

STARTING AND RUNNING YOUR COMMUNITY ORGANISATION: A GUIDE



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INTRODUCTION

This Guide to establishing and running successful and sustainable community organisations aims to improve participation by new and emerging community members in Australian society and strengthen their ability to better support their communities.

The contribution that small ethno-specific organisations make to the settlement process for their members is significant. They complement generalist and specialist services, promote social cohesion and community participation, provide community support, education and capacity building. These organisations are the most connected to their communities and make an active effort to ensure that their mission is aligned with community needs and aspirations.

New and emerging communities often lack established networks, support systems, community structures and resources, and the Australian grants systems and legal frameworks may appear daunting.

Ability of new and emerging community groups to establish their organisation and access funding is critical for developing a strong community infrastructure and building their capacity. This will in turn strengthen the contribution new migrants and refugees can make to Australian society.

The toolkit is intended as a guide only, to assist you to think about setting up and running your organisation. We suggest that you seek expert advice and use the links provided to suit your particular circumstances.

HOW TO USE THIS GUIDE

The FECCA *New and Emerging Community Organisation Tool-Kit* provides information on how to set up, manage, gain funding for and sustain a not-for-profit community organisation in Australia.

The toolkit has a number of sections which contain information on the regulatory requirements, hints and tips, as well as links on where to get more information for each topic covered. Sections include information on:

- The Australian political, regulatory and taxation system;
- Setting up your organisation and how to choose the structure;
- Managing your organisation including governance, stakeholders, resources, insurance and reporting;
- Planning, monitoring and evaluating your activities;
- Funding and fundraising;
- Advocacy, marketing and ensuring your organisation maintains a high profile; and
- Networking, partnering and collaborating with other organisations.

Links to help you to find out more information are in the text for the electronic version of the Guide and key links are also provided at the end of each section.

Read through the sections, follow the links at the end of each section, and remember to link up with a multicultural organisation in your State or Territory.

THE AUSTRALIAN REGULATORY AND LEGAL SYSTEM

The complex system of government in Australia is a result of federation in 1901. There are three levels of government, each with different responsibilities. Sometimes the levels of responsibility overlap. This often makes it quite difficult to understand and navigate your way through the system without specialist help.

This section provides a brief summary of the roles of each of the levels of government in Australia in the context of setting up and managing a not-for-profit community organisation.

THE THREE LEVELS OF GOVERNMENT

There are three levels of government in Australia:

- Federal (sometimes referred to as the Commonwealth or Australian Government);
- State and Territory Government; and
- Local Government (often referred to as Councils).

Each of these levels of government has different responsibilities, and if you are managing a community organisation you will have to deal with each level for one reason or another.

For example, you will be responsible for paying tax to the Federal government, complying with Federal and State laws governing the operation of your organisation, possibly reporting on the activities of your organisation to both Federal and State governments, and if you buy or construct a building, or serve or sell food at a fundraising event, you will likely have to comply with State

LEGAL AND REGULATORY REQUIREMENTS FOR ORGANISATIONS

Whatever type of organisation you form, you will need to comply with a range of government regulatory requirements, especially if you will be raising and managing money.

If you wish to form a national organisation, to benefit members of your community right across Australia, you will need to comply with a range of national laws and regulatory requirements. If you will be a not-for-profit company, you may be eligible to register as a charity with [the Australian Charities and Not-for-profits Commission \(ACNC\)](#). The best place to start to work out your responsibilities as a national not-for-profit organisation is the [Australian Taxation Office \(ATO\)](#) page for not-for-profit organisations.

If you wish to work at a more local level, or in a specific geographic area, it may be more appropriate to incorporate as an association. This process is covered by State and Territory legislation. [The Australian Institute of Company Directors](#) website has a useful list of links to the laws governing each State and Territory for Incorporated Associations. You may wish to seek expert advice from a lawyer or business adviser in your State or Territory.

If you feel that your group is not ready to incorporate in a formal way and meet regulatory requirements, it may be possible to be auspiced by, or form a partnership with, another organisation that is already operating within the system. This might be a good option for new and emerging community groups. The auspicing organisation might be able to mentor the members of your group so that you become familiar enough with the system to operate on your own over time.

THE TAXATION SYSTEM

Australia's tax system places a number of requirements on community organisations. If your organisation is to receive more than \$150,000 per year, it must register for GST (Australia's broad-based Goods and Services Tax). It must also apply for an Australian Business Number. You will most likely have to submit Business Activity Statements (BAS) quarterly (every three months).

If you are operating as an Australian company, you may be liable for corporate taxes.

Sometimes, the ATO requires companies to submit their BAS and/or IAS statements monthly rather than quarterly. It is a good idea for your organisation to have an accountant or taxation adviser who will be able to provide more information and assistance about these issues.

If you hire and pay staff, you will need to withhold Pay As You Go (PAYG) tax from the employees' wages and then pay those PAYG instalments to the government as part of the BAS or Income Assessment Statement (IAS) submission process every quarter. As an employer, you will also have

to pay a superannuation contribution. The ATO website will have more information about this too.

If you provide additional benefits for your staff, such as a car, your organisation may be required to pay Fringe Benefits Tax. However, if you are a registered charity with the ACNC, you may be exempt from some of these requirements. The ACNC website has more details.

If you are registered as an Australian national charity, you might be eligible for a range of tax concessions, including Deductible Gift Recipient status, which gives donors to your organisation a tax concession. The Australian Charities and Not-for-profits Commission (ACNC) website has more information.

Some not-for-profit organisations and charities will be eligible for a range of tax concessions and exemptions, such as exemptions from GST, Deductible Gift Recipient concessions and FBT. More information is available on the ATO website. For further information and expert advice, it is recommended that organisations consult their accountant or taxation adviser.

MORE INFORMATION AND LINKS

More information on legal and regulatory requirements for setting up a not-for-profit community organisation can be found at:

Australian Taxation Office
<https://www.ato.gov.au/Non-profit/Getting-started/>

Australian Charities and Not-for-profits Commission
<http://www.acnc.gov.au/ACNC/Home/ACNC/Default.aspx>

Australian Institute of Company Directors
<http://www.companydirectors.com.au/director-resource-centre/not-for-profit>

More information and resources on taxation issues for your community organisation can be found at:

Australian Taxation Office
<https://www.ato.gov.au/Non-profit/Getting-started/Tax-concessions/>

Australian Government Business Portal
<http://www.business.gov.au/business-topics/starting-a-business/Pages/default.aspx>

Australian Charities and Not-for-profits Commission
http://www.acnc.gov.au/ACNC/FTS/Fact_ConcAvail.aspx

Not-for-profit Law
<http://www.nfplaw.org.au/tax>

SETTING UP YOUR ORGANISATION

Organisations often seem to form themselves. People who share a common aim get together and talk about how they could solve a problem in, or make something better for, their community — then a few more people join the conversation and they decide to take action from there. As the group gets bigger, it becomes clear that the group needs to formalise some kind of structure so they can go forward. This is especially so if the group needs to find funding from government or other sources to achieve its aim of helping its community.

WHY INCORPORATE?

Groups often find they need to formalise into a “legal entity” or organisation so that they can set up a bank account, apply for funding with government or other funding bodies, and hire staff or rent offices.

