

**IMPROVING THE  
NON-PROFIT, VOLUNTARY AND  
CHARITABLE SECTOR'S EFFECTIVENESS  
IN INFLUENCING  
DECISIONS OF GOVERNMENT**

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## About the Author

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He has 30 years experience in public-policy and advocacy (i.e. lobbying) related to local, provincial/state and federal government affairs. He has also worked as a Washington, DC-based government-relations advisor on state and federal issues in the United States.

Before joining Gowlings more than 11 years ago, he co-founded and edited *The Lobby Monitor*, a publication that, under different ownership, continues today to track and assess lobbying activity. Prior to that he had worked for several years, ultimately serving as president, of what was then Canada's largest government-relations consulting company, PAI-Public Affairs International.

Quite apart from being a practicing lobbyist himself, Sean is involved in on-going study and exploration of the nuts and bolts of organized attempts to influence decisions of government by all elements of society.

Though not a lawyer, he has become an authority in this country on the laws, rules and customs of lobbying and advocacy and the evolution of the ways in which private and public interests interact - and compete - to shape Canadian public policy.

He teaches courses in Public-Policy Advocacy in the Executive MBA Program at the University of Ottawa and, in the fall of 2006, at Carleton University's Graduate School of Public Policy and Administration.

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In his practice at Gowlings, in addition to being a government - relations advisor and registered lobbyist for clients in the private, public and non-for-profit sectors, he also develops and delivers courses, training programs and strategy workshops to organizations of all sizes on the art and science of how to influence decisions of government.

# Executive Summary

## *Introduction* (pages 1-2)

As a result of a meeting convened in Banff Alberta in November 2004 to talk about public policy and the voluntary sector, the Muttart Foundation commissioned this report to consider various options and make recommendations for future action on what can be done to improve the sector's ability to influence decisions of government.

The premise of the meeting was that since the conclusion of most of the work of the Voluntary Sector Initiative (VSI) work, the voluntary sector had "fallen off the radar" of the federal government. Over the course of three days, the group discussed what had occurred, why and what could be done about it

In a letter dated February, 2005, Muttart proposed the following terms of reference for this project:

A Discussion / Concept Paper expanding on:

- what the sector – as a sector, and not as individual agencies – might be able to accomplish with a well-designed government relations / public-policy program
- how such a program might be structured initially and over time
- initial priorities of such a program and longer-term issues that should be considered from the outset
- how such a program might be developed, including the resources (human and financial) that would be required, the role of sector leaders and agencies in such a program and advantages / disadvantages of attaching the program to a particular agency; and
- a review of the advantages / disadvantages of starting a "firm" that deals exclusively with voluntary-sector issues

Based on these terms of reference, the title for this paper "Improving The Non-Profit, Voluntary and Charitable Sector's Effectiveness in Influencing Decisions of Government" hopefully captures the ultimate objective of this exercise.

The paper starts with a short description of the interview process employed in the early stages of the project (pages 5-6) then with a brief review of some definitions, terms and concepts used throughout the text e.g. what is meant by "the sector", "lobbying," "public-policy advocacy," "policy development" and "influencing decisions of government" (pages 7-10).

It is then followed by a narrative (pages 11-17) that presents a series of observations and analyses, objectives, strategic considerations and premises that form the basis of the recommendations presented.

The paper recognizes the administrative and financial challenge that undertakings such as those proposed in this paper present and that they may be beyond the ability of any one organization to develop, manage or finance. Thus, it is recommended that an effort should be made to broaden financial support of these initiatives, involving other private and corporate foundations in Canada and abroad along with certain federal, provincial and even municipal government organizations.

It is further recommended that consideration could be given to packaging the whole effort along the lines of - for lack of a better moniker - *The National Advocacy Project: A Public Education Initiative in Support of Constructive Participatory Democracy* (pages 4-5 and pages 58-59), governed by a Board or similar body with representatives from a broad cross section of NGOs, charities, donor foundations and corporations and managed by an existing NGO.

For the purposes of this paper, while the distinction between *public-policy development* and *public-policy advocacy* is important to note, it's also imperative to emphasize that a nuanced understanding of the former is essential to the effectiveness of the latter - and that this needs to be reflected in whatever approaches are taken to improving the sector's ability to influence decisions of government.

In other words, one of the key themes of this paper is that for any organization to be effective in its advocacy, it is vital that it first consider the issues that it's dealing with and the the propositions it intends to put forward through the political and policy lens of those whom one is trying to influence. The recommendations of this paper are all predicated on this central premise.

## **Part Two: What Exactly is the Problem? Is it the Government? Or the Way it's Lobbied?**

Many discussions of public-policy advocacy, lobbying or government relations take on the tone of "government as a problem." This paper attempts to avoid that.

Yet, for many Canadian citizens and organizations, dealing with public authorities, particularly on contentious issues, is a trying experience. The language of government, its protocols and processes, its preoccupations and priorities, are often bewildering and, frequently, frustrating and intimidating.

Among those interviewed in the preparation of this paper, there was near unanimity on two matters: first, the greater relevance and importance of provincial and local government affairs - as distinct from federal matters - to most sector organizations; second, that, overall, sector organizations have a poor appreciation of how government works and how one goes about making a persuasive case to government decision-makers.

**How Those in Government View Those Who Lobby Them** (pages 17-18): There is seldom much advantage to be gained by those in government to talk frankly about those who petition them. The enormous diversity of experience, the broad range of issues and the inherent uniqueness of so many situations often makes it difficult to articulate relevant generalities. But there are some common complaints and observations by public servants that can be enumerated. They include:

- a myopia, of sorts, by petitioners who fail to see their issue or demand in a larger context; for example, the precedent their proposition would create that will be difficult for government to deal with
- a lack of appreciation by many interest groups for the range of political and public-policy variables that those in government must consider
- failure of proponents to be aware of or actively link their idea to government's existing priorities or concerns
- lack of appropriate preparation of the proposition, massaging it in response to administrative, public-policy and political imperatives
- lack of patience and perseverance – the tendency by many petitioners to give up and go on to something else before adequately following up on their initial initiative
- failure to understand the nature, “rhythms” and time frames of government decision-making
- unnecessary politicization of issues by “going political” prematurely

In the minds of many public officials, this comes down to a general failure by organizations (in both private and non-profit sectors) to understand how government, politics and public-policy work.

