

**CLCNSW STATE CONFERENCE 2010: "ACHIEVING SOCIAL JUSTICE"**

**CLC PARTNERSHIPS: POINTERS FOR PRODUCTIVE PAIRINGS**

**BY ROBYN GRAY OF HERNE GRAY & ASSOCIATES**

**NOTES ACCOMPANYING POWERPOINT PRESENTATION**

**SLIDE ONE: [the first three lines shown above]**

**SLIDE TWO: CLC Partnerships: [and the image of a treble clef which denotes music]**

(Slide 2 will be shown while the beginning of third movement of Mozart's clarinet concerto is being played.)

**Commentary:**

Why start with Mozart's clarinet concerto in A Major? Easy. You have just witnessed the product of a perfect partnership. What the clarinet and the orchestra just demonstrated is that in a truly sublime partnership the whole is just so much greater than the sum of its parts.

Our presentation today aims to give you some tools to achieve a partnership like this. You will be hearing from three presenters each with a different perspective on partnership. First from me-I'll sketch the principles and the big picture: based on my work independently reviewing partnerships in the public sector. Second you'll hear from reps of two partners currently collaborating in the Older Persons Legal and Education Program. First from Lauren Feinstone, a Legal Aid NSW Lawyer and second from Janna Taylor, the CEO of TARS. We have allowed time at the end of the three presentations for questions and comments from the audience. And we'll squeeze in a bit more Mozart.

**SLIDE THREE:**

*Attorney-General for Australia*

*Media Release 6 January 2010*

**ADDITIONAL FUNDING FOR FAMILY LAW LEGAL EDUCATION PROGRAMS**

*AG, Robert Clelland, today announced additional funding of \$360,000 for community legal centre to develop or expand partnerships with universities providing placement opportunities for students in family law.*

...

*Funding will be provided to the following community legal centre working with their university partners:*

...

**Commentary:** For those of you in the CLCs, this press release is a glimpse of your future. Increasingly, the Commonwealth will fund CLCs for partnership projects. The partnership that Lauren and Janna will describe shortly is a typical example. So is the current pilot between CLCs, FRCs and Legal Aid in the mediation of family disputes. On 21 April 2010 the Federal AG announced \$2.8million for the Family Pathways Collaborations. So there is a powerful incentive for CLCs to develop effective partnerships. How to do that? This presentation offers some practical advice about how.

**SLIDE FOUR:**

1. Pre-requisites to successful p'ship
2. Before service delivery
3. Increasing prospects of ongoing \$\$\$
4. Sustaining momentum
5. Traps and pitfalls

**Commentary:** In this presentation I will cover the following topics:

1. Pre-requisites to a successful partnership
2. Essentials to address before commencing service delivery
3. How to increase the prospects of ongoing funding
4. Sustaining partnership momentum
5. Common traps and pitfalls.

**SLIDE FIVE: Pre-requisites to successful p'ship**

Why Us?  
Agreed Goals and Roles  
MOU or Agreement  
\$\$\$\$\$\$\$\$'s  
Stakeholders on Board

**Commentary:**

- The 1<sup>st</sup> pre-requisite is the Right Partners: When the proposal is put to you that you partner with X, the first question to ask is: Why us? Why is my agency being asked to partner Agency X?  
What expertise, skills, knowledge, experience, networks, clients does my agency have which makes it attractive to X? What does X have that assists my agency?

Can X and my agency *together* achieve something worthwhile that we could not achieve separately? Think of the clarinet orchestra combo and ask will the sum of our efforts exceed our individual strivings?

Can we *together* deliver services faster or more cost effectively or more comprehensively than we could if we worked solo? Eg Why did LANSW choose to partner with TARS? Lauren and Janna will shortly tell you why.

A clear understanding of “Why us” leads to:

**Commentary:** Sounds so obvious. BUT unless you and your partner have agreed on who is doing what when, you are going to trip and fall.

Successful partners have:

Clear *agreed* roles ie what will each partner do to achieve the partnership goals; and  
Clear, realistic, concrete, *agreed* goals: striving to achieve common goals in an agreed timeframe lends a sense of purpose and enables you to measure progress.

It’s important to formalise the r’ship in an MOU or some form of Agreement which covers:

- Goals
- Roles
- Engagement
- Conflict
- KPIs
- Reporting

This will cause rolling of eyes and gnashing of teeth, because it is time-consuming and boring. But is well worth the pain. It is a Memorandum of Understanding. Yes it is helpful to document at the outset and sign up all partners to the basics of the agreement. A typical MOU will start with a statement that:

\*It is a Partnership!!

And set out things like:

\*Goals (Strategies and Timeframes)

\*Roles/responsibilities of each partner including separate and joint activities (links to the question: why are we partnering with X ie what does each of us bring to the successful achievement of the aims: Why have we been paired up?

\*Mechanisms for engagement eg schedule of regular meetings published in advance; formalising outcomes of discussions with timeframes and responsibilities

\*When we disagree, how are we going to resolve our differences

\*Key Performance Indicators-requires knowing what is our aim and what are we trying to achieve so can state how we are going to measure the success of the program. This links to how you will demonstrate the effectiveness of the program to secure further funding. Egs of quantitative and qualitative KPIs: monthly rate of calls to telephone hotline; Percentage of respondents to phone hotline client satisfaction survey who rated the service as excellent, good, satisfactory or poor;

\*Reporting Obligations: to respective senior management, Boards and each other

It's almost too obvious to mention but you would be surprised. Dollars. Your agency needs adequate funding to achieve the aims. Don't agree to be involved until you are clear on how much money will be provided to you by the funder and what you are expected to achieve with it. If it's not enough, say so. Offer to be involved but make it clear you will not be able to deliver all that is envisaged by the funder.

Where a CLC is being funded by another agency this will be formalised in a Funding Agreement. CLC will be asked to submit a draft Budget.

Like the world's greatest Treasurers you will need to focus on balancing the budget. Tips: factor in the cost of full staffing (ie remember staff recreation and other leave); administration (eg updating website, brochures, templates, policies and procedures, reporting obligations); promotion and associated resources; and enhancements to IT to enable data collection, monitoring and reporting; travel and accommodation \$\$ if to deliver CLE in regional/rural areas. Bear in mind that a % of the time of the CLC Co-ordinator (planning, reporting), Principal Solicitor (planning, reporting, supervising, training, law reform submissions), Receptionist (fielding phone and in-person callers), Admin staff (mail-outs, information packages; payroll, IT) will be needed to support the program.

**It is key** to engage with the Stakeholders and get them on board. It helps to have a Steering Committee or Consultative Group with real influence:

- \*with reps of the agencies which represent the main client groups and
- \* the ability to make recommendations to the CEO of each agency about what activities should get priority
- \* meets every few months
- \* receives reports from the partners as to current trends and issues evident from hotline and casework and CLE
- \*guides, advises and informs as to developments in the area
- \*can identify opportunities for joint law and policy reform submissions
- \*can be assisted by information from the CLC to set its own priorities eg ASIC used info from Pilot ILS about trends in consumer issues to identify law and policy issues worth pursuing; to make internal decisions as to allocation of resources; to train caseworkers and educate consumers.

**SLIDE SIX: Pre-requisites: The Right People: Team Players** [image of Serena and Venus Williams ]

**Commentary:** You need the Right People: Team Players flexible and open to change

- \*The Selection Criteria/Job pack for new positions to be consistent and reflect importance of the partnership and MOU; and need for staff with demonstrated ability to collaborate and consult with others; and previous experience in inter agency projects

- \*Recruitment Process: mutual participation in selection committees
- \*Performance management plans reflecting importance of collaboration with officers in the partner agency

## **SLIDE 7: BEFORE COMMENCING SERVICE DELIVERY:**

### **Joint Planning**

### **Own House in Order?**

### **Joint Promotion**

#### **Commentary:**

My second topic is essentials to address before commencing service delivery. The first tip is to Jointly Plan Set Up

- “Failing to prepare is like preparing to fail” Don’t yield to the temptation/pressure to get runs on the board before the foundation stones are firmly in place or the building will ultimately collapse. The establishment phase is critical though not one service is delivered in it and can take two months or more.
- Joint Plan with partner for the *establishment phase* ie
  - \*what/when/how staff will be recruited (need new PD’s and job packs?)
  - \* premises will be found/modified
  - \* infrastructure will be created and acquired (eg phone lines and associated computer technology for an advice hotline)
  - \*legal or other specialist resources needed by staff to deliver the service
  - \* Plan for the unexpected, such as rapid staff turnover; sudden staff absences; how to respond to a sudden huge increase in demand for the service
  - \*major stakeholders will be informed and consulted to ensure that what you have in mind is needed and feasible
  - \*agree on consistent referral pathways if it is likely that the service will be referring to other agencies

Before you start doing what you said you would do, check that your own House is in order:

- \*consider how to integrate the new program and staff into your existing team so as to create a cohesive internal team: eg joint team meetings; in-house CLE so everyone knows what’s each other is doing; exposure of “old” staff to the work of the new program and vice versa (as was done at CCLC); consider how to retain the “new” staff via variety of work and professional development opportunities
- \*review policies and procedures, quality assurance and risk management strategies to see if they can be applied to the new program or if they need amending or if new ones need to be created

- \*review IT systems to see what needs to be modified to collect the data you need to generate automatic reports on quantitative KPIs
- \*put in place a means of electronic knowledge capture ie precedents for oft used letters and submissions, templates, checklists, commonly asked questions

Before you start doing what you said you would do, conduct some **joint promotion**:

- \*Consult about promotional material: same message in all mediums (websites, brochures, banners, staff newsletters, newspaper articles) and share resources eg Publications Unit at Legal Aid NSW can assist; joint promotion in externals for cost effectiveness
- \*Cross promote eg. links to respective websites, pamphlets in show bags; articles referring to both
- \* date for joint launch - no shame in launching after the 'go live' date.

## **SLIDE 8:**

### **SECURING ONGOING \$\$\$\$\$\$'S**

Realistic goals

Realistic KPIs

Report regularly

Communicate

Change

Innovate

**Commentary:** Usually the Commonwealth will fund for a pilot period. How do you improve your prospects of ongoing funding?

#### **Realistic Goals**

- Clear and realistic goals ie do not set yourself up to fail by creating unrealistic expectations about what you can achieve or by when in the funder and stakeholders

#### **Useful realistic KPIs**

- Clear, realistic, useful and formal KPIs against which you can report regularly to funders and stakeholders to demonstrate the benefits of what you are doing: useful to funders and stakeholders for their businesses.

### **Report Regularly (to demonstrate the benefits)**

- Honour the reporting timetable to the funders and management
- Have IT system and processes which enable you to collect the data needed and generate automatic reports against KPIs eg if feedback is needed for a KPI, ensure you issue an evaluation form or questionnaire and collect and analyse the data; eg allow for a client satisfaction survey from the outset.

### **Communicate the benefits**

- Communicate successes periodically-systematically retain all bouquets and brickbats in a central repository-articles in the press and staff newsletters
- Communicate failures and demonstrate how you improved the program in response

### **Change**

- Respond constructively to criticism: it is an opportunity to improve the program
- “Change is the one thing in life that is certain”-Anon. The ability to make changes in what you are doing in response to changes in your environment without losing sight of the goals.

### **Innovate**

- Be creative: be alert to what has been evaluated as working in comparable jurisdictions and modify your program accordingly. Priority to developing some quality resources such as plain English brochures on key current issues can be a valuable aid to promotion, CLE and capacity building; eg the OPLEP brochures for older people developed in consultation with stakeholders-expensive but valuable-amongst the most popular of Legal Aid’s on-line resources; now in community languages and audio cassette.
- Have an eye to the future and ideas about it ie plan for a future even when you do not know that your program has a future

## **SLIDE 9: SUSTAINING MOMENTUM:**

[image of an exhausted marathon runner at the finishing line]

**Commentary:** Sustaining Partnership Momentum is tricky. So easy to start off fired up with enthusiasm and fall by the wayside. The bottom line here is clear goals and effective communication.

## **SLIDE 10**

### **SUSTAINING MOMENTUM:**

**Resolve Conflict Early**

**Share Information and Resources**

**Three’s Not a Crowd!**

### **Commentary: Resolve Conflict Early**

- Air differences as they arise. Resolve conflict early and constructively: “Don’t find fault, find a remedy”-Henry Ford. Every partnership has disagreements but a healthy one finds ways to resolve them: set a time and place for discussion; define the problem or issue of disagreement; how do each of you contribute to it?; list past attempts to resolve that were not successful; brainstorm: list all possible solutions; discuss and evaluate possible solutions; agree on one solution to try and how each partner will work towards this solution; meet again to review your progress.

Sharing and Caring works wonders and makes sense in so many ways:

- \* Joint activities incl. joint CLE, joint service delivery: double-jacking on phone lines; participation in advice rosters
- \*Joint promotion in conferences, articles and on radio
- \*Developing common resources with input from clients
- \* Report to each other as to activities, not just the funder, and jointly review progress
- \*Seek and Share feedback from clients and other agencies

Threes not a Crowd. Spice it up a little with some Tri-partite collaborations. Lauren is going to tell you about some of the amazing things that three or four in partnership can achieve.

**SLIDE 11: SUSTAINING MOMENTUM: Celebrate Achievements [image of people toasting each other]**

**Commentary: Jointly** Celebrate your Achievements along the way.

**SLIDE 12: TRAPS AND PITFALLS: Lack of Direction [image of a signpost pointing four different ways]**

**Commentary: Common traps and pitfalls: Lack of Direction**

- Not formalising agreed aims and objectives produces lack of clarity about goals, roles and responsibilities
- Overlap and duplication; Waste of resources; Confusion among clients and stakeholders as to who does what

**SLIDE 13: TRAPS AND PITFALLS:**

**Lack of Data**

**Personnel**

**Communication Breakdown**

## **Commentary: Other pitfalls:**

### **Lack of Data**

- No formal agreed KPIs so how do you know if pship is successful or not
- Or data is resource intensive to produce because manually collecting data for reports-IT systems not set up or enhanced at the outset: result is inefficient and time consuming reporting

### **Personnel**

- Recruitment of a non-team player

### **Communication Breakdown**

- Communication breakdown: misconceptions about who is doing what; misconceptions about the workload and performance of the other partner; unresolved conflict; the poor relation syndrome; mixed messages

## **SLIDE 14: TRAPS AND PITFALLS: Lack of Perspective [Image of a forest]**

**Commentary:** And the final pitfall: Losing Perspective-not seeing the forest for the trees. This happens when partners are too busy delivering the service to see the big picture-Take time to review what achieved and where you are going-Need for periodic review-Regular formal reporting should provide opportunity for this but not if that too is regarded as a box to be ticked

## **SLIDE 15: IT DOESN'T JUST HAPPEN; IT TAKES EFFORT [image of Rogers and Astaire]**

### **Commentary:**

Partnerships are not all they are cracked up to be: as the divorce statistics clearly show, a lot of them fail. An effective partnership does not just happen. It requires ongoing work ie communication, consultation and collaboration. This is resource intensive and takes time away from service delivery. So it's a balancing exercise. Is the partnership's product worth the effort it took to produce it?

Successful partners know their goals, leverage off each other's strengths and networks, pool their efforts and share resources. They guard against duplication of effort and inconsistency. They build an open and equal relationship in which any differences can be discussed and resolved.

**SLIDE 16:** THE IDEAL from Kahil Gibran: *The Prophet*:

*Sing and dance together and be joyous  
But let each of you be alone-  
even as the strings of a lute are alone  
though they quiver with the same music.  
But let there be spaces in your togetherness  
And let the winds of the heavens dance between you.*