One of the benefits of incorporating is that it protects its members from legal liability if something goes wrong. A person can still be held legally responsible if they have acted negligently or dishonestly, but on the whole members of an incorporated organisation have “limited liability”.

There are many responsibilities in setting up an incorporated organisation. The organisation will have to report to government on its activities according to the requirements it is set up under, as well as to the Australian Taxation Office and other relevant bodies.

Ourcommunity.com has a simple explanation of how to decide whether you need a formal structure or not.

When your group reaches the stage that you need to formalise the structure in some way, there are a number of important issues that you need to consider:

- What is the purpose of your group?
- What leadership and governance structure will you put in place?
- Will you hire staff or work with volunteers?
- How will you get and maintain funding?
- How will you get your message across to stakeholders, funders and other people that you need to influence?
- Will you work with other organisations or operate on your own?
- How will you know if you are achieving your aims?

The most important question is the first one. What is the purpose of the group, and what are you trying to achieve? The answers will help decide on the structure of the organisation you will form and the legal and other regulatory requirements you will need to comply with to operate your organisation. This section deals with the purpose and structure of your organisation, and provides information about, and links to, further information and resources to help you understand the regulatory requirements that are in force in Australia.

Each of the other questions, and how to answer them, is discussed in the other sections of this guide.

PURPOSE – DECIDE WHAT YOU WANT TO DO

As discussed earlier, one of the most important things for your group to do is to clearly define your purpose and what you are trying to achieve. Working this out and being able to state it clearly and simply to stakeholders, funders and in writing will be very important to your success.

Once you have worked through the questions about your group's purpose and how you wish to operate, you will have a pretty clear idea of which structure you should use for your group at this stage.

QUESTIONS/CHECKLIST

The key questions to answer for your group are:

1. Purpose

- Why has your group come together? Are you trying to get the government or another body to change to make something better in your community, like improved access to education, housing or employment?
- Or are you trying to provide an opportunity for the members of your community to get together and socialise?
- Or perhaps you want to raise money to buy equipment for the young people in your community to play sport.
- Each of these will lead to a different type of structure.

2. Membership

- Who will be involved in your organisation?
- How many people are there in your group now? Will they be members of your organisation? How many members do you want in the future? How will you attract more members of your community to join or support your organisation?

3. Activities

- What will your organisation do?
- Will you raise awareness of a key issue affecting your community (eg employment, housing, education)?
- Will you try to raise money to make something better in your community?
- Will you provide opportunities for members of your community to do something together (eg. cook, play sport, or undertake other social activities)?

4. Money

- How will you support your organisation and make sure it can continue to operate into the future? There are many opportunities to raise money for your organisation and more information on funding and fundraising is in the [funding and fundraising](#) section.

ARE YOU UNIQUE?

Before you go ahead, it is a good idea to make sure there are not already organisations in place, within your community, that have the same or similar aims.

You can also do an internet search to see if there are organisations similar to yours outside your community that you could partner with.

SOME GOOD PLACES TO SEARCH INCLUDE:

Our Community

<http://www.ourcommunity.com.au/directories/welcome>

Pro Bono Australia

<http://www.probonoaustralia.com.au/source>

Australian Charities and Not-for-profits Commission

http://www.acnc.gov.au/ACNC/FindCharity/QuickSearch/ACNC/OnlineProcessors/Online_register/Search_the_Register.aspx?noleft=1

GiveNow

<https://www.givenow.com.au/>

You may find an established organisation pursuing similar activities. If you do, consider how you might be able to help each other, form a partnership or collaborate in some other way. The other organisation may be able to help you get started and give you valuable advice to avoid some of the pitfalls that new organisations encounter.

You might want to change the structure later. For example, you might be a small group of people that wants to set up a football team for young people in your community. It might be better to stay as an unincorporated group being auspiced by a more established organisation in the first couple of years until you grow enough in terms of members and experience to form your own organisation. There is more information about auspicing in the chapter on [networking, partnerships and collaboration](#).

STRUCTURE

When you have decided that your group wants to incorporate, the next step is to decide what kind of incorporated structure to choose.

The key point to consider is where your organisation will operate. If the scope of your operations will be right across Australia, a company limited by guarantee will be most appropriate.

If your group wants to operate within your local area, or across the State or Territory where you live, an incorporated association will be the structure that most suits your group's needs.

For example, the purpose of your group might be to improve education opportunities for people who have come to Australia from your country of origin. These people might have settled all across Australia and a few of you in different States and Territories might be talking about the issues by email, phone or on social media. In this circumstance, you might choose to incorporate as a national not-for-profit organisation through the [Australian Securities and Investment Commission \(ASIC\)](#), known as a company limited by guarantee. You may also need to register with the [Australian Charities and Not-for-profits Commission \(ACNC\)](#).

Or, you might want to improve access to housing or employment for your community in the area you live, a city or town in a particular State or Territory. In that case, it may be more appropriate to become an Incorporated Association. Each State and Territory has their own requirements for Incorporated Associations. Links to each State or Territory website that explain what you have to do to set up an Incorporated Association are below.

STATE AND TERRITORY GUIDES TO INCORPORATED ASSOCIATIONS

ACT

ACT Government: Access Canberra
https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1504/kw/incorporated%20association

NSW

NSW Fair Trading
http://www.fairtrading.nsw.gov.au/Cooperatives_and_associations/About_associations.html

Victoria

Consumer Affairs Victoria
<https://www.consumer.vic.gov.au/clubs-and-not-for-profits/incorporated-associations>

Tasmania

Consumer Affairs and Fair Trading Tasmania, part of the Department of Justice
<http://www.consumer.tas.gov.au/home>

South Australia

Consumer and Business Services
South Australia, part of the SA Attorney General's Department
<http://www.cbs.sa.gov.au/associations-and-cooperatives/incorporated-associations/>

Western Australia

Department of Commerce
Western Australia
<http://www.commerce.wa.gov.au/consumer-protection/associations-and-clubs>

Northern Territory

Northern Territory Government
<https://nt.gov.au/law/rights/incorporated-associations>

Queensland

Fair Trading Queensland
<http://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/associations-charities-and-non-for-profits/incorporated-associations/>

BECOMING A CHARITY

The second issue that might influence the decision on structure is whether or not to become a charity. Charity status is only available for not-for-profit organisations that meet a number of eligibility requirements, and has a number of tax benefits for organisations and donors to the organisation. It also has less rigorous reporting requirements for companies limited by guarantee. However, there are more reporting requirements for incorporated associations, because it is necessary to report to both the State/Territory and national regulators.

More information on charitable status is available from the [Australian Charities and Not-for-profits Commission](#) website, and the [Not-for-profit Law](#) website.

OTHER STRUCTURES

Other structures include charitable foundations or trusts, cooperatives, unincorporated groups, and for-profit businesses. More information is available on the [Not-for-profit Law](#) website.

One possible structure that might be relevant to new community organisations is a social enterprise. Social enterprises are viable commercial businesses whose purpose is to benefit the community, rather than shareholders or individual owners. There is usually a dual structure: a not-for-profit organisation owns (or is the member of) the commercial enterprise that is set up to make a profit, to help fund the owning organisation.

