf)

<sup>32</sup> See the website: [http://www.notforprofit.gov.au/sites/default/files/documents/national\\_compact\\_easy-english\\_web.pdf](http://www.notforprofit.gov.au/sites/default/files/documents/national_compact_easy-english_web.pdf)

### III. The Representation of the civil society organizations

Excerpt from “Apart and Together - Constructing Government-Civil Society Organizations Partnerships” (Limor & Avishai, 2013), pp. 50-52.

On the part of the government, compact-based partnership frameworks can, as noted, be established at the responsibility of the Prime Minister, one or more ministers, members of Parliament, or a particular combination of representatives from the senior civil service and different governmental, institutional echelons.

On the civil side, the picture is more complex: the civil sector is broad in scale and includes a broad range of organizations. The civil sector has a wide variety of opinions, orders of priority, and wishes. The process of working out and formulating a partnership compact will involve partners in dialogue from civil society who feel that they are working for and representing the civil sector, and may sign the compact in its name.

There are three basic models for representation of the civil partner:

- a. Dialogue partners will be representatives of a national umbrella organization, the largest in the country, which for the most part will represent activities right across the field of public action.
- b. Participants in the dialogue will be representatives of a number of umbrella organizations, large sectorial network organizations, infrastructure organizations and leading and central civil organizations, which will work together as a coalition or as a designated work group in connection with construction and implementation of the framework partnership with the government.
- c. Sometimes, civil society will not have any representation or joint signature on a framework compact, which will be signed unilaterally by a government authority. Then, the partnership framework will usually adopt a very broad and open approach to civil society and its organizations, with the emphasis on actively including citizens in the process of shaping and implementing policy (Venables, 2009)<sup>1</sup>

It is also possible to divide civil representation up into circles or stages: where there is civil representation and civil partners in dialogue, constructing and formulating joint framework compacts, it is not infrequently found that there is a first, inner and more limited circle of representatives of civil society, one that is intensively involved in initiating and constructing the partnership with government representatives, including formulating drafts of the framework documents, and so forth. Sometimes there will be a second, outer circle that is broader, comprising civil organizations who are partners in the process at the stages at which wider public discussions are held regarding formulation of the compact, amendments, issues relating to implementation, and so on. This broad circle makes use of technological tools, such as on-line surveys, on-line forums, and discussion group and symposium tools, and the like.

It is important to note that partnership compacts usually leave the issue of choosing and appointing civil representation in the dialogue with the government partners outside the sphere of responsibility of the government partners. That is, the government partner leaves this responsibility to the civil sector, in the declared and written expectation that leading entities in this sector will ensure fitting representation and constant openness in accepting additional partners in the dialogue from civil society who are

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<sup>1</sup> For example in Hungary, or in cases where the partnership is anchored in an actual law such as Wales.



interested in it. It is important for the government partner not to decide “top down” who will be chosen, appointed, and participate in the civil partner (Venables, 2009)

This approach is typically manifested in the partnership compact of Wales, in which it states: “The National Assembly expects voluntary organizations to co-operate with each other and form appropriate networks that are able to relate to the National Assembly collectively on common matters of policy and administration. The National Assembly aims to meet regularly with representatives from voluntary sector networks for this purpose” (WVSS, p. 8).

In an article by John Casey and others (Casey et al., 2010) it is argued that in the context of the issue of representation of the civil partner, every partnership compact in the world is characterized by what is called the “aspiration gap”: on one hand, the compact aspires to include the broadest possible definition of civil society and its organizations, while on the other, the non-government organizations that are partners, participate actively, and are involved in the compact processes are liable to be limited in their scope and in the degree to which they are representative.

The article argues that despite the differences in terminology used in the different compacts to describe the non-government partners, for the most part the intention is non-profit organizations supported by the government or by private donors, which are involved in providing social services and human services. Organizations of this kind are the ones which, in practice, are more involved in compact processes, since the emphasis tends to be on improving coordination processes between them and the government, regulating public support and tender mechanisms, and improving the results of the services given. Organizations that do not provide services tend to show less interest in the partnership frameworks, other than in cases where the compact involves possible changes in taxation and regulation structures.

The researchers claim that one of the unintentional results of the development and implementation of partnership compacts is the division of the civil sector into two: one - the “compact sub-sector” that is in close contact with government entities, and the other - the “non-compact sub-sector,” remaining distant from the process.

This division between “those who are in” and “those who are out” is naturally influenced by the level of interest and ability of the different civil organizations to be involved in the partnership. Partnership frameworks today have to deal with this issue,<sup>2</sup> as well as with the constraint of representation by umbrella organizations and infrastructure organizations, which in the nature of things do not represent all of civil society and all of its organizations. Dealing with this issue focuses on two channels: on the one hand, expanding the number of partners in framework compacts;<sup>3</sup> and on the other hand, presenting the possibility of joining and signing a partnership compact in an open and individual manner (that is, not necessarily through a representative umbrella organization), for each organization or civil entity wishing to do so, and at any point in time.<sup>4</sup> The Estonian member of Parliament Daimar Liiv formulated this open approach in a draft prepared in 2001 for drawing up partnership compacts: “The circle of participants of the preparation of the compact should be as wide as possible and open to change throughout the process.... Umbrella organizations should not monopolize the discussion but instead encourage the grass-roots NGOs to join in and share their experiences and opinions” (Liiv, 2001, p. 6).

<sup>2</sup> In the Scottish compact it states explicitly that the compact does not relate to all voluntary organizations existing in Scotland, and that the partners recognize the fact that not all voluntary organizations will be interested in the partnership framework in general, and partnership with the government in particular (Venables, 2009).

<sup>3</sup> As was done in the renewed English Compact of 2010.

<sup>4</sup> As was done in the Australian federal compact of 2010.

Researchers in the field point out that it is important not to limit the possibility of joining the partnership. It is necessary to avoid creating exclusivity for one entity or another in the context of the partnership in the process of constructing and implementing the partnership framework (Venables, 2009). Moreover, it is argued that top-down attempts by the government sector to develop compact processes that do not include appropriate and broad representation from the civil sector are doomed to failure (Casey, 2007).