Intersections and Innovations

Change for Canada's Voluntary and Nonprofit Sector

The Muttart Foundation

Part III Innovation and Intersections

Community and Corporate Intersections

Intersections with Governments: Services and Policy Engagement

Measuring Impact and Communicating Success

The Muttart Foundation

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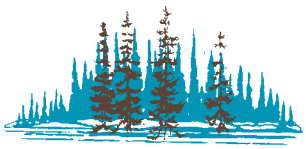

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Acknowledgements

For far too long, Canada has lacked a comprehensive resource examining Canada's charitable sector. That has now ended.

The Muttart Foundation has spent many years focusing on building the capacity of charities in this country. The publication of this collection is another contribution to that effort. By understanding more about itself, the sector can continue to develop and find new ways to serve Canadians and those in need outside our nation.

The authors of these essays bring different perspectives on the role and inner workings of Canada's charities. Collectively, they bring an unprecedented insight into the work of organizations whose diversity is exceeded only by their desire to serve.

It is difficult to express adequate appreciation to Dr. Susan Phillips of Carleton University for her leadership of this project. She has been a source of encouragement, persuasion, cajoling and improving authors from across the country. Her efforts now bear fruit as we make this material available to students, academics, practitioners and others interested in the history and future of Canada's charities.

Amanda Mayer of the Lawson Foundation volunteered at the outset to be the administrative overlord of the project, keeping the editors and authors up to date and keeping track of various versions of articles. We are so grateful for her skills, her patience and her friendship.

None of this would have been possible, of course, without the work of authors, themselves academics and/or practitioners. They took time from their schedules to contribute to a resource we hope many will find valuable.

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The work of all of these individuals has come together in this resource which we dedicate to all of those in, or interested in, Canada's charitable sector.

Malcolm Burrows, President

Bob Wyatt, Executive Director

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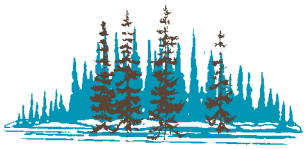

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Chapter 1

Phillips, Susan D. and Wyatt, Bob (2021) Intersections and Innovations: Change in Canada's Voluntary and Nonprofit Sector. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 2

Lasby, David and Barr, Cathy (2021) State of the Sector and Public Opinion about the Sector. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 3

Marshall, Dominique (2021) Four Keys to Make Sense of Traditions in the Nonprofit Sector in Canada: Historical Contexts. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 4

Wyatt, Bob (2021) It Should Have Been So Simple: The Regulation of Charities in Canada. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 5

Chan, Kathryn and Vander Vies, Josh (2021) The Evolution of the Legal Meaning of Charity in Canada: Trends and Challenges. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 6

Manwaring, Susan and Kairys, Katrina (2021) Regulating Business Activity. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 7

Phillips, Susan D., Dougherty, Christopher, and Barr, Cathy (2021) The Fine Balance of Nonprofit Sector Self-Regulation: Assessing Canada's Standards Program. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 8

Charters, Owen (2021) Board Governance in Practice. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 9

Grasse, Nathan and Lam, Marcus (2021) Financing Canadian Charities: The Conditional Benefits of Revenue Diversification. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 10

Hale, Sharilyn (2021) Giving and Fundraising Trends. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 11

Glogovac, Marina (2021) New Technologies and Fundraising. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 12

Fontan, Jean-Marc and Pearson, Hilary (2021) Philanthropy in Canada: The Role and Impact of Private Foundations. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 13

Khovrenkov, Iryna (2021) Canada's United Way Centraide as a Community Impact Funder: A Reinvention or a Failed Endeavour? In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 14

Harji, Karim and Hebb, Tessa (2021) Impact Investing in Canada: Notes from the Field. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 15

Raggo, Paloma (2021) Leadership in the Charitable Sector: A Canadian Approach? In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 16

Fredette, Christopher (2021) Planning for Succession in the Interests of Leadership Diversity: An Avenue for Enhancing Organizational Diversity, Inclusion, and Equity. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 17