There are many social enterprises that might be relevant to new and emerging communities such as cafes that aim to teach skills in hospitality to community members and raise enough money to train more community members so they can gain employment.

At the same time the cafe breaks down barriers between the community members and the wider population. Other examples include education or language schools that invest their profits into helping disadvantaged community members access courses, bookshops or opportunity shops providing household goods and clothing to community members. The [Social Traders](#) website has lots of information and case studies to help you understand social enterprises.

CONSTITUTION

The constitution is a set of rules for running your organisation. Depending on the structure that you decide to adopt for your organisation, it may be a legal requirement that you have a constitution. You can find out more information about constitutions on the [Not-for-profit Law](#) website.

ONGOING REQUIREMENTS AND GETTING PROFESSIONAL HELP

There are a lot of requirements for organisations to comply with and it can sometimes be very confusing for new organisations to be sure they have covered everything. When setting up your organisation, get help from people who have expertise in these areas, such as accountants, lawyers, and well-established community groups. A good place to start for advice is your nearest [multicultural association](#), listed on the website of the Federation of Ethnic Communities' Councils of Australia.

MORE INFORMATION AND LINKS

More information on setting up your organisation is available from:

Australian Taxation Office

<https://www.ato.gov.au/Non-profit/Getting-started/>

Australian Securities and Investment Commission

<http://asic.gov.au/for-business/starting-a-company/how-to-start-a-company/registering-not-for-profit-or-charitable-organisations/>

Australian Institute of Company Directors links to State and Territory regulators

<http://www.companydirectors.com.au/director-resource-centre/not-for-profit/information-on-the-nfp-sector/nfp-reforms/state-and-territory-regulators>

Australian Charity and Not-for-profits Commission

http://www.acnc.gov.au/ACNC/Manage/Ongoing_Obs/ACNC/Edu/On_obgtns.aspx?hkey=f93bd0b9-82fe-4e58-84e1-02d57a20c8eb

Australian Institute of Company Directors

<http://www.companydirectors.com.au/director-resource-centre/not-for-profit>

Not-for-profit Law

<http://www.nfplaw.org.au/>

Our Community

<https://www.ourcommunity.com.au/>

The Federation of Ethnic Communities' Councils of Australia

<http://fecca.org.au/about/membership/>

MANAGING YOUR ORGANISATION

GOVERNANCE

When setting up your organisation, you will need to establish a governance structure. This will either be a Board of Directors in the case of a company limited by guarantee, or a Board of Management or Council if you set up an Incorporated Association.

This Section provides information on setting up your governance structure, and some ways to ensure the best possible governance of your organisation.

MANAGEMENT STRUCTURE

Every organisation needs to set up a management structure. In a company, this will be called the Board and in an incorporated association it can be known as a Board of Management, a Council or a Management Committee. This Guide refers to a Board as meaning the governance structure of either a company limited by guarantee or an incorporated association. Either way, following a few easy steps will assist you to ensure good management of your organisation.

BOARD OF MANAGEMENT

It is advisable to appoint independent people to your Board who have expertise in either managing organisations, finance and/or expertise relevant to your organisation.

Keep the Board small and manageable, but with enough members to ensure a variety of views and expertise. For small organisations, five Board members is usually ideal. If your organisation is a company, it will need a minimum of three Directors, and incorporated association requirements differ between States and Territories but usually require somewhere between five and seven members of a Board of management, with three office bearers. Each Board will need to appoint a number of Office Bearers. These requirements are different between companies limited by guarantee and incorporated associations.

In a company limited by guarantee, you will need to appoint a Chair and a Company Secretary. An incorporated association needs to appoint three Office Bearers: Chair, Secretary and Treasurer.

Chair

A Chair can either be elected by the Board or be appointed by the members. Whether the Chair is independent or a member of the organisation is often defined in the constitution.

Secretary

In a company limited by guarantee, the Company Secretary has specific responsibilities to ensure that reporting to the Australian Taxation Office, Australian Securities and Investment Commission or the Australian Charities and Not-for-profits Commission in the case of a charity, is accurate and on time.

Company secretaries have a range of duties in relation to compiling and keeping a list of all company procedural and delegated authority policies, governance policies, and a register of conflicts of interest. In addition, the company secretary is responsible for ensuring Directors' details are up to date, and any changes in company details are lodged with Australian Securities and Investment Commission or the Australian Charities and Not-for-profits Commission in accordance with requirements.

More information about the roles and requirements of Company Secretaries is available from the Governance Institute of Australia [Good Governance Guide](#).

In an incorporated association, and sometimes if the company is very small and does not have staff to fulfil this role, the Secretary arranges and take minutes of Board meetings. In an incorporated association, the Secretary also has other responsibilities similar to those of the company Secretary, such as to ensure the organisation's documents, reports and administration are all up to date and appropriately submitted to regulatory agencies as required. A handy guide for Secretaries of Victorian incorporated associations is available on the [Not-for-profit Law](#) website. The information in the guide is generally relevant to most other States and Territories but you should check your own State's requirements before using the guide if your organisation is incorporated in another State or Territory.

Treasurer

The Treasurer is responsible for ensuring all the finances of the organisation are properly managed, and that all financial records and reporting are up to date, accurate, and ethical.

When the organisation grows, the Board of management often creates a finance sub-committee to oversee the financial operations of the organisation. This enables a greater level of scrutiny before the organisation reports on finances. A sub-committee is also a way of bringing in more expertise to help the Board understand and manage the complex financial arrangements involved in running an organisation.

If an organisation receives funding from the government, or a charitable trust or foundation, that funding might come with reporting requirements over and above those required by the Australian Taxation Office or the regulations governing your organisation. Community organisations often find themselves spending a lot of time reporting to different funding bodies and this can create quite a burden, especially if there is not enough money to pay experienced bookkeepers or accountants.

It is essential to the success of your organisation that you have adequate financial expertise at the Board level to help advise you on how to manage the organisation's finances. Your local [multicultural association](#) (listed on the website of the Federation of Ethnic Communities' Councils of Australia) is often a source of valuable advice to help you find this expertise. You can also seek help from:

- Ourcommunity.org.au
- [CPA Australia website](#)

MEMBERS AND/OR SHAREHOLDERS

Your community organisation is likely to be made up of a group of people who will become members under the constitution set up under whichever structure you decide to incorporate.

Company limited by guarantee

A company limited by guarantee can have one or more members or shareholders. A member must consent to become a member, and agree to act in the best interests of the company. A member will be liable for whatever contribution they agreed to guarantee when they became a member to help pay the organisation's debts if it is wound up.

Members have rights to attend meetings and vote according to the rules in the organisation's constitution, or according to the Australian Charities and Not-for-profits Commission rules that apply if your company is a charity. Members may also have rights to view the financial records of the company and be able to vote on the appointment of Directors and/or on their level of remuneration, depending on the constitution and other rules.

Incorporated association

Each State and Territory has its own requirements for the minimum number of members an incorporated association must have. In Victoria, the minimum number of members is five, whereas in Queensland it is seven. Check the requirements in your State and Territory using the links provided in the [Structure](#) section.

