ECCV Submission
to the
Australian Charities and Not-for-Profits
Commission Taskforce (ACNCT)
on the
Design and Implementation of the New Charity
Regulator

February 2012

Manager
ACNC Implementation Taskforce
The Treasury
Langton Crescent
PARKES ACT 2600

Ethnic Communities' Council of Victoria (ECCV) welcomes the Taskforce's nation-wide Community Consultation on the design and implementation of the new charities regulator, the Australian Charities and Not-for-profits Commission (ACNC).

ECCV appreciates the opportunity to raise relevant issues on behalf of ethnic, multicultural and interfaith Non-Government Organisations (NGOs).

ECCV is a peak advocacy body representing almost 200 ethnic, multicultural and multifaith Not-for-Profit organisations. Many of these organisations carry out extensive work in the areas of poverty relief, community education, spiritual and religious guidance and welfare work for Victorians with culturally and linguistically diverse backgrounds.

ECCV is pleased to provide input regarding the new ACNC reporting framework, the ACNC public information portal and its educative role in relation to Australia's culturally diverse population.

Summary of key points
ECCV points out that the ethnic and multifaith sectors play a vital role in the advancement of cultural, educational, health, welfare and social support for a significant proportion of Australia's increasingly multicultural population.

ECCV is aware that several ethnic welfare and interfaith NGOs are likely to apply for new charitable status. Others are existing entities with a charitable purpose that require clear guidelines on transitioning arrangements to the new ACNC reporting procedures.

ECCV supports Australia's whole-of-government Access and Equity policy that ensures all government services are responsive in their design to meet the needs of Australia's culturally and linguistically diverse population. This submission provides a range of detailed culturally responsive recommendations for consideration by the ACNC.

Key recommendation
ECCV recommends that the ACNC design and implementation is culturally responsive, with telephone staff trained in using language services, with basic translated information on its web portal and an easily accessible telephone interpreters service.

The following section consists of ECCV's responses to the fifteen discussion questions provided by the ACNCT.

1. Do you think that the introduction of the Charity Passport would reduce reporting obligations to government? What are the obstacles to achieving one-stop shop reporting on the basis of the data being collected by the ACNC?

1.1 ECCV is aware that many small and medium sized ethnic and multicultural organisations have limited resources to carry out administrative duties such as reporting, preparing compliance documentation and acquittals. ECCV points out that many ethnic managers are also involved in direct service provision. ECCV believes that the Charity Passport would assist those organisations by reducing red tape and the amount of reporting to government agencies.

1.2 ECCV is mindful that bilingual staff and non-English speaking volunteers with varying levels of English competence work in ethnic and multicultural organisations and are challenged by administration obligations. They would benefit from culturally responsive education, guidance and information provided by the ACNC.

Recommendation 1
ECCV recommends that ACNC provides free access to the Australian Government's Translation and Interpreting Service (TIS) as part of its telephone information service to the public.

Recommendation 2
ECCV recommends that the ACNC website displays the national public Interpreter Symbol endorsed by the Australian Governments as a simple way of indicating where people with limited English proficiency can ask for language assistance when using its services. For the interpreter symbol refer to the Department of Immigration and Citizenship website at http://www.immi.gov.au/living-in-australia/help-with-english/NIS/.

Recommendation 3
ECCV recommends that the ACNC provides culturally responsive education for people from culturally diverse backgrounds that represent smaller ethnic clubs and organisations.

2. Will the information collected by the annual information statement be adequate for the purpose of achieving the appropriate level of transparency and accountability to the public?

2.1 Ethnic and multicultural organisations, as well as multifaith agencies, carry out a wide range of activities that benefit the non-English speaking community with low socio-economic backgrounds especially older people and new and emerging communities. These activities include spiritual guidance, welfare work and the advancement of education through community languages schools.

2.2 ECCV believes that ACNC transparency and accountability to the public would be improved through if it reflects the public multicultural benefit of NGO activities.

Recommendation 4
ECCV recommends that adequate, but optional, provision be made in the annual information statements to reflect the cultural diversity and public multicultural benefit of NGO activities.

3. Is there any additional information that should be collected and provided to the public?

3.1 ECCV believes it is important to reflect the real multicultural nature of the community at large through information about NGOs.

3

Recommendation 5

ECCV recommends that the ACNC collects the ethnic background, ancestry, country of origin and languages other than English spoken by the people who benefit from charitable entities and charitable NGOs.

4. Should the annual information statement give charities the option of providing narrative descriptions of the outcomes achieved?

4.1 ECCV would like to see a narrative reporting option that provides greater scope to describe complex and varying activities of ethnic and multifaith agencies such as the time-consuming work of building trust with culturally diverse and non-English speaking people. Many ethnic NGOs depend on volunteer committees that make a difference through extensive welfare work, the provision of education, information and religious guidance. They provide new and emerging communities with practical and spiritual support in the areas of finding schools, accessing health and mental health services and overcoming homelessness.