Akingbola, Kunle and Toupin, Lynne (2021) Human Resource Management in the Canadian Nonprofit Sector. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 18

Uppal, Pamela and Febria, Monina (2021) Decent Work in the Nonprofit Sector. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 19

Thériault, Luc and Vaillancourt, Yves (2021) Working Conditions in the Nonprofit Sector and Paths to Improvement. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 20

Russell, Allison, Speevak, Paula, and Handy, Femida (2021) Volunteering: Global Trends in a Canadian Context. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 21

Shier, Micheal L. (2021) Social Innovation and the Nonprofit and Voluntary Sector in Canada. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 22

McCort, Kevin and Phillips, Susan D. (2021) Community Foundations in Canada: Survive, or Thrive? (with apologies to lawn bowlers). In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 23

Murphy, Colette (2021) Community Wealth Building: A Canadian Philanthropist's Perspective. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 24

Doberstein, Carey (2021) Collaboration: When to Do It and How to Do It Right. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 25

Munshi, Shereen and Levi, Elisa (2021) Indigenous Peoples, Communities, and the Canadian Charitable Sector. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 26

Stauch, James, Glover, Cathy, and Stevens, Kelli (2021) The Business–Community Interface: From "Giving Back" to "Sharing Value." In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 27

Laforest, Rachel (2021) Transforming Health and Social Services Delivery Systems in Canada: Implications for Government–Nonprofit Relations. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 28

White, Deena (2021) Contentious Collaboration: Third Sector Service Delivery in Quebec. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 29

Levasseur, Karine (2021) Policy Capacity: Building the Bricks and Mortar for Voluntary Sector Involvement in the Public Policy Process. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 30

Houston, Sandy (2021) Evolving Relationships with Government: Building Policy Capacity. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 31

Northcott, Allan (2021) Reflections on Teaching Public Policy Advocacy Skills. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 32

Lauzière, Marcel (2021) A Lever for Change: How Foundations Can Support Public Policy Advocacy. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 33

Ruff, Kate (2021) Social and Environmental Impact Measurement. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 34

Lenczer, Michael, Bourns, Jesse, and Lauriault, Tracey (2021) Big Data Won't Save Us: Fixing the Impact Evaluation Crisis. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 35

Herriman, Margaret (2021) Social Media and Charities in Canada. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Chapter 36

Riseboro, Caroline (2021) The Overhead Myth: The Limitation of Using Overheads as a Measure of Charity Performance. In Susan D. Phillips and Bob Wyatt (Eds.), *Intersections and Innovations: Change for Canada's Voluntary and Nonprofit Sector.* Edmonton, AB, Canada: Muttart Foundation

Intersections with Governments: Services and Policy Engagement

Chapter 30

Evolving Relationships with Government: Building Policy Capacity

Sandy Houston
Metcalf Foundation

Over the past 20 years, the Metcalf Foundation has been engaged in helping to create conditions that enable civil society to provide public-policy perspectives to various levels of government.

We have done this for a variety of reasons. We believe society is better served when a broad range of ideas and perspectives inform how we shape our rules and priorities. In a world in which the voice of business is loud and has many channels into government, and in which many vehicles that have presented other points of view – like traditional media – are eroding, it is increasingly important that the insights and values carried by charitable organizations be shared and heard.

The values and practices of charitable organizations are informed by and steeped in service. These organizations are fundamentally concerned with improvement: the betterment of lives, the advancement of prospects, the removal of obstacles and impediments to human progress, or the health of the natural world. From these engagements, they develop considerable expertise rooted in the communities and issues with which they work. Not infrequently, these are communities whose access to and influence upon public decision-making is limited or marginal. Consequently, these perspectives often have limited access to the process of policy formation.