If your organisation is an incorporated association, you will need to keep a register of members. Members may have access to the register on request. If your organisation deals with sensitive issues, such as family violence, or racism, you may be able to keep members' details private. Your [State or Territory](#) websites will have more information on how to protect members' privacy while staying within the rules.

Annual General Meeting (AGM)

An AGM is a meeting held once a year that all members are invited to attend. At the meeting, you may update members on the activities of the organisation over the past year, provide a financial report, allow members to ask questions, and elect new members of your Board or Management Committee.

Your organisation may be required to hold an AGM depending on any legislation or regulation that apply to you.

STAKEHOLDERS

A stakeholder is any person or organisation that has an interest in your organisation and what it does.

Your organisation will have a range of stakeholders, from the members of the organisation, your clients (the recipients of the benefit your organisation aims to achieve), to funders, other similar organisations, the community in which you operate, government representatives and the public. Your organisation will not deal with all these stakeholders all the time or in the same way.

Your board and the people working in your organisation (paid and volunteer) should get together and list all your stakeholders, and then agree on what role they have in your organisation. For some, like members and clients, they will be the reason your organisation exists, funders and potential funders will have a strong role in keeping your organisation functioning (as will the Board), and the local community and public will have a role in providing strong support and giving profile to your organisation.

After that activity, it is a good idea to develop a stakeholder management strategy so everyone in the organisation (Board, staff, volunteers) is clear on who the stakeholders are and what your organisation wants to achieve for or from them.

The stakeholder management strategy should set out:

- Your organisation's stakeholder groups;
- What goals you want to achieve for or from each stakeholder group;
- How you will communicate with each stakeholder group (or, for particular stakeholders, within each group) — for example email, newsletter, regular meetings, personal approach, reports, submissions;
- How often you will engage with the stakeholder group; and
- How you will measure success.

RESOURCES

Your organisation will need a range of resources to achieve its goals or objectives. This can mean people — the Board, paid staff or volunteers; money from fundraising efforts, and/or physical resources such as office, equipment and documents.

Human resources and volunteers

It can be a very exciting time when you have enough resources and projects to hire your first paid staff member. But it also comes with responsibilities. There are laws about advertising jobs, recruitment policies and equal opportunity, fair work policies, termination and redundancy, payroll tax and pay-as-you-go-tax withholding, managing performance and disputes, and any number of other laws about employees and employment. Some of these are Federal, and others are State and Territory. The [Not-for-profit Law](#) website has a lot of information to help you navigate these requirements, and your local [multicultural association](#) may also be able to help you find the right HR advice for your situation.

Reporting

Your organisation will need to report on a number of levels: to regulators, funders and members.

Legally, you will have to report to the various regulators, such as the Australian Taxation Office, Australian Securities and Investments Commission or your State based incorporation body, and, if you are a charity, to the Australian Charities and Not-for-profits Commission.

If you receive funding, there is usually a contract or legal agreement in place that sets out what your reporting requirements are. You might need to report on the activities your organisation undertook to achieve whatever the funding was for, how successful those activities were, and how much of the funding was spent on achieving them.

Your organisation should prepare a report at least once a year (annually) to let your members know what you have done over the year, how you spent the money you raised and how you intend to improve in the year(s) to come.

Insurance

In order to safeguard the Board, staff and clients of the organisation you will need to have a range of insurance policies in place. Some of these are required by law. For example, if you hire staff, you will need to have workers' compensation insurance. You will also need to have public liability insurance, and most likely professional liability insurance to safeguard individuals in your organisation from being personally liable for unintentional injury or wrong-doing on the part of your organisation.

If you serve food, there will be other requirements in place. Check with your State or Local government authority for more information on these requirements.

Premises

Once you have established your organisation you will need to think about where you operate from. In the early days, that might be from home for your Board members until you have enough money to hire staff or rent an office.

Your Local Council, community centre or library may be able to help you by letting you have a room to have meetings in. They might also know of other organisations that are willing to help provide room, office space, equipment or other forms of help. Your local multicultural association will also be a good source of information and assistance.

MORE INFORMATION AND LINKS

Australian Institute of Company Directors Good Governance Guide for Not-for-Profit Organisations
<http://www.companydirectors.com.au/~media/resources/director-resource-centre/nfp/nfp-principles-and-guidance-131015.ashx?la=en>

Governance Institute of Australia
<http://www.governanceinstitute.com.au/knowledge-resources/guidance-tools/good-governance-guides/?categoryid=8033>

Not-for-profit Law on Governance
<http://www.nfplaw.org.au/governance>

Good Governance Guide for secretaries
http://www.governanceinstitute.com.au/media/796022/ggg_appointment_reporting_lines_company_secretary.pdf

Our Community advice for Treasurers
https://www.ourcommunity.com.au/financial/financial_article.jsp?articleId=5902

CPA Australia on financial management and reporting
<http://www.cpaaustralia.com.au/professional-resources/not-for-profit/financial-management-and-reporting>

Australian Institute of Community Directors tools
<https://www.communitydirectors.com.au/icda/tools/>

PLANNING, MONITORING AND EVALUATION

Once you have set up your organisation, you can start doing what you were set up to do. But how will you achieve your objectives? How will you know how you are going? And how can you keep track of all the legal requirements and tax obligations you have?

You will need to have a plan, including your fundraising plan, your stakeholder management plan, a risk management strategy, and perhaps a calendar of key dates so you can be sure you don't miss anything. And once you have all that in place, you will need a monitoring and evaluation plan so you can check whether you are making progress towards achieving your goals, and make any changes you think might improve what you do.

Some organisations have a *Strategic Plan* that is usually a high level plan that looks at the long term, 3-5 years and has aspirational goals and objectives. An annual *Business Plan* sets out what the organisation wants to achieve in the year ahead and contains more detail about how this is to be achieved, measured and funded.

DEVELOPING YOUR PLAN

Start the planning process by answering these three fundamental questions:

- **Objectives:** what are you trying to achieve?
- **Measures:** how will you know you are achieving what you're aiming to achieve?
- **Activities:** what can you do to get to your goal?

For example, if your organisation was set up to assist people in your community to access education opportunities (what you are trying to achieve), perhaps you'll know you are achieving that by measuring the number of your clients that get into educational courses. Your work could focus on contacting educational institutions to ensure they are aware of the needs of the people you represent and discuss ways to improve access for them to those institutions. Or you could lobby politicians, government departments or others who might be able to help. You may also provide mentoring or referrals, or undertake fundraising to award scholarships.

Answering those three questions have given you your objectives, measures to help monitor and evaluate progress, and a list of activities for your organisation to do to reach your objectives.

Remember to include your key stakeholders, especially your clients or the people you represent in your planning process. Perhaps hold a meeting to ask them about what they think they need most and to gain their ideas on how they think you could achieve your aims. This is a good way to get their support, encourage them to be involved, and perhaps even an opportunity to fundraise.

When you are developing your plan, look for important dates that are relevant to you, such as Harmony Day, or if there are key events, conferences, or visits by government officials, celebrities or others that might be able to help your cause.