4.2 ECCV confirms that faith-based NGOs play an important role in providing pastoral care and spiritual guidance, as well as welfare support and opportunities for young children to maintain their languages other than English. In addition they assist people from new and emerging communities and lonely people with non-English speaking backgrounds in connecting with other people with the same language and culture. Such ethno-specific care and social support makes an enormous difference to isolated people and often prevents depression and other illness.

Recommendation 6

ECCV recommends that the ACNC provides a narrative descriptions option to provide a more complete picture of the full range of charitable achievements and activities of ethnic and faith-based community organisations.

5. Is the SBR taxonomy an appropriate basis for the reporting of financial items to the ACNC?

5.1 Many small ethno-specific and faith-based, charitable NGOs have bilingual book keepers and volunteers with varying levels of English competency and English literacy. ECCV believes there is a need for the ACNC to provide them with culturally responsive guidance on how to use the Standard Business Reporting (SBR) taxonomy.

6. Is the proposal for information collected through the annual information statement and financial report appropriate for each tier (see Attachments B, C and D)?

4

6.1 ECCV believes the 'three tier' system is suitable as some ethnic NGOs are quite small and would be burdened by excessive reporting whilst others have grown quite large over the years. Some of the more established ethnic and religious-ethnic NGOs were set up under varying arrangements in the 1950s and 1960s. They have complex organisational histories which have modified and changed over time, for example they grew and evolved with a mix of paid staff and volunteers, and always tried hard to be compliant with the companies and incorporation legislation.

6.2 ECCV believes it is important to understand how some small ethnic organisations have grown and changed over time. For example, the focus of welfare activities in ethnic organisations has ranged from conducting language schools for youth, to providing ethno-specific aged care activities for frail, older non-English speaking people. Ethnic community organisations have provided extensive relief for culturally diverse people experiencing hardship. Over the years they have built up well-established and trusted relationships with generous culturally diverse corporations and stakeholders and have attracted considerable revenue in the form of donations. The flexible three tiers of documentation required by the ACNC would address these gradual changes and varying complexities across the ethnic community sector.

6.3 ECCV has worked diligently on building an inclusive society where confidence in multiculturalism is restored, as about half of Australia's population was born in a non-English speaking country or has one parent with a non-English speaking background.

6.4 ECCV is pleased that in 2011 multiculturalism regained popularity and Australia re-established its multicultural policy, *The People of Australia*. A few years prior to that a climate prevailed where cultural diversity was sometimes undervalued, or overlooked, therefore agencies reporting to the ACNC on the tiered templates, may not voluntarily specify or showcase the cultural diversity of their beneficiaries.

6.5 ECCV believes it is important to provide a more accurate picture of the culturally diverse population that charities reach in Australia.

Recommendation 7
ECCV recommends that the narrative boxes in the ACNC reporting templates include provision for specific suggestions about the cultural diversity of NGO beneficiaries.

7. The ACNC Commissioner has the discretion to vary an accounting period. Under what circumstances should the Commissioner allow for an alternate accounting period?

7.1 ECCV is aware that many ethnic NGOs are staffed by paid workers and volunteers. Older retirees provide important bilingual expertise and governance skills but are sometimes away on holidays or not always available.

Recommendation 8
ECCV would like to see flexibility for extending accounting periods to enable smaller NGOs to satisfy reporting requirements.

8. Do the ATO practice statements provide an appropriate guide?

8.1 ECCV welcomes the educational and guidance roles of the ATO and ACNC. ECCV would like to see more time, effort and cultural sensitivity when advising culturally diverse and ethnic organisations.

9. Are the transitional arrangements clear for new and existing charities?

9.1 ECCV points out that the transitional arrangements need to be clearly communicated to ethnic NGOs and welfare organisations with DGR status to maintain high levels of confidence and avoid confusion and anxiety amongst staff and volunteers with a non-English speaking background.

Recommendation 9
ECCV recommends that transitional arrangements are clearly communicated in an appropriate culturally responsive manner with available interpreters to NGO staff and volunteers with a non-English speaking background.

10. What assistance could the ACNC provide to support the sector's use of online engagement?

10.1 ECCV notes that some ethnic organisations have staff with varying levels of computer literacy and require opportunities to up-skill in computer literacy and using online reporting.

Recommendation 10
ECCV recommends that the ACNC provides simple, step by step information about online engagement.

11. Are there barriers to online reporting or registration? How can the ACNC ensure that it is effective?

11.1 ECCV is aware that volunteers and staff in ethnic and multifaith welfare NGOs may have varying levels of English and limited confidence in dealing with government departments and even lack a clear understanding of processes and procedures. They may have spent many years 'looking inside' during their successful community establishment phase rather than 'linking' with outside government departments. ECCV believes that the provision of

one-to-one support and advice by the ACNC would be beneficial to culturally diverse NGO staff and management personnel.

11.2 ECCV asserts that in addition to providing relief for members that experience financial, family and personal hardship; many ethnic and multifaith NGOs have also provided important social support activities that are not easy to categorise on the application form, such as conducting confidential support groups for survivors of longterm torture and trauma.

11.3 Unaccustomed to dealing with government departments and levels of bureaucracy, some ethnic and religious community-based organisations may understate their extent of their charitable work and its purpose in relation to providing cultural safety. They may not adequately describe the culturally diverse people who will benefit from their charitable activities as 'vulnerable people' even though they would most likely not access other services that lack cultural responsiveness.

11.4 As a result of such activities, ethnic NGOs attract considerable funding from corporate organisations with a similar language, culture and ties to their countries of origin as well as from deceased estates of members. This type of funding support would greatly enhance the social and community welfare amongst people with culturally diverse background in Australia who make up a significant proportion of the population.

11.5 ECCV believes the ACNC has an important role to play in facilitating the charitable status of ethnic and ethno-religious NGOs so that they can grow and provide tax deductible incentives to prospective funding donors.

Recommendation 11
ECCV recommends that the ACNC provides culturally sensitive one-to-one support for ethnic and multifaith NGOs seeking charitable status and flexible reporting categories.

---

12. Are there barriers to the AUSkey as the ACNC online authentication tool?

12.1 ECCV welcomes the introduction of the AUSkey as it would help reduce the administrative burden for ethnic welfare organisations doing business with multiple government departments.

12.2 Barriers may include lack of confidence in government departments, unclear expectations and insufficient explanation of the types of welfare and support activities carried out by ethnic welfare organisations.

Recommendation 12
ECCV encourages the ACNC to provide advice on who should be selected to be an AUSkey holder within an NGO and on that person's related roles and responsibilities to increase the users' confidence.

13. Are these proposed principles guiding the ACNC's role in providing an education function appropriate?

13.1 Regarding principles, ECCV agrees with the ACNC that education helps compliance. ECCV believes that ACNC education should align with best practice principles of accessibility and cultural diversity. Furthermore ECCV emphasises that the right education materials are more likely to reach the ethnic community sector.

13.2 Regarding practice, ECCV would like to see the ACNC in its education role, address the extensive cultural diversity of the community sector as well as the varying English literacy of the non-English-speaking staff and volunteers. Smaller ethnic organisations and those in regional and rural areas may have no access to the internet. In addition smaller ethnic welfare organisations may have limited resources to pay for advice.

Recommendation 13
ECCV recommends that ACNC utilise of a range of education mediums for advice targeted at people from culturally diverse backgrounds including:
- plain language fact sheets
- translations in PDF format available for downloading
- DVDs and videos
- one-to-one telephone advice with the option of an interpreter service

Recommendation 14
ECCV recommends that ACNC staff receive cultural competency training on how to work with interpreters and translators and how to communicate effectively with people from culturally and linguistically diverse backgrounds.

13.3 ECCV welcomes the opportunity to increase public understanding and evidence-based research of the culturally diverse charity sector. ECCV emphasises that is important for charities to self-identify and describe the cultural, linguistic and spiritual background of their providers, service recipients and beneficiaries so as to improve the public understanding of the charity sector.

13.4 ECCV is aware that ethnic data is often absent from academic and evidence-based research. ECCV supports the public use of data recorded on the ACNC Information Portal in particular the prospect of making available

information about culturally and religiously diverse charitable entities to academic researchers to provide a more accurate picture of the people of Australia. ECCV believes that would also support the long-term philanthropic engagement of prospective supporters from diverse backgrounds.

14. What should be the scope of the ACNC's education role?

14.1 ECCV believes that the ACNC's educational activities should be culturally responsive to provide access to ethnic and multifaith not-for-profit organisations.

41.2 ECCV recommends that the ACNC ensure that telephone interpreter services are available to people from non-English speaking backgrounds and that the telephone interpreter symbol is displayed prominently on the ACNC information portal website.

Recommendation 15
ECCV recommends that a basic amount of information, for example 'how to obtain guidance and advice by telephone' is made available in community languages translations on the ACNC web portal and that ACNC provides free access to the Australian Government's Translation and Interpreting Service (TIS) in its education role.

15. Is it appropriate for the ACNC to endorse education and guidance material provided by other entities (for example, peak bodies)?

15.1 ECCV encourages the ACNC endorsement of training materials provided by other peak bodies with similar aims in order to maximise its reach.

For further information contact: Dr Irene Bouzo, Senior Policy Officer, ECCV at Ph 03 9349 4122 and email ibouzo@eccv.org.au