***Needs of the Sector*** (pages 18-19). This paper takes the view that the specific needs of the non-profit, voluntary and charitable sector with respect to improving its ability to deal effectively with government are, in many respects, much like those of private-sector organizations.

### **The Argument Industry, the Government Relations Function and GR Consultants** (pages 23-30)

Among the great realities of modern life is that - what I call - the “Argument Industry” is involved in producing an unprecedented range and level of messaging aimed at government, opinion leaders and the and the general public. The most important thing to know about the Argument Industry is the intensely rivalrous environment it creates in every centre of political and governmental decision-making. It's vital for sector organizations to fully comprehend what

they're contending with in their efforts to engage government. The rivalry and competition of ideas that exists in this country – and in most other democracies – are not usually, first and foremost, titanic struggles between good and evil or between public interest and private gain. Rather, there are other less obvious ones of greater relevance to the sector. They are among the most common choices faced by government: between competing, admirable goals and good ideas, between equally compelling dire needs that all beg for address, the contest between numerous promising prospects and hopeful solutions.

An important subset of the Argument Industry is the “government relations function” which exists in countless corporations, industry and professional associations, domestic and international NGOs, as well as in governments themselves. In most cases, the advocacy work, whether on behalf of a company, a trade association or professional group is conceived, planned and implemented by the organization's in-house resources. And make no mistake about it: the majority of interest groups in Canada have at least some in-house resources focused on dealing with government. Nonetheless, over the years a demand has developed for – more than matched by an oversupply of – government relations consultants.

Naturally, most organizations, whether in the private or not-for-profit sectors, seldom want to incur the expense of retaining outside GR consultants if they can solve their problems and achieve their objectives themselves. After all, senior management asks, why do they have in-house GR personnel if they're going to be spending money on consultants? Yet, there are many possible reasons which prompt organizations to get outside help

A good consultant will help a client craft an appropriate “ask” - in other words, help make the client's request of government an optimally realistic one that takes into account the relevant realities in and around the issue at hand.

### ***Part Three: Goals and Guiding Principles*** (pages 31-35)

Following are the goals, principles and values that inform the recommendations made in this paper. They are:

- an emphasis on **sustainability**
- preference for use of a **social enterprise model**
- the need to identify, **exploit and promote resources that already exist**
- emphasis on **collaboration among players in the sector**
- supporting both the **sector's large and small players**
- plan for **incrementalism and scalability**

### ***Part Four: Recommendations*** (pages 36-57)

The recommended course of action in this paper is based on four key premises (pages 36-37).

The first is a recognition that there is no “silver bullet” of lobbying, no single approach that can guarantee success, but that there are practical, tangible things that can be done to enhance one’s prospects for success in influencing decisions of government.

The second is that a central determinant in effective public-policy advocacy is the degree to which the sector’s leaders and staff have a sophisticated, up-to-date awareness and understanding of how governments develop policy and make decisions and what this means for the analytical and communications skills which need to exist in sector organizations. In short, there is a need for a focused effort on developing the advocacy capacity and skills of sector organizations as an important, primary step. It’s consistent with a central tenet in the charitable and voluntary sector: it’s vital to help people help themselves.

The third premise holds that training is not enough; that it should be complemented and supplemented by an increased availability of external, expert advice and assistance both to support sector advocacy efforts and to help impart the benefit of valuable experience, contacts, relevant knowledge, insight and know-how.

The fourth premise is that, notwithstanding the need for the sector to upgrade the capacities and skills of its people with respect to public policy and advocacy and quite apart from the value of having skilled and experienced advisors available to sector organizations, there is still a critical need for some important systemic change in this country, particularly as it relates to government’s approach to transparency in its decision-making and the news media’s role in explaining how government and politics really work in Canada.

The paper recommends initiatives corresponding to four general themes, the first three of which, it is recommended, should be given priority.

- 1) ***Help build the sector’s understanding, capacity and “street smarts” about government, politics and public-policy advocacy.*** This involves the promotion of existing capacity-building and advocacy training initiatives and the development, as necessary, of new means to help sector organizations become more capable and self reliant in their advocacy activities. A wide range of subject matter and formats for such training are proposed. (pages 37-41 and Appendix C pages 65-68 and Appendix D pages 70-72))
  
- 2) ***Facilitate access by sector organizations to external, expert advice and assistance in public-policy advocacy.*** This involves the creation of a number of initiatives aimed at recruiting and training a range of volunteer resources (ranging from retired politicians, political staff and bureaucrats through to working GR professionals in the private sector) who can advise and assist sector organizations in their advocacy along. Also recommended is the creation of a special government-relations consultancy – structured as a “social enterprise” – providing affordable professional services to sector organizations. The consultancy, which would probably need considerable foundation seed-funding for the first few years, would be principally oriented towards helping sector organizations become better equipped, trained and more self-sufficient in public policy advocacy. (pages 42-48 and Appendices A and B pages 60-64)

- 3) ***Promote, develop and disseminate knowledge and learning tools about public-policy advocacy.*** This involves a special effort to develop and distribute information and learning tools in public-policy advocacy. Some Canadian universities and community colleges appear eager to develop and produce case studies and other resource materials as well as design and deliver both credit and non-credit courses in public-policy advocacy. In support of their efforts and to enable a more fulsome use of it by sector organizations, a number of initiatives should be explored: the sponsorship of a conference or symposium on public-policy advocacy by the sector thus prompting the launch of specific research on the subject; the establishment of a clearing-house approach to cataloguing and promoting material on public-policy advocacy; work on pedagogy – how to most effectively teach public-policy advocacy in both educational and professional development settings. (pages 49-51)
  
- 4) ***Confront key systemic barriers to citizen understanding, access and effectiveness in democratic decision-making,*** namely “Pressing for Greater Government Transparency in Decision-Making,” and “Prompting a New Role for Media Reporting and Analysis of Public-Policy Advocacy,” both of which are presented as secondary, longer-term objectives that should be undertaken only when the first three recommendations are realized. Quite apart from the challenges represented by the imperfect nature of government and public administration and the relatively uneven ability of sector organizations to influence decisions of government, there are these two other features of the Canadian scene that comprise systemic barriers to citizen understanding, access and effectiveness in democratic decision-making. They are the practices of Canadian governments when it comes to explaining their decisions to citizens; and the performance of the Canadian news media in its coverage of government and politics. (pages 52-57)