If you are planning to host one or more events throughout the year, make sure you work backwards from the event date so that you have everything in place in plenty of time. This will allow you to plan for alternatives or solutions in case there is a problem. Some things to consider:

- Venue (booking, size, payment, accessibility);
- Funding or sponsorship to cover the costs;
- Key speakers (invitations, travel to and from the venue, raising enough funds to pay them or present them with a token of appreciation);
- Distributing (either in hard or electronic versions) invitations and promotional flyers;
- Audio-visual requirements;
- Catering;
- Promotional and fundraising possibilities for the event; and
- Insurance, staffing or volunteer support on the day and briefing prior to the event.

When it comes to writing your plan, think about including the following sections:

A statement of your goals and objectives

This can include longer term goals as well as the objectives for the year ahead.

An analysis of your operating environment

Write down what is happening that might help or hinder you achieving your objectives this year. Do you have reserves of money in the bank? Have you recruited a big sponsor that will give you financial confidence this year? Do you have good outcomes from last year you can build on? What are your strengths and weaknesses for the year ahead, and what challenges or opportunities are there for you?

A list of key activities for the year

Each of these activities should be linked to at least one of your objectives for the year and should outline:

- What activities will you do to achieve the objective?
- What is the timeframe, and are there any milestones?
- Which people will do the tasks?
- What it will cost to do?
- What outcomes will you achieve and how will you measure them?

Budget

This should be built from the information above and outline what and where your income will come from, and how you will spend it. The [Our Community](#) website has a useful guide on how to develop a budget.

Stakeholder management plan

The stakeholder management plan and how to develop it is set out in the [Managing your Organisation](#) section, and should be included as an attachment to your annual plan.

Risk management plan

Your Board should develop a risk management plan so that you can review and monitor your risks regularly, and keep a record of this to improve the confidence of funders, and possibly reduce any insurance premiums you might have in place. If you are funded for particular projects, you might also be required to have a risk management plan in place for each project as well.

A risk management plan looks carefully at what could go wrong in the organisation, and how to avoid the risk, or how to deal with the consequences if it should become a reality.

You should think about all your activities, including things like:

- Are there loose power cords in the office?
- Are the steps slippery in the rain?

- Could a client injure themselves by participating in your event(s)?
- What if someone took all your money?
- What if your Treasurer got sick and could not operate the bank account?
- What if someone hacked your computer and got your client details?

Think about how likely these things are, what can you do to prevent such things happening, and list all the actions you have taken to avoid the risk. Then list all the things you could do to minimise the impact of the risk if it happened.

Finally, think about whether you can insure your organisation against a particular risk, or if you can increase your security. Remember to review the risk management plan regularly, update it if anything has happened, or if a new risk has emerged, or if a risk has changed or can be removed. The [Our Community](#) website has a range of help available to assess and manage risk.

MONITORING AND EVALUATION

Your annual plan should also include a monitoring and evaluation plan, that sets out how you will measure your success, and how often.

This should be built from the objectives, activities, timeframes and milestones in your annual plan. Don't make it too hard for yourself. Make the milestones every three months so you can check on — and report on — your progress and make any changes you need. Think about what information and data you will need to collect while you are doing your work on each part of your plan. Again, don't make it too hard — useful measures are the ones that can be collected and analysed quickly and accurately, without getting in the way of what you're doing. It is important to find measures that are meaningful. For example, counting how many people you spoke to about your English language class or the number of hits on your website isn't enough on its own. But when that number is compared to the number of people who enrolled in the class, and later, the number of people who completed the course, then you have some really useful measures to work with.

Think about reviewing your progress in February, May, August and November so that your monitoring can be incorporated to provide to funders quarterly, half-yearly or annual reporting you might make to funders. Those reports are most often due at the end of March, June, September and December.

At a minimal level, your monitoring and evaluation plan should include:

- Objective;
- Activity(ies);
 - Statement of why the activity will achieve the objective
- Measure(s);
- Budget;
- Timeframes and milestones; and
- Timetable for review.

This template is as suitable for your annual plan as it is for each project you are doing. If you have been funded for a particular project, you will most likely be required to have a monitoring and evaluation plan as part of your reporting requirement. This template is a good place to start.

MORE INFORMATION AND LINKS

The Institute of Community Directors on governance
<https://www.communitydirectors.com.au/icda/tools/?articleId=3422>

The Institute of Community Directors on budgeting
<https://www.communitydirectors.com.au/icda/tools/?articleId=2902>

Our Community on Risk Management
http://www.ourcommunity.com.au/insurance/insurance_article.jsp?articleId=1245#helpsheets

Our Community on Project Evaluation
http://www.ourcommunity.com.au/best_of/best_of_article.jsp?articleId=6381

FUNDING AND FUNDRAISING

The [Funding Centre on the Our Community website](#) suggests there are seven key sources of funding for not-for-profit community organisations. These are:

1. Grants
2. Donations
3. Crowdfunding
4. Membership
5. Special Events
6. Sales
7. Sponsorships

They suggest that every organisation should receive funding from as many of these sources as possible. Your group should examine which of the possible sources are likely to be achievable for your purposes and the amount of resources you can put into seeking funding. For example, a small sporting group might be able to get a grant from the Local Council or State Government, receive sponsorship from the local sports store, pizza bar or other local business, and sell T-shirts with their club colours or logo to club members and their families. They may even be able to host a sporting event at their home club to raise money.

One tip is to incorporate a range of fundraising activities at each event or other fundraising activity that you undertake. To extend the example above, the club would sell their sporting merchandise, and hold a raffle, or seek donations at their sporting event, which is sponsored by a number of local businesses.

GRANTS

Grants can come from government — Federal, State and Territory or Local — and from corporate foundations or trust, or from philanthropic organisations that are specifically set up to raise and distribute funds for a particular purpose.

While organisations may wish to search and apply widely when looking at grants that they might be eligible for, this has to be weighed up against the amount of time and commitment it takes to identify and apply for grants. Having said that, it is worth considering the options available. For example, a sporting club for young newly arrived migrants may well be eligible for grants about social inclusion, community development, youth or mental health categories of grants, as well as sporting grants. It is worth looking through the categories available and being innovative. The [Funding Centre](#) has a useful infographic on the topic.

Government grants

Do some research on what the government is looking for before applying for a government grant. Your local [multicultural association](#) may also be able to help with targeting your funding proposal.

Ensure you stress what outcomes you will achieve when applying for government grants, and make sure these outcomes are relevant to the grant program's purpose(s). It's no good saying you want to improve people's literacy skills so they can get jobs if the grants program aims to improve literacy so students do better at school. But if you take the time to explain how better achievement at school will help people in your community get better jobs in the long run and contribute to Australia's economy, that will help strengthen your application.

There are hundreds of government grants worth billions of dollars available every year. It can be very confusing to just search the websites. Your organisation should discuss and focus on the grants that meet your aims, objectives and needs the most. Make sure your organisation is eligible for the grants that you decide to apply for. And carefully go through all the guidelines, frequently asked questions and requirements in the grant application to make sure you have everything they ask for. Check if you need to use a specific application form. Sometimes applications have to be completed online, so check those requirements as well. It might be worth seeking help or investing in some training to help you with the application process.

Importantly, give yourself time to ensure you can collect and arrange all the necessary documentation, find other supporters or organisations to write letters of support, and craft the application carefully so it meets government's needs as well as your own. Things to consider when writing the application include:

- How do you know there is a need? Make sure you can provide some statistics, or run a survey among your members or in the broader community to ask them about the key issues the grant will address;
- What is the link between the grant funding's purpose and what you want the funding for? Try to articulate this clearly and strongly;
- Is there any evidence that what you want to do will be successful? Look for examples of other groups doing similar projects previously. Try to find articles online, or in your local library or ask for help in finding evidence from your local [multicultural association](#);
- How will you measure achievement? Make sure you show the government that you will regularly review progress against your goals and how you will measure success. You may want to improve English literacy skills for 100 people in your community by running four 10-week classes per year. Success measures every three months might include the number of participants, the number of classes held, and outcomes from a survey of participants at the end to measure their satisfaction and/or level of improvement.

Corporate funding

A number of companies in Australia have set up foundations that provide funding (usually a part of their profits) to community organisations. Corporate foundations are often set up by banks, insurance companies, mining companies and other companies with interests in Australian communities. Most corporate foundations will only give grants to organisations with Deductible Gift Recipient (DGR) status, and provide small grants (\$5,000–\$10,000) to help organisations improve the lives of their community.

Applying for these smaller grants can be very helpful for new community organisations, and can give organisations good practice and experience in learning how to apply for grants. It also gives organisations a chance to build up a track record to demonstrate that they can properly manage grants, which will help when applying for larger grants. Reporting requirements are often simpler with these grants than with government grants as well, which also helps to make them an attractive place to start.

Check with your local [multicultural association](#), or with websites such as [Philanthropy.org.au](#) and [Community GrantGuru](#) for more information.

Charities and philanthropic organisations

Another source of grant funding comes from charities and philanthropic organisations set up specifically to support particular causes.

Like the corporate foundations, charities and philanthropic organisations are much more likely to provide funding to community organisations with DGR status. Most have other eligibility criteria and some have an application closing date every year.

Again, it is worth considering how your organisation's goals match with what the foundation or trust is aiming to achieve. There may also be advertising or promotional expectations, so make sure your organisation is comfortable with any of these requirements before you apply to, or accept a grant from, these sources.

[Philanthropy.org.au](#) has lots of good information and advice, as well as a directory of funders that you can access if you pay for a subscription.

DONATIONS

People and organisations can donate time, goods and services and/or money to your organisation.

Think innovatively about what your organisation needs and where you might be able to get those needs met. For example, do you have an accountant as one of your members who might be able to help you with bookkeeping? Or does the Local Council have a meeting hall they will let you use for your meetings? Can local businesses donate prizes you could use in a fundraising competition? Or is there a charity in your local area that can donate money to your cause?

Seeking donations for your organisation can be time-consuming and frustrating. It is unlikely to result in gaining a large proportion of your organisation's income. Set a realistic target — about 10–15% of the target income for your organisation, and make sure you provide lots of support to the people seeking donations on behalf of your organisation, because they are likely to get more negative than positive responses.

CROWDFUNDING

Crowdfunding is a recent addition to the fundraising environment. Usually run online, crowdfunding can be a useful tool for ethnic community groups that have a potential supporter base in more than one country.

Crowdfunding usually uses an internet-based platform, like mycause.com.au or ozcrowd.com. Many platforms require you to offer a reward, or seek funding for a particular project, rather than just donate to your overall operations, so make sure you do your research, and think carefully about what would be most successful for your purposes. Most crowdfunding platforms will charge a fee.

The success of crowdfunding will depend on how much effort you are prepared to put into your campaign. Plan carefully, make a video, promote your campaign to all your networks. Ask friends and colleagues to promote the campaign to all of their friends and networks too. Many websites suggest preparing a press release to try to get media attention and boost support that way as well.

Keep your supporters informed of progress with the campaign regularly. Most campaigns last for 30–60 days, although charitable sites like mycause.com.au allow ongoing fundraising for a fee based on a small percentage of the funds raised.

MEMBERSHIP

Another fundraising strategy is to offer a membership scheme based on a subscription fee. Consider carefully the membership benefits available. For example, if the membership scheme is to be part of the structure and constitution of the organisation, will members have voting rights and possible responsibilities to fulfil under the incorporation requirements? Perhaps a "Friends Of" group might be more appropriate. Decide what benefits members will have, and what level of fee would be appropriate. Think about providing meetings and newsletters especially for members that tell them what's happening in the organisation, and inviting them to contribute to its success, perhaps by volunteering, fundraising, or in other ways.

SPECIAL EVENTS

There are many kinds of special events that community organisations can host to help them raise money. For example, a local sporting group can host a carnival of competitions with other teams, or a group set up to improve education for newly arrived migrants might hold a read-a-thon to showcase the success of their program. Each of these events could have supplementary fundraising activities as well, such as selling food, drinks, T-shirts or holding a raffle.

Check the regulations about food preparation and outdoor activities and plan well. Put your most efficient person on the job of organising the event, and give them plenty of time so they can get it right. You should also consider having a back-up plan in place for every eventuality. What if it rains? What if the venue burns down the night before the dinner? What if the caterer goes bankrupt? You don't have to think of solutions or book alternative venues for all of these possibilities, but think about whether there's a radio station that advertises cancelled events, or have an email list of people registered to attend, so you can notify people of any changes if you need to.

SALES

Another way to raise funds is to sell goods or services. Are there things you could get printed with your logo and sell for a profit? For example, a sporting group could sell equipment, sportswear or drink bottles. Perhaps an education organisation could sell notepads, folders or coffee cups. Can you make items that are linked to your culture that people might want to buy?

If you want to sell food make sure you check and comply with local and state regulations.

SPONSORSHIPS

Australian and international businesses donate hundreds of millions of dollars every year in sponsorships. Think about businesses with links to your organisation. Does your organisation have a bank account? Do you use an accounting firm? Do you pay insurance, rent or other regular bills? All of these businesses are potential sponsors.

The local businesses near you — such as the supermarket, sports store, pizza bar, restaurant, chemist or dry-cleaner — are all potential sponsors.

Think about asking them to sponsor a particular occasion or program, and offer them a certificate of appreciation, or a free advertisement in your newsletter, or something else that will promote their generosity to your organisation.

ACCOUNTABILITY

Wherever you manage to attract funding from, make sure you keep in touch, show your appreciation, and tell your funders how their donation has helped your organisation achieve its goals. This kind of accountability really helps to keep donors informed and engaged with your organisation, and will help you get repeat donations.

MORE INFORMATION AND LINKS

The Funding Centre

<http://www.fundingcentre.com.au/help/fundraising-pillars>

Local multicultural organisations

<http://fecca.org.au/about/membership/>

Philanthropy.org.au

<http://www.philanthropy.org.au/seek-funding/how-to-seek-funding/>

Givenow.com.au

<https://www.givenow.com.au/stats>

mycause.com.au

<https://www.mycause.com.au/>

ozcrowd.com

<https://ozcrowd.com/>

ADVOCACY, MARKETING AND PROFILE

Many newly arrived migrants find they are advocating for themselves, their families, or their communities to gain better access to services and better integration and inclusion for their community members.

Many groups form organisations specifically to support members of their community and improve some aspect of their lives in Australia. This section aims to give some ideas and hints on how to successfully advocate on behalf of your community.

The success of your organisation will depend in part on how much support it receives from the community and funders. Having a strong marketing strategy and high profile in the community will help ensure politicians, the media and the community will view you and your ideas positively when you have something to say. This is true whether your organisation is a small football club in your local area or your organisation works to improve access to education for your community right across Australia. Ideas for raising your profile and having a strong marketing strategy are also presented in this section.

ADVOCACY

Advocacy is about influencing decision makers to change policy or practice that has an impact on the community you represent. For example, it might mean asking your Local Council to change a bus route to make it easier for the people in your community who reside in a particular area to take their children to school or do the shopping or access other services like the hospital or health centre. Or it could mean making representations to government for improved access to education so members of your community can have a better chance of winning a job.

Based on a [UNICEF guide to advocacy](#), there are 8 foundation skills needed to be an effective advocacy organisation:

- Credibility;
- Advocacy skills;
- Leadership and coordination;
- Evidence;
- Assess the risks;
- Capacity to work with your community;
- Support from networks and partners; and
- Resources.

Credibility

Make sure you are a trusted source of information for your community, partners and sponsors, and government. You must be recognised by all these groups as having the mandate to advocate for your community on a particular issue.

Advocacy skills

Your group will need strong evidence gathering and communication skills to successfully convince the decision makers to make the change you're after. If there are not enough people in your group with the skills you need, can you seek help from your local [multicultural association](#), or one of your sponsors or use the organisation's networks to get these skills. Think about lawyers, communication firms or universities in your area that might be able to help you.

Leadership and coordination

In a community organisation, everyone is an advocate whether it is in their job title or not. Decide who would be the best person to lead the advocacy effort in your organisation. This might be the Chair of your organisation or the Executive Officer if you have one. Otherwise, find someone who can devote the necessary time to leading and coordinating the advocacy work in your organisation. Make sure they are well supported and meet regularly with the Board to review and evaluate progress, and decide on next steps.

Coordinate your advocacy activities with other organisations. Success often comes from many voices making a stronger argument for change and being more persuasive. Think about similar organisations in your area and ask your local [multicultural association](#). Also think about whether your donors and sponsors could give you support. Hold a meeting of your community to brainstorm ideas and gather potential partners from their networks, and involve your community as much as possible.

Evidence

It is essential for the ongoing credibility and support of your advocacy that you have good evidence to support your argument and that you can present it clearly to different groups. Government Ministers and Members of Parliament will need key points highlighted on a single page if possible, with an extra page for references, background and who to contact for further discussion. Newspapers and other media outlets will also want a brief overview of key points, but might want more details to follow up on for a story. Social media will respond to a catchy title, with a photo or video link. Personal stories that help emphasise the facts and figures can also be very powerful.

Assess the risks

Your organisation will need to assess the risks involved in advocacy — or the risks of not being involved in advocacy. Will advocating on this issue affect our credibility or reputation with funders or sponsors? Is this the issue we must stand up for? Will our community lose faith in us if we don't take action on this issue? Assess these risks at the planning stage as well as during your advocacy campaign in case there are things you need to change to keep your community's support or maintain the positive relationships you have with government, funders or other important stakeholders.

Capacity to work with your community

If you are advocating on behalf of your community, it is essential that you keep them informed and involved at every step of the way. Make sure you are delivering the right messages for them and that they have the chance to be part of crafting the messages that you are using. Hold meetings, have your community involved in gathering and presenting evidence or telling their stories to emphasise the impact of the issues you are advocating for. Stay in touch using the best communication channels for your community — social media might work for young people, while face to face meetings are more likely to work for older people. Keep people informed of who you have met with, what progress is being made or stumbling blocks that have been in the way. Talk about next steps and what success will look like. Try to keep your organisation and your community motivated, but at the same time, be realistic about timeframes and the possibility of success.

Support from partners and networks

The stronger the voice and the more people supporting a change, the more likely it is to succeed. Think about how you can build a broad base of support from different parts of your community. Do you have relationships with local businesses that might support you — even by putting posters in their windows? What about sponsors or funders? Can you ask them for letters of support to add to a letter to government or the decision maker you need to convince to change? Are there other communities that face the same challenge that you could partner with? Is there a prominent sportsperson or other personality that might support your cause publicly with TV or other media? Think creatively and be brave — you might be pleasantly surprised at how willing people are to support you.

Resources

Advocacy can be very draining on an organisation. It often takes a long time to achieve the change you are after, and that can mean a lot of resources — in time, energy, and money — for your organisation. Planning and regular review is essential to make sure you have enough resources to cover the next part of the process. You might need to link some fundraising strategies to your advocacy plan to make sure you have the financial resources to cover your advocacy activities.

It is just as important to make sure you have enough people involved to do all the work and to support the people doing the advocacy work. Responding to requests from stakeholders, the media and government is time consuming and must be done quickly if your cause is to be successful. You will need people to scan media, research articles and other sources to make sure your evidence is as up to date as it can be and to monitor how much support your cause has.

MARKETING AND PROFILE

Raising the profile of your organisation is as important to keeping the support of your community, sponsors and funders as it is to helping to improve the lives of your community through advocacy. Whether you are a small organisation dealing with very local issues or a big national organisation advocating for change, you will need a marketing strategy.

Your marketing strategy should set out how you will communicate with your stakeholders, how often and in what ways. Start by clearly stating what you want to achieve from your marketing strategy. This is most likely to include funding, community support, and making ensuring the broader population knows who you are and what you represent. Then think of all the things you can do to achieve those goals. Be as creative as you can — keeping in mind what your audiences will want to hear, and how they like to receive information. Can you do a radio interview to get attention for a milestone you have achieved? Has a new report highlighted a key issue that affects your community?

Sometimes you can prepare for marketing and media opportunities before they happen. If you know there is an International Day coming up that relates to your community or your organisation, plan an event to coincide with it and advertise it through media releases, social media, posters in shop windows etc. Plan what your reaction might be if there is a sudden media report on something relevant to your organisation or community — take the opportunity to talk about your organisation's achievements.

Wherever possible, emphasise the positives — demonstrate your community's or your organisation's achievements. Use personal stories if you can to include the human side of what you stand for.

Some organisations package key events, news and personal stories into a regular newsletter. Others have a strategy to release a story every month using media releases, social media, email and posters to get their message across.

Every year, put an annual report together that outlines what you have done over the past year — and what you intend to do in the year to come. Be honest about achievements and challenges, and ask for help or advertise key events coming up in the report. Then send it to all your stakeholders. This gives them an opportunity to see a snapshot of everything you have done, what is coming up, and how they can help.

MORE INFORMATION AND LINKS

The UNICEF guide, while focused on children and youth, offers a great resource for planning, implementing and evaluating your advocacy activities

http://www.unicef.org/evaluation/files/Advocacy_Toolkit.pdf

The Democracy Center

<http://democracyctr.org/citizenadvocacy/materials-for-effective-advocacy/>

Our Community on advocacy

http://www.ourcommunity.com.au/advocacy/advocacy_article.jsp?articleId=2394

Local multicultural organisations

<http://fecca.org.au/about/membership/>

NETWORKING, PARTNERSHIPS AND COLLABORATION

There are many reasons for organisations to work together and collaborate. Less experienced organisations can learn from more experienced ones, and more established organisations can help newer ones to increase their capacity. Quite often different groups have a lot to learn from each other just because they do things differently. Groups with older members can often learn about new technologies and new ways of marketing, for example, from groups with more younger members.

Emerging organisations can often benefit from the experience of older, more established organisations by being auspiced by them. This allows the new group to learn about governance, taxes, and generally how to operate in an unfamiliar environment, before becoming more independent and setting out on their own.

Other benefits of organisations working together can include cost savings by sharing premises or infrastructure like payment systems, IT or other services. And sometimes organisations can agree to work together on a particular project or to apply for funding by forming a consortium.

There are many challenges to working together though, and it is always a good idea to get expert advice from lawyers and accountants when it is time to negotiate formal arrangements. There may be some legal barriers, for example, for charities, that might prevent you from forming a partnership with particular organisations. Check the [Not-for-profit Law guide to working with other organisations](#) for more details on the benefits and challenges of working together.

OPTIONS FOR WORKING TOGETHER

Whether you need a formal agreement to work together will usually depend on any specific obligations on one or other organisation and if there will be money involved. Once you agree that you should have a written agreement to cover how you will work together, options include:

- Memoranda of Understanding;
- Consortia;
- Joint Ventures; and
- Partnerships.

These options mean that each organisation can keep its own structure and independence, but agree to work together for a particular purpose, such as a tender for government funding, or to host an event together.

The options above range from informal to more formal in a legal sense, but don't go as far as full amalgamation or merging together to form one organisation out of the two. The [Not-for-profit Law](#) website has a good diagram to explain how formal each of the options are. If you are not sure how you should work with the other organisation, or what kind of agreement will suit your situation best, go through the [Not-for-profit Law checklist](#).

Memoranda of Understanding

A Memorandum of Understanding (MOU) is a written agreement that sets out each organisation's intention to cooperate with each other for a specific purpose. It is not usually a legally binding agreement, and is sometimes called an agreement to agree. An MOU can be used if two organisations agree to work together on a tender or funding submission, and should usually state that if they are successful, they will enter into a more formal arrangement, like a contract, consortium or partnership agreement.

Consortia

A consortium is usually formed between two or more organisations that work together to prepare a tender or funding submission. Quite often, government funders will only contract with one organisation to deliver a service. If two (or more) organisations intend to deliver parts of the services in the contract, they will need a separate agreement to cover that working relationship. One organisation will be the lead organisation and take responsibility for the government funding contract. The consortium agreement will set out which organisation will deliver which parts of the contracted services, and how the contract will be managed between the two organisations. It is important to remember that the lead organisation will be wholly responsible for the contract with the government, so you should get legal advice about the best way to manage a consortium arrangement. A formal contract, or other legal structure that sets out liabilities, obligations, deliverables, timeframes, and conflict resolution structures might be more appropriate.

Joint ventures

A Joint Venture (JV) agreement usually covers organisations that agree to work together on a specific project. The JV will cover the terms of the project and what will happen at the end of the project.

Example 1.

Two football clubs want to work together to host an event to raise funds and help integrate their players into the broader community. Their JV agreement will set out:

- What each organisation is responsible for in putting the event on (eg. venue hire, catering, marketing, first aid, insurance);
- How much (time, money, resources, people) each organisation will contribute to the project;
- How the event planning and administration will be managed and what each organisation will contribute to the management;
- How each organisation will report to the other, and how often;
- What each one will do about marketing, sponsorship and fundraising;
- How income will be distributed at the end of the event; and
- How conflict will be managed.

The organisations should have a plan and a timetable for the event, and meet regularly to report to each other on progress, review outstanding issues, and discuss any problems.

Example 2.

Two organisations might agree to work together to lobby the government to improve access to housing for newly arrived migrants in their area. The two organisations would prepare an agreement that sets out what each one will contribute to the project in terms of time, effort, people and funding. They will also agree on who will be spokespeople on which issues, what the key messages are, and who should contact which areas of government to make their submissions to. Arrangements for reviewing progress, whether or not to change the timeframes of the JV and how to resolve any conflicts would all be included in the JV agreement.

In both examples, each of the organisations involved should have expert legal advice to help them agree the terms of the JV agreements. More information is available in the [Joint Venture guide](#) on the [Not-for-profit Law](#) website.

Partnerships

A partnership is a very formal legal term in Australia and is governed by State and Territory law. While very similar, there are some differences in legal requirements between States and Territories. The key point about partnerships is that they generally mean that each organisation must share equally in the profits, and costs of the partnership. If one organisation cannot meet its obligations, the other might be liable for all of the costs or services in the partnership.

Partnerships can be very complicated, and so it is vital to get legal advice before entering into a partnership agreement.

Amalgamations and mergers

If organisations agree to merge all their operations into one organisation, this can be done either by amalgamating or merging. Amalgamation is only available to two incorporated associations that are incorporated in the same State. It is less complicated than a merger and all assets and liabilities are transferred from the two amalgamating organisations into the new organisation.

A merger can happen when one organisation agrees to be merged into the other organisation, or both organisations can merge to form a new organisation. Each organisation chooses which assets and liabilities can be transferred to the new arrangement. There are a lot of other issues to work through in a merger. The [Not-for-profit Law](#) website has a great deal of helpful information on mergers, and recommends that each organisation has expert legal advice to help them through the process.

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CONFLICT MANAGEMENT

The best way to guard against conflict when working with other organisations is to have a really clear written document that says what each organisation's responsibilities are, and to communicate with each other regularly and openly.

Whatever written agreement you choose from the options above, even if it is the most informal MOU agreement, it should have a section on how you will deal with any conflicts that might happen. This should include talking together, bringing in the Board or a Board member to try to reach an agreement, or appointing an independent mediator. Make sure you are all happy with the conflict resolution clause before signing the agreement.

If you are working on a project together, jointly do a risk management plan, and keep an issues register of things that might go wrong or lead to conflict, and discuss both of these at your regular communication meetings. Have an agenda for these meetings, and keep notes that each organisation agrees to as a true record of the meeting. They might seem like time consuming things to do, but they will really help to keep things on track and ensure that everyone is clear.

MORE INFORMATION AND LINKS

More information about auspicing and partnership arrangements can be found at:

Not-for-profit Law on working with others

<http://www.nfplaw.org.au/workingwithothers>

Community Door on collaboration

<http://communitydoor.org.au/collaboration>

ABOUT FECCA

FECCA is the peak, national body representing Australians from culturally and linguistically diverse backgrounds. We provide advocacy, develop policy and promote issues on behalf of our constituency to government, business and the broader community. FECCA strives to ensure that the needs and aspirations of Australians from diverse cultural and linguistic backgrounds are given proper recognition in public policy. FECCA supports multiculturalism, community harmony, social justice and the rejection of all forms of discrimination and racism.

For more information and to read more about FECCA's policies and programs, please visit our website: www.fecca.org.au. Alternatively, please contact the FECCA office on (02) 6282 5755.



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