Some of these circumstances have shifted over the past number of years. A greater emphasis is now being placed on consultation as a precondition to major policy changes. In some cases, government policy capacity has been reduced or hobbled by financial constraints or restrictive risk parameters. An increasing emphasis upon innovation throughout society, including government, has meant a greater interest in non-traditional processes and sources of new thinking. Charities, in their efforts to deliver programs and services as effectively and completely as they can, and usually within the constraints of limited funds and resources, can be potent innovators. Driven

by people with a strong commitment to service, charities are well positioned to be able to find the best ways to connect new practices and findings by linking the lessons of grassroots work to larger policy frameworks. Recognizing that this can be an important contribution, there seems to be a greater receptivity within government for submissions from civil society, and a corresponding increased interest within parts of the sector to engage in policy work.

It's important to note that while the nonprofit sector in Canada is enormous, most organizations are small and many of them are concerned exclusively with the delivery of a specific form of service. Their interest and ability to engage with policy is limited. It is a much smaller group of organizations that are drawn to the potential that engagement with policy has to effect change at a systems level. Their interest, however, in policy work is growing. In response, there is also a small group of funders, largely private, that focus on policy and in some cases on increasing the skills and capacities of nonprofit organizations to engage effectively.

This landscape remains complicated by two factors. First, a long-standing lack of clarity around the rules governing the sector's ability to engage in policy; and second, the sector's capacity, both human and financial, to undertake this sort of work.

Shifting the Relationship Between Government and Civil Society

Until the more recent and welcome clarifications by the current federal Liberal government, the rules governing the sector's engagement in policy and its close corollaries – advocacy and "political activities" as defined by the CRA – caused considerable confusion within parts of the sector. Despite the CRA's best efforts, many organizations struggled to distinguish between permissible and impermissible activities and the degree to which they could devote resources to this form of work. This lack of clarity resulted in a reluctance in some quarters to engage in any aspect of this work. This was likely compounded by the political activity audits initiated by the Harper government, which contributed to the impression that there was substantial regulatory risk to getting too involved in policy/advocacy/political types of activities. This perception, which seemed to be fairly widespread, likely contributed to the cautiousness felt by some boards of directors of charities, as well as some funders. The effect was twofold: some organizations held back their engagement in this arena, and in some cases, funders restricted or refrained from funding this type of work.

More recently, the message from Ottawa has changed. The government has taken a variety of steps ranging from changes to the Income Tax Act to inserting language in its mandate letters on the value of input from the charitable sector. These steps signal both the legitimacy of sector involvement in policy conversations and the importance the government places on receiving advice and guidance from charities.

So given these circumstances, what is the state of the sector's relationship to the government? In a word, it's evolving. While there are an increasing number of organizations within the sector with a strong interest in policy and engagement, their capacity to do this work at a high and effective level is constrained by a number of factors, including money, people, processes, and opportunities.

Strengthening Policy Relationships

To do this work well requires people with considerable skills. They must have a strong grasp of both substance and process. For an organization to hire and retain such people requires adequate funding to enable the work and a sufficient scope of work and purpose within the organization to attract the calibre of people necessary to do the work well. Typically, there isn't significant money available for these purposes. With some notable exceptions, it is fair to say that not many funders focus on supporting policy work. Nor does government typically flow money toward policy work within nongovernment organizations.

These financial constraints leave organizations attempting to pursue policy work on a shoestring, with an inevitable toll on the calibre and robustness of the efforts. Clearly, there is much to be done both to build the human capacity to do policy work well and to strengthen the financial foundation – both public and private – for organizations pursuing this type of work. A couple of effective initiatives addressing the capacity challenge are the Max Bell Public Policy Training Institute, described elsewhere in this book, and the Maytree Policy School. Both serve to better equip advocates to effectively undertake this challenging work.

Another significant consideration in moving this evolving relationship forward is government's capacity to receive policy inputs from the sector. In many cases the process is ad hoc. An organization identifies an issue it considers a priority and goes about making the necessary case in hopes of provoking a change or adjustment in policy. The target for such an initiative may be a bureaucrat, a political staffer, or a politician. In many cases the submission is unexpected and uninvited and may or may not be something the receiving party is in a good position to absorb – far less act upon.

This raises the question of how best such policy advice should be brought into government. At whom should it be aimed? What form should it take? How significant are considerations like the size and scope of the constituencies or the organizations that stand behind the work? How does government determine the relative weight or credibility to be given to these submissions from particular organizations or coalitions?

Some of these questions can be bypassed when policy advice is relationship-based. There are occasions when leaders in civil society have developed relationships of trust and confidence within government. Under these circumstances, while access and influence become more likely, they remain situational and opportunistic.

If we are trying to formalize a more effective process to manage and strengthen policy relationships with government, do we need to think about some form of consolidation or the creation of a more enabling structure for how the sector provides input into government?

Promising Examples of Collective Engagement

Some of the most effective policy contributions that I have seen over the past few years have emerged from the coordinated efforts of self-organized groups who collectively represent significant constituencies of organizations and interests. This form of coalition arguably makes it easier for government, as they know that the positions and rationales put forward represent the consensus of a meaningful cross-section of the field. Such initiatives are made stronger still if there is, underpinning the work, both clear expertise together with knowledge derived from practice and experience at the grassroots.

A fairly recent example of such an approach was the National Housing Collaborative. This pan-Canadian alliance comprised a group of major nonprofits, private housing associations, and major foundations. The collaborative's work was organized by contributing organizations and a small secretariat and hosted by United Way Toronto & York Region. Over the course of a year, the group worked to provide the federal government with a set of recommendations toward the creation of a national housing strategy. This initiative emerged from a recognition that the formation of such a strategy was a priority for government and that such inputs would likely be well received. The result of the process was a series of significant federal funding commitments and policies aimed at strengthening social housing across the country. Notably, the funding support for this important initiative came from a small number of private sources.

Another example of organizing and synthesizing input into government policy and priorities is the Green Budget Coalition. The membership of this organization consists of 20 of Canada's leading environmental and conservation organizations. Each year they make submissions to the federal government regarding environmental priorities for the year. These recommendations represent the consensus view of the coalition's members. The appeal for government lies, in part, in knowing that should they choose to take up some or all of these directives, they won't have to navigate each policy position with each NGO. Instead, they can count upon support from a significant body of influencers. In 2017, the Green Budget Coalition provided substantial impetus and support for a large budget allocation toward the federal government's commitment to achieving its international goals to increase the portion of land protection in Canada. (From my perspective, the Green Budget Coalition efforts helped bolster the case both for it as a priority among competing interests at the cabinet table and for the allocation of significant funds to achieve the commitment.)

Canada's Ecofiscal Commission is another striking example of an innovative structure designed to provide government with practical and credible policy recommendations. Created primarily to provide expert non-partisan policy advice to government on how to address pollution largely through pricing tools, it was made up of a number of nationally recognized economists, backed by an advisory board of prominent leaders from business and the environment, and drawn from across the political spectrum. It was supported by a small secretariat housed within a university. The commission's operations were supported by a group of private and corporate foundations with an interest in environmental policy and the transition to a low-carbon economy.

Over the course of six years beginning in 2014, Canada's Ecofiscal Commission released a series

of substantive policy papers focusing on various aspects of land, air, and water pollution and possible market-based solutions like carbon and congestion pricing. Their work was amplified by strong strategic communications and the credibility and effectiveness of the chair. The results provided the groundwork for significant movement by both federal and provincial governments to engage with and implement the case for pricing tools to manage pollution.

Opportunities for Working Within the Policy Realm

These examples also speak to the question of opportunities. As noted earlier, much of the sector's efforts on policy inputs emerge from their own priorities and values. Yet often the most effective policy inputs result from opportunities created by a political agenda. These are the cases where government has decided it wishes to shift direction or take up a new strategy. Under these circumstances a window may appear through which civil society can provide perspectives, research, and evidence, including lived experiences, that can augment the government's thinking and approach. A couple of notable examples from Ontario over the past 18 years illustrate the potential of this approach.

When the McGuinty government announced in November 2003 that it was considering creating a new greenbelt around Toronto to address issues of sprawl, congestion, and loss of valuable farmland, environmentalists, urban planners, sustainable agriculture practitioners, and others saw a rare opportunity to help shape a generational initiative. Over the course of the next year and a half, while the government deliberated and gathered evidence, various organizations aligned to advocate and help conceptualize and buttress the opportunity. These efforts were greatly assisted by the work of a small, credible non-partisan urban research organization called the Neptis Foundation, which produced a steady stream of expert research-based papers that served to ground the issue in evidence and data. The combination was highly effective and contributed to the creation of a large, robust, and now highly regarded greenbelt in southern Ontario.

A somewhat similar opportunity arose around the issue of poverty reduction, again under the McGuinty government. In 2007, the government signalled a desire to tackle the perennial issue of poverty in Ontario with a focus on reduction. This in turn provoked sustained efforts of coordination focused on aligning recommendations and communications across the activist community. The effort, given the complexity of the issue and range of organizations and perspectives involved, wasn't entirely successful, but it did model a way of working within the community sector and its funders that has influenced a number of social justice initiatives in the years since.

These examples illustrate how intermediaries and coalitions can play an important role in harnessing the strengths and mitigating the weaknesses of the sector as it advances its work in the policy realm.

There are, of course, highly effective policy engagements with government that do not follow these patterns. These can range from policy experts rooted in sector experience underwritten by a foundation – like Metcalf's Innovation Fellowship Program or Atkinson's Fellowship in Public Policy – to organizations that focus primarily on policy formation and communications.

Creating Conditions for Success

Growing emphasis from governments on the importance of consultations with sector representatives, as well as the creation of subject-specific working groups and advisory bodies in support of policy formation, are certainly positive developments that point to an increasing recognition of the value the sector can bring to strong policy-making. However, these kinds of processes are often ad hoc, demanding of participants' time and energy, and also under-resourced. Charities engage in this work because the opportunity to have a voice on crucial issues is irresistible and carries the promise of significant change. But being organizations where demand almost always outstrips supply, often they must do so at considerable expense to other aspects of their work.

I believe we have reached a point where both public and private funders should be focusing intentionally on how to put the sector's role in the policy-creation process on stronger and more sustainable footing. This means not just creating a more enabling financial underpinning for organizations engaged in this work, but also recognizing the need to invest in training, and the creation and support of more policy-focused roles within organizations. Such a shift should also entail a more deliberate effort to provide these positions with structured opportunities to learn and acquire the experience and confidence necessary for effective professional development.

For the sector to meaningfully engage in the policy process involves more, of course, than simply providing advice and input. More ambitious efforts require the support of strong communications and even freestanding government-relations expertise. Rarely does a policy initiative emerging from the sector have the benefit of these crucial elements. When they do, though, not surprisingly, the impact and effectiveness of the work is greatly increased.

Far too much of the current effort to assist charities in taking up these roles is dependent upon the resources of a small group of foundations. If government is to move to a more collaborative model, it will need to invest in the capacity of its partners to participate meaningfully. The implications of such collaborations extend to creating better, more efficient, and targeted processes to manage and receive inputs.

Ultimately, I expect that much will depend on the calibre of these exchanges and the value participants find in the engagement. The likelihood of this approach being successful can be amplified by not only higher and more sustained levels of investment, but also in a focus on creating more familiarity with, and respect for, the other. Programs like structured secondments for policy people between government and civil society organizations could do much to create the conditions for success.

To put this relationship on a more robust and sustainable footing will require some long-term thinking about creating conditions for success. The impetus for such an undertaking can come only from the government and will ultimately be driven by its recognition of the public benefits that would follow from a policy-formation process that is informed and enriched by a sector engaging at full capacity.

Biography

Sandy Houston, Metcalf Foundation

Sandy Houston is the long-standing president and CEO of the Metcalf Foundation. Much of his current work is focused on creating opportunities for innovation and collaboration and in advancing new thinking and policy approaches within civil society. Prior to joining Metcalf, Sandy practised civil litigation at Oslers and was a founding partner of Canada's first law firm to focus predominantly on alternative dispute resolution.