#### ***A Proposed Course of Action Going Forward*** (pages 58-59)

Consideration could be given to packaging the whole effort along the lines of - for lack of a better moniker - ***The National Advocacy Project: A Public Education Initiative in Support of Constructive Participatory Democracy***, governed by a Board or similar body with representatives from a broad cross section of NGOs, charities, donor foundations and corporations and managed, by an existing NGO

The principal purposes of the National Advocacy Project (NAP) would be to provide a focal point for:

- the overall direction of the effort to help sector organizations be more effective in their public-policy advocacy
  
- overseeing development of an integrated approach to the practical study, development, dissemination and exchange of knowledge and know-how on Canadian public-policy advocacy;
  
- financing and selecting delivery mechanisms for support to sector organizations in their advocacy

- assessments and evaluations of funded projects and initiatives

Canadian NGOs (including universities, colleges and other non-profit enterprises, acting in collaboration or on their own) should be invited to submit proposals on one or more of following initiatives, in response to Requests for Proposals issued by the NAP or individual funding organizations such as foundations:

- A government-relations consultancy centre for the Non-Profit sector (see appendix for details of envisioned concept)
- The development of a capacity-building and skills-development program in public-policy advocacy for Canadian charities, non-profit and NGOs
- The development, promotion and management of a national program to recruit, train and place two types of volunteers (i.e. retired politicians, public servants; and currently active GR professionals in industry, associations and consulting enterprises) providing advice and assistance in public-policy development and a

## Introduction

In late 2004, The Muttart Foundation convened a meeting to talk about public policy and the voluntary sector. The meeting brought together people from Canada and elsewhere, people from the voluntary sector and people from outside the sector.

The premise of the meeting was that since the conclusion of most of the work of the Voluntary Sector Initiative (VSI), the voluntary sector had “fallen off the radar” of the federal government. Over the course of three days, the group discussed what had occurred, why and what could be done about it.

In common with many such meetings, one of the observations involved a concern about the lack of information about the issue. In co-operation with the Walter and Duncan Gordon Foundation, the Maytree Foundation and the J.W. McConnell Family Foundation, Muttart commissioned a project to list voluntary-sector organizations that were actively involved in public policy.<sup>1</sup>

In considering ways in which to address the perceived problem, the meeting considered a number of options. As a result, Muttart commissioned this report to consider various options and make recommendations for future action.

In a letter dated February, 2005, Muttart proposed the following terms of reference for this project:

A Discussion / Concept Paper expanding on:

- *what the sector – as a sector, and not as individual agencies – might be able to accomplish with a well-designed government relations/public-policy program*
- *how such a program might be structured initially and over time*
- *initial priorities of such a program and longer-term issues that should be considered from the outset*
- *how such a program might be developed, including the resources (human and financial) that would be required, the role of sector leaders and agencies in such a program and advantages/disadvantages of attaching the program to a particular agency; and*
- *a review of the advantages/disadvantages of starting a “firm” that deals exclusively with voluntary-sector issues*

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<sup>1</sup>. Available at <http://www.muttart.org/download/Civil%20Society%20and%20Public%20Policy-Directory.pdf>

Based on these terms of reference, the title for this paper “***Improving The Non-Profit, Voluntary and Charitable Sector’s Effectiveness in Influencing Decisions of Government***” hopefully captures the ultimate objective of this exercise.

The paper starts with a brief review of some definitions, terms and concepts used throughout the text and a short description of the interview process employed in the early stages of the project.

It is then followed by a narrative that presents a series of observations and analyses, objectives, strategic considerations and premises that form the basis of the recommendations presented.

## Summary of Recommendations

So as not to require a complete reading of the report before one learns of the recommendations, I'll summarize them here:

- 1) ***Help build the sector's understanding, capacity and "street smarts" about government, politics and public-policy advocacy.*** This involves the promotion of existing capacity-building and advocacy training initiatives and the development, as necessary, of new means to help sector organizations become more capable and self reliant in their advocacy activities.
- 2) ***Facilitate access by sector organizations to external, expert advice and assistance in public-policy advocacy.*** This involves the creation of a number of initiatives aimed at recruiting and training a range of volunteer resources who can advise and assist sector organizations in their advocacy along with the creation of a special government-relations consultancy – structured as a “social enterprise” – providing affordable professional services to sector organizations.
- 3) ***Promote, develop and disseminate knowledge and learning tools about public-policy advocacy.*** This involves a special effort to develop and distribute information and learning tools in public-policy advocacy.

In all the above-mentioned initiatives, it is recommended that, where possible, existing Canadian NGOs, charities and academic institutions be given an opportunity to propose and bid for contracts to develop and deliver the services cited.

- 4) ***Confront key systemic barriers to citizen understanding, access and effectiveness in democratic decision-making,*** namely “Pressing for Greater Government Transparency in Decision-Making,” and “Prompting a New Role for Media Reporting and Analysis of Public-Policy Advocacy”, both of which are presented as secondary, longer-term objectives that should be undertaken only when the first three recommendations are realized.

The paper recognizes the administrative and financial challenge that undertakings such as these present and that they may be beyond the ability of any one organization to develop, manage or finance. Thus, it is further recommended that an effort should be made to broaden financial support of these initiatives, involving:

- other private foundations;
- corporate foundations and corporate philanthropic and sponsorship programs (involving Canadian, European, U.S., Korean and Japanese corporations) interested in demonstrating commitment to constructive public-policy engagement
- certain federal and provincial governments (and, possibly, municipalities through the Federation of Canadian Municipalities) with an interest in improving the quality of participatory democracy at all levels of government.

*... the administrative and financial challenge that undertakings such as these present ... may be beyond the ability of any one organization to develop, manage or finance.*

Consideration could be given to packaging the whole effort along the lines of - for lack of a better moniker - ***The National Advocacy Project: A Public Education Initiative in Support of Constructive Participatory Democracy***, governed by a Board or similar body with representatives from a broad cross section of NGOs, charities, donor foundations and corporations and managed by an existing NGO.

The principal purposes of the National Advocacy Project (NAP) would be to provide a focal point for:

- the overall direction of the effort to help sector organizations be more effective in their public-policy advocacy
- overseeing development of an integrated approach to the practical study, development, dissemination and exchange of knowledge and know-how on Canadian public-policy advocacy
- financing and selecting delivery mechanisms for support to sector organizations in their advocacy
- assessing and evaluating funded projects and initiatives.

Once the funding question has been at least initially addressed, then a start can be made on launching some of the initiatives under the rubric of The National Advocacy Project. If, as is likely, that might take some time to establish, a group of supportive foundations might collaborate in starting the ball rolling by funding certain start-up initiatives.

In each case, Canadian NGOs (including universities, colleges and other non-profit enterprises, acting in collaboration or on their own) would be invited to submit proposals on one or more of the following initiatives, in response to Requests for Proposals issued by the NAP or individual funding organizations such as foundations.

- a government-relations consultancy centre for the non-profit sector (see appendix for details of envisioned concept)
- the development of a capacity-building and skills-development program in public-policy advocacy for Canadian charities, non-profits and NGOs
- the development, promotion and management of a national program to recruit, train and place two types of volunteers – those retired from public service (elected or appointed) and currently active government-relations professionals in industry, associations and consulting enterprises -- to provide advice and assistance in public-policy development and advocacy to Canadian charities, non-profits and NGOs

The paper concludes with appendices that provide details, in summary fashion, of the specific initiatives that are proposed.

## **The Preparation of this Paper**

While a wide variety of people have been interviewed during preparation of this discussion paper, the undertaking has not involved a systematic examination of the circumstances or needs of the non-profit, voluntary and charitable sector (the “sector”) with respect to its relationship to government or its efforts to influence public-policy decision-making.

Rather, an attempt has been made to canvass a broad cross-section of perspective on public-policy and advocacy, particularly as it relates to the sector. It involved interviews with some in the sector who have had considerable experience in dealing with governments, while several others interviewed were self-confessed neophytes. Discussions were held with both those for whom public policy, politics and advocacy are the focus of their work responsibilities and those for whom it is episodic.

The observations, premises and recommendations are based largely on the author’s own perceptions and judgments, often tempered by the views and suggestions of those who were interviewed or whose writings were reviewed.

This paper is not intended to be a compendium of thought about public policy or advocacy among actors and leaders in the sector nor of those who interact regularly with government. Neither is it meant to be a thorough discussion and analysis of the phenomenon of public-policy advocacy overall in Canada. Rather, it is focused on articulating one assessment – that of the author

- of the challenges which face non-profit, charitable and voluntary sector organizations in Canada in respect of their collective and individual relationships with governments at all levels.

The paper also recognizes that registered charities face certain limits on work that is officially described as “political activities,” but more commonly referred to as advocacy. Under the Income Tax Act, a registered charity may not use more than 10% of its assets on political activities. However, much of what is discussed in this paper – including discussions with elected officials and bureaucrats – do not fall within that 10% limitation, based on the policy issued by the Canada Revenue Agency (CRA). (The policy is available at <http://www.cra-arc.gc.ca/tax/charities/policy/cps/cps-022-e.html>.)

There are some organizations that believe these limitations should be made less restrictive or eliminated entirely. Until that occurs, however, charities need to be aware of the laws that govern them and act within the limitations that exist. It is equally important to note that the interpretation given by CRA’s policy applies only when a charity’s activities are related to its charitable purposes.

## Some Definitions and Concepts

There are a number of terms and concepts used in this paper – some derived from the terms of reference, others drawn from common analyses of government, politics and public policy – that would benefit from an attempt at concise, informal definition. They include:

- The Non-Profit, Voluntary and Charitable sector
- Public Policy
- Decisions of Government
- Public-Policy Development
- Public- Policy Advocacy
- Advocacy
- Lobbying
- Government Relations
- Influence (and No Influence) on Decisions of Government

**The Non-Profit, Voluntary and Charitable sector:** Simply put, this paper uses the Voluntary Sector Forum’s definition of the “sector” that, effectively, includes all charities and all non-profit organizations except those that represent or act for commercial, professional or occupational interests. By this definition of the sector, educational and health institutions such as colleges, universities and hospitals would also be included.

**Public Policy:** There are many definitions available. One which is relevant comes from the VSI Code of Good Practice in Policy Dialogue. Public policy “is a set of interrelated decisions, taken by public authorities, concerning the selection of goals and the means of achieving them.” In other words, it’s about decisions made by government that can take any one or more of several different forms.

**Decisions of Government:** For the purposes of this paper, this includes any and all decisions of government that are of relevance to either the sector at large or to individual sector organizations; all decisions of government - federal, provincial and municipal - involving elected and public service officials at all levels. This would include:

- legislation, bylaws, regulations
- policy (problem/issue definition, options, values, criteria, objectives) domestic as well as federal/provincial/territorial issues and foreign/multilateral policies
- programs/operations (criteria, administrative discretion. operating processes)
- creating an “enabling environment” (regulatory, administrative, tax, etc.)
- financial benefit (grants, loans, tax expenditures)
- procurement (purchase of goods/services)

**Advocacy:** “the act of speaking or of disseminating information intended to influence individual behaviour or opinion, corporate conduct, or public policy and law.” (VSI Paper “Working Together”)

**Lobbying:** “.. direct communications with public office holders and their advisors as part of an effort to influence a decision of government.” (Sean Moore’s definition)

**Government Relations:** “...the service function associated with leading, advising or assisting an organization to achieve its political and public-policy objectives.” (Sean Moore’s definition)

Some people have suggested that, for the purposes of this paper, a clear distinction should be made between “public-policy development” and “public-policy advocacy.”

**Public-Policy Development:** Simply put, in this paper, public-policy development relates to the process and substance of exploring and creating options for government action or policy

**Public-Policy Advocacy** is about the approach, strategies and tactics employed by external interests to influence decisions of government. (“.. direct and indirect organized effort specifically to influence decisions of government” - Sean Moore’s definition.)

They are distinct but closely related functions and there are certain skills associated with each. For example, an individual experienced in *policy development* would probably have a more refined analytical capacity with respect to both qualitative and quantitative research, thinking through, conjuring, writing about and explaining critical economic and social data along with the details of a particular measure and how it can be implemented. *A public-policy advocate* is usually more concerned with how the idea or measure created by policy-development specialists (be they clients, employers or colleagues) might be most effectively promoted, advanced or sold to policy advisors and decision-makers in government. Nonetheless, as will be explained later, a sophisticated understanding of the policy and decision-making processes of government is an essential feature of any effective advocacy or lobbying effort.

For the purposes of this paper, while the distinction between *public-policy development* and *public-policy advocacy* is important to note, it’s also imperative to emphasize that a nuanced understanding of the former is essential to the effectiveness of the latter - and that this needs to be reflected in whatever approaches are taken to improving the sector’s ability to influence decisions of government.

Having said that, it is critical to underline that what is being proposed here is not in any sense *central control* over *what* organizations in the sector are pitching to government. Rather, it is an attempt to define what might be done to help organizations in the sector achieve *whatever public policy and political objectives* they might have.

*... while the distinction between public-policy development and public-policy advocacy is important to note, it’s also imperative to emphasize that a nuanced understanding of the former is essential to the effectiveness of the latter*

## What is meant by “influencing” a decision of government?

This paper takes a broad approach to the concept of “influencing” decisions of government because, as noted above, the range of issues and decisions that attract the attention of sector organizations is, likewise, enormously varied. This is further reflected in the various decision-making protocols and dynamics that attend each issue. Certain means of effectively influencing a particular type of decision - for example, a funding application - may have only slight relevance for how one goes about trying to influence a regulatory change. It can be argued that long-term success in an organization’s on-going ability to influence decisions of government is often a consequence of several years of doing a good many things that contribute to the overall effectiveness (i.e. influence) of the organization.

*motivating, encouraging, being at the table, being recognized*

“Influencing” decisions of government can take many forms:

- motivating or successfully encouraging government to initiate, modify, sustain/continue, terminate/limit something by way of law, regulation, policy, program or other expenditure
- being “at the table” when important consultations are being held and opinions canvassed; it’s being asked - and listened to - by government for suggestions and comments on matters of state and public policy
- being recognized by media, government and other organizations as a “player” – evidenced in news coverage etc. and by involvement in consultations
- successfully gaining funding, franchise or mandate from government
- not only gaining benefit by meeting government criteria, but *influencing* the definition of criteria themselves
- increasing understanding (education) of decision-makers about a particular organization (i.e. a non-profit/charity) or the sector at large

## **What is meant by (little or) “no” influence?**

This, of course, is often a highly subjective judgment, though there are some relatively objective criteria which can be used – quite apart from the opposite of the examples used in characterizing successful influence. Among others, they might include:

- being “out of the loop” in early consideration of relevant issues
- consistently seeing the government demonstrate values which are not yours
- not winning requests for proposals (RFPs) or funding awards
- having a lack of any sense of achievement or success with government

## **Part Two: What exactly is the “problem?” Is it Government? Or the Way It’s Lobbied?**

Many discussions of public-policy advocacy, lobbying or government relations take on the tone of “government as a problem.” This paper attempts to avoid that.

Yet, for many Canadian citizens and organizations, dealing with public authorities, particularly on contentious issues, is a trying experience. The language of government, its protocols and processes, its preoccupations and priorities, are often bewildering and, frequently, frustrating and intimidating

At the outset, it is important to have some perspective on all this. As with many other pluralistic, sophisticated and democratic societies, we expect a lot from government and the people who work in it. The nature of our public discourse, particularly through the media, is often to focus on those things in government or politics that are deemed – by one group of another – excessive or inadequate, wrong-headed or maladministered. For better or for worse, we even have embedded in the heart of our central political institutions, a specific role for “opposition” whose job it is to provide continuous and searing criticism of all that the government-of-the-day does.

*... for many Canadian citizens and organizations, dealing with public authorities, particularly on contentious issues, is a trying experience. The language of government, its protocols and processes, its preoccupations and priorities, are often bewildering and, frequently, frustrating and intimidating*

Seldom is there an observation by anyone, other than perhaps political leaders of the party in power, that we reside in one of the most successful societies on the planet with not only a high standard of living but also a very high quality of public administration and universal availability of a very broad range of – by almost any global standard - quality public services.

Notwithstanding the recent blizzard of disturbing reports of malfeasance, fraud and political chicanery, Canada is broadly seen – and rightly so - as relatively free of serious systemic political or bureaucratic corruption. Our public service is deemed, especially by many beyond our shores, among the finest in the world.

It’s also important to acknowledge that there is a vast number and diverse range of important decisions – important, at least, to one organization or another – that are made every day in every federal, provincial and local department of government, without much fuss or controversy at all.

Most often, on most issues and most transactions, the system works very well and as it should – though there continue to be some glaring exceptions.

That being said, for many organizations in all sectors of society – private sector, non-profit / charitable, even within some other public and para-public entities – dealing with government can be an unsatisfying, frustrating, even stressful, experience. On many critical, high-profile issues as well as on what are often otherwise deemed routine matters, getting a decision out of the “system” can seem tortuous. There are several possible reasons for this. Depending on the issue or particular circumstances, they might include one or more of the following:

- the complexity and inter-relatedness of the issues and the elaborate processes in place to deal with them
- the under-resourced policy-capacity and program management-capacity in government and the loss of institutional memory as a result of personnel cutbacks and/or demographic change
- too few resources in government to deal with so many issues, propositions, “priorities” and demands
- the ubiquitous phenomenon of the ever-changing ranking of “priorities,” particularly by political masters
- the all-too-common tendency in most governments to become preoccupied with crisis-management in response to events and especially the prospect of adverse media coverage
- increasingly intensive and rivalling interest-group activity, often leading to “lobby lock” or “analysis paralysis” in the decision-making process
- the “consultations imperative” in government in which few decisions can be made without first undertaking one form or another of stakeholder consultations or “citizen engagement”
- the real-life implications of the growing emphasis within government on “horizontality” and the need to take a “whole of government” approach to decision-making, thus involving more players and more metrics on more issues, often over more protracted periods of time
- high-turnover among decision-makers and advisors among both political and public-service players
- the substantial distractions and dislocations associated with such things as tortuously slow and complicated public-service hiring and contracting processes; pub-

lic service official-languages training; numerous “management” courses; the increasingly complex and demanding imperatives associated with government workplace issues such as whistleblower protection, anti-harassment initiatives, diversity and sensitivity training; and new obligations related to privacy protection

- “risk aversion” tendencies among both politicians and public servants along with the “risk management” practices and the impact of accountability overload in which an increasing proportion of senior government managers’ time is now taken up with one or another new internal reporting requirement which, in turn, for those outside government (corporations and sector organizations alike) adds considerably to the transactional costs of dealing with government
- the preoccupation with managing – and controlling – information dissemination, particularly associated with access-to-information requests from the media, interest groups as well as individual citizens.

Take all these factors together and it’s a wonder that anything gets decided or done at all by government. But it does, everyday and in every government across the land.

So it’s important to consider that, oftentimes – notwithstanding some of the idiosyncrasies of government - the challenges faced by sector organizations have less to do with the dynamics inside government than the sector organizations’ inability to really understand how government, public policy and politics work and how one goes about working the system.

Among those interviewed in the preparation of this paper, there was near unanimity on two matters:

- first, the greater relevance and importance of provincial and local government affairs - as distinct from federal matters - to most sector organizations
- second, that, overall, sector organizations have a poor appreciation of how government works and how one goes about making a persuasive case to government decision-makers.<sup>2</sup>

*...the challenges faced by sector organizations have less to do with the dynamics inside government than the sector organizations’ inability to really understand how government, public policy and politics work and how one goes about working the system*

This leads, inevitably, to the question: What, then, can be done about that?

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<sup>2</sup> Many respondents also observed that ignorance of how government works is common in the private sector as well, though the point was often made that the private sector, unlike the third sector, has more financial resources to pay for help in overcoming this disability.

Indeed, what, if anything, can an organization – any organization, in the non-profit or private sector – do to improve its ability to influence decisions of government? If there were clear, unambiguous things that could be done, wouldn't everybody be doing them?

This paper attempts to identify and define what those “things” – resources, approaches, processes – are. It explores how they might be operationalized and made available to sector organizations that want to play an effective, constructive role in influencing public-policy decision-making in their local communities as well as at federal and provincial levels of government.

## Dealing with Government

When it comes right down to it, organizations everywhere – at least those that choose to commit any resources to influencing government policy - do many of the same basic things. They hire specialists on staff or as consultants. They try to get plugged-in to political and public-policy circles. They join in on group effort, through associations and coalitions. They seek opportunities to work with government. And, more or less, they embark on a never-ending search for being more successful at it all, seeking advantage wherever they can find it.

Let's consider briefly how well the sector at large – and individual sector organizations - are doing now with respect to influencing decisions of government.

Judging by media coverage, there are few interest groups in Canada, whether they be social-justice and environmental organizations or commercial lobbies, that think that governments are sufficiently responsive or listening enough to them. It's no wonder some newcomers to this country often soon observe that, despite our abundance and general social harmony, Canada also is home to a culture of complaint. It often seems that virtually every sector of Canadian society feels it's not doing particularly well in its advocacy and that government – both politicians and bureaucrats – are too often deaf to their representations.

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ficiently responsive  
or listening enough  
to them.*

It's not that the governments aren't consulting. It's that so many stakeholders – as well as those in government - find the consultations process, as it has evolved, largely unsatisfying and frustrating. The efforts expended on consultations by both government and stakeholders are enormous and costly. Many both in and out government complain of “consultations fatigue.” It's all the more dispiriting when, at the end of the process, stakeholders complain they see little of their input reflected in the government's output. And those in government bitterly observe that the stakeholders are never satisfied until they get everything they want and seldom take a broader view beyond their own groups' interests.

Consultations processes have come a long way over the years. They are now institutionalized at all levels of Canadian public administration. Innovation in the field is on-going and ubiquitous. But there is still a yawning expectations gap between the governed and the governors. Too often, consultations processes are an after-the-important-decisions-have-been-made add-on to government's implementation and communications plans. More times than not, there is wholly inade-

quate feedback by government to stakeholders on how the final trade-offs and decisions were made.

These frustrations aside, Canada's voluntary, charitable and non-profit sector can take some just satisfaction in knowing how much it's been able to accomplish through the Voluntary Sector Initiative. Over its five-year life, the VSI produced a number of tangible results that will have enduring benefit for the sector. They are best summarized in the words of Gordon Floyd, who played a central role in the VSI while serving as a Vice President of the Canadian Centre for Philanthropy (now Imagine Canada):

The VSI is an unprecedented, cross-government, \$95-million program to build the sector's policy skills; conduct research about giving, volunteering and the sector itself; raise public awareness about the role of voluntary organizations in Canadian life; improve human resource practices and access to information technology; encourage and support volunteering; and reform the regulatory system for charities.

The VSI's ambitious agenda has already led to a new Accord that governs the sector's relationship with the federal government, and two supporting Codes on Funding and Policy Dialogue. The VSI to-date has also included dozens of joint policy development projects involving voluntary groups and federal departments. It has produced two iterations of the National Survey on Giving, Volunteering and Participating; the creation of a Statistics Canada satellite account on the voluntary sector; the establishment of 13 regional and three national centres to promote and support volunteers; and an impressive overhaul and revitalization of the Charities Directorate at CCRA.

Most recently, almost every one of the 78 recommendations by the Joint Regulatory Table that Bob Wyatt co-chaired were adopted by the federal government, dramatically improving the transparency, accountability and fairness of our regulatory system for charities. Still in the works, for completion before the VSI concludes in 10 months, are the first-ever national survey of charitable and voluntary organizations; an internet portal for the sector; a new online resource to improve access to funding; a social marketing campaign that highlights the vital role of our sector in Canada, and new information and resources to help develop and sustain paid talent in our sector.

Gaining the Chrétien Government's 1999 commitment of almost \$95-million over five years was in and of itself a major accomplishment. But of specific and enduring value were the networks that were expanded among leaders in the sector and the creation of a sense of community and an eagerness to do more things together. One of those things is to find ways of making the sector at large and sector organizations individually more effective in their dealings with government.

There's already a foundation from which to build. Over the years, veterans of the sector have gained important experience in dealing with governments at all levels. And the sector's overall capacity has been enhanced by new leaders with extensive and impressive backgrounds in government who have been recruited into senior sector positions.

Still there's a broadly held view that much, much more must be done to expand and improve the sector's ability to deal effectively with governments at all levels and to gain proportionately greater influence on the decisions governments make.

### **How Those in Government View Those Who Lobby Them:**

There is seldom much advantage to be gained by those in government to talk frankly about those who petition them. The enormous diversity of experience, the broad range of issues and the inherent uniqueness of so many situations often makes it difficult to articulate relevant generalities. But there are some common complaints and observations by public servants that can be enumerated.<sup>3</sup> They include:

- a myopia of sorts by petitioners who fail to see their issue or demand in a larger context; for example, the precedent their proposition would create that will be difficult for government to deal with
- a lack of appreciation by many interest groups for the range of political and public-policy variables that those in government must consider
- failure of proponents to be aware of or actively link their idea to government's existing priorities or concerns
- lack of appropriate preparation of the proposition, massaging it in response to administrative, public-policy and political imperatives
- lack of patience and perseverance – the tendency by many petitioners to give up and go on to something else before adequately following up on their initial initiative
- failure to understand the nature, “rhythms” and time frames of government decision-making
- unnecessary politicization of issues by “going political” prematurely

In the minds of many public officials, this comes down to a general failure by organizations (in both private and non-profit sectors) to understand how government, politics and public-policy work.

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<sup>3</sup> These observations and comments are a composite representation based on numerous discussions with federal and provincial officials over the last several years. Some were offered in the context of this current undertaking with respect to the sector's effectiveness in dealing with government; some are comments that were made in other settings. In most cases, the comments were offered as general observation on the performance of both for-profit and non-profit advocacy groups.

Often, one of the key problems is how an organization – not-for-profit or commercial – designs its request of government and marshals evidence. It's known in the lobbying trade as "the ask." Leaving aside the question of whether a specific "ask" is realistic, there's the challenge of how best to present one's case. Is there a particular approach that needs to be undertaken?

*Often, one of the key problems is how an organization – not-for-profit or commercial – designs its request of government and marshals evidence. It's known in the lobbying trade as "the ask."*

The short answer is "yes"; if one wants to enhance one's prospect for success in lobbying government, it often comes down to knowing how to present one's political and public-policy case. For many organization's, knowing how to do that can seem a daunting challenge. But, good news, the Government – unwittingly, of course, - helps us do that by making publicly available the formats they generally use in organizing information for its own decision-making.

If a matter has to go to the federal Cabinet for a decision, for example, there is an exhaustive (and oftentimes exhausting) process that must be gone through. A separate file on the Muttart Foundation website shows one example of the type of material that public servants are supposed to submit to Cabinet to guide Minister's thinking. While this format changes from administration to administration, it does provide some idea of the types of questions someone petitioning government should be able to answer – clearly and realistically.

## **The "Needs" of the Sector**

One of the conceits of this paper is that it presents a generalized (though accurate) depiction of the sector's "needs" with respect to dealings with government. However, admittedly, this view has been developed without benefit of survey research or any other thorough, systematic examination of what resources currently exist or what practices are common in the sector. As explained earlier, numerous interviews were undertaken and many written analyses examined, in the preparation of this report. However, the assessment of the sector's "needs" with respect to public-policy advocacy is largely based on the author's experience as an advisor and consultant in the field of government relations over the last three decades.

This paper takes the view that the specific needs of the non-profit, voluntary and charitable sector with respect to improving its ability to deal effectively with government are, in many respects, much like those of private-sector organizations. Oftentimes, the only real difference lies in the human and financial resources that are ultimately made available to the task. Yet, even in the private sector, the vast majority of organizations - from small commercial enterprises to overstretched large ones – have financial constraints of one sort or another. Many consider an on-going, focused government-relations program beyond what they can afford. Cost is always an issue, no matter who the players are.

Another assumption used in this paper is that the needs of the sector – again with respect to public policy and government relations - are as diverse as the sector itself. The preoccupation of certain, large, national NGOs might be on influencing a high-profile, coast-to-coast matter of public policy with complex federal-provincial implications, involving billions of dollars annually (such as child care.) Equally important in terms of immediate relevance for a network of small NGOs might be the federal government’s new rules governing grants and contributions or a seemingly obscure rule change related to the *Income Tax Act*. For some organizations, regulatory change is a top priority; for others, it’s influencing Canada’s foreign policy or pressing the national government to change a section of the *Criminal Code* or to petition a local government to pass a by-law outlawing the use of certain substances.

The content and form of the issues facing sector organizations can vary enormously but it is taken as a given in this paper that, despite these differences in subject matter and process, there are certain capacities, mindsets, approaches, resources, skills, strategies and tactics that can be identified that have relevance for all sector organizations faced with the challenge of influencing a decision of government.

## Government, Political and Societal Backdrop

Notwithstanding some critical differences between private-sector and non-profit sector organizations when it comes to dealing with government, (i.e. the ability to pay for professional services, the nature of their internal governance, the values and objectives that drive their organizations etc.), there are, nonetheless, some important parallels.

One of the most apparent similarities is the vast array of public-policy matters and types of decisions that both kinds of organization find themselves trying to influence. They run the gamut from high-level Cabinet decisions to more mundane matters of seeking some specific financial benefit from government, subject to the discretion of low-level unelected officials. They also involve the full spectrum of government decision-making from those decisions that are made by the most senior elected officials in government (i.e. ministers or mayors) to those matters which are discharged by local or regional office bureaucrats.

When one considers the very large and varied span of decision-making made by government, it is important to note that there are, in reality, very few “standard” forms, though are some general typologies and common features:

- administrative decisions (following established criteria)
- allocative decisions (i.e. discretionary distribution of financial benefit according to general criteria)
- legislative / regulatory (i.e. framework laws passed by Parliament which, in turn, have detailed regulations, promulgated by Cabinet and implemented or enforced by public servants in departments and agencies)
- policies (usually pursuant to some legislation or appropriation that guide allocative or administrative decisions)
- programs (usually services or benefits provided according to enabling legislation and regulations with substantial delegated authority to public servants)

These different types of decisions are handled in a variety of ways and can involve a rather narrow range of individual bureaucrats and politicians or, alternatively, involve many other players, both in and out of government.

In the federal government, as well as in some provincial administrations, substantial emphasis is now being placed on “horizontality” or a “whole of government” approach to policy development. Simply put, it means ensuring that a wide range of legal, public policy and administrative considerations be taken into account in the development of a policy or program, involving departments and agencies of government beyond just the sponsoring or originating ministry. This

often requires extensive consultations within government, but there is also usually a need for consultations with a wide variety of stakeholder groups including other governments, sometimes those of other countries and directly affected citizens' groups along with competing commercial interests.<sup>4</sup>

Then there is the matter of the role played by political actors such as ministers, MPs, elected members of provincial or territorial legislatures, senators, municipal councillors and their respective political staffs. There is a general tendency by many individual citizens and interest groups – particularly those who have little experience in dealing with government - to focus their efforts, and especially to launch their advocacy, by dealing first with elected officials. For some, it appears to be an obvious starting point, though seasoned advocates will know this is often not the case.

The fact is, in the Canadian model of the Westminster parliamentary system, the bulk of lobbying or public-policy advocacy activity – at least with the federal government and in most provincial capitals – is at the bureaucratic, not legislative, level. Local government, especially in small communities, may involve a greater degree of direct involvement in a wide range of issues by elected officials but, the larger the municipality, the more significant will be the role of bureaucrats.

This doesn't mean that the legislative branch is irrelevant – though, indeed, on many issues it is. But, in most cases, on the vast majority of issues at the federal and provincial levels, ministers follow the advice of their officials on matters of public policy. Most often, the decisions they announce are institutional decisions that involve numerous variables - legal, administrative, logistical, regulatory and established precedent - that have been worked out by officials (or, more likely, committees of officials) and then fronted by a ministerial announcement. This is the course of public administration on the preponderance of issues that call for a ministerial decision. This is not to say that ministers don't object, resist and direct according to their own instincts and priorities and those of the political administration of which they are part. But a central reality of Canadian government is the vital role of un-elected "expert" officials in the development of policy and the administration of public authority. Those who aim to influence decisions of government must take this reality into account in their estimation of how to go about influencing decisions of government.

***in most cases, on the vast majority of issues at the federal and provincial levels, ministers follow the advice of their officials on matters of public policy.***

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<sup>4</sup> An example of a "whole of government" approach to an issue: officials at Industry Canada considering industrial development strategies but being required to take into account issues and concerns outside the usual bounds of their Ministry, e.g. environmental concerns, international trade implications, aboriginal claims, workforce implications such as education, training and immigration.

So how do Governments decide? These days, on many issues, often with great difficulty!

And one of the reasons it has such difficulty is its constant engagement with, and in, what we call in this paper the “Argument Industry.”

# The Argument Industry

In terms of scale, diversity and impact, the Argument Industry is one of the largest and most powerful forces in modern society. It is international in scope and multidisciplinary in nature. It has at its disposal vast financial resources, high-powered leadership, hundreds of thousands of foot soldier-employees and millions of volunteers.

But, despite its size and ubiquity, the Argument Industry is virtually invisible to most because its membership is so dispersed throughout society and, of course, often working at cross purposes. The Argument Industry has tentacles that reach into virtually all areas of human endeavour – commerce, the arts, government, corporations, charities, professional/industry/trade associations, the faith-based communities and a wide array of other interests focused on matters of health, the environment, social concerns and community affairs.

So if it's not concentrated on any one issue or cause or interest, how or why is it such a powerful force? Because the collective output of the Argument Industry is among the first great realities of modern life – that there is an unprecedented range and level of messaging going on out there. It takes many forms: ubiquitous advertising, the publication of countless magazines, journals, newspapers and newsletters, the 500-channel TV universe with its various specialty treatment of all manner of human endeavour the awesome reach and diversity of the Internet with its bloggers, propagandists and databases and an ever-growing global community of interest groups, representing industries, professions, lifestyles, ethnicities, countries, philosophies, religions and hobbies, most of them, figuratively, armed and ready for rhetorical combat.

While all of us, to one degree or another, are on the receiving end of the Industry's output, it is those in government - both elected and unelected folks – who get to experience the full effect. It takes the form of endless lists of petitioners and interest groups clamouring for attention, largesse and redress. It includes endless discussion papers and *ad hominem* rants, broadcast commentary and newspaper columns and large volumes of applications for benefits that far exceed any government's budget to realize.

The most important thing to know about the Argument Industry is the intensely rivalrous environment it creates in every centre of political and governmental decision-making. It's vital for sector organizations to fully comprehend what they're contending with in their efforts to engage government. There are few corporate or non-profit interests these days that are not dedicating financial and human resources to the task of dealing with government and influencing its decisions. It's a relentless, never-ending struggle and any organization that aspires to be effective in its advocacy activities needs to be prepared to plan and act accordingly.

***The most important thing to know about the Argument Industry is the intensely rivalrous environment it creates in every centre of political and governmental decision-making.***

Members of the Argument Industry include everyone who, as part of their paid occupation or significant voluntary activity, is engaged in making argument, advancing a cause or defending an interest. It includes the leadership and staff of countless NGOs and charities that aim to be players in the public square. It includes the in-house legal counsel and public affairs staff of corporations, professional and industry associations. It includes the academics who strive to be public intellectuals and the journalists who convey and interpret the messages and, in doing so, also flog their own opinions. And don't forget the good many in government whose job it is not only to develop public policy but also to explain and help "sell" decisions of government. And then, quite apart from those members of the Argument Industry who work for their employers, there is also an enormous consulting wing of the industry, providing services that range from legal advice to communications strategies and, of course, government relations.

The rivalry and competition of ideas that exists in this country – and in most other democracies – are not usually, first and foremost, titanic struggles between good and evil or between public interest and private gain. Though those conflicts do exist and, in fact, receive the bulk of the media's attention, there are other less obvious ones of greater relevance to the sector. They are among the most common choices faced by government: between competing, admirable goals and good ideas, between equally compelling dire needs that all beg for address, the contest between numerous promising prospects and hopeful solutions. The demands on the system always vastly outstrip any government's ability to respond.

## **The Government-Relations Function**

An important subset of the Argument Industry focuses its attention on government, politics and public policy. In Ottawa, and in most provincial capitals, it's an industry all its own, centred on tracking, assessing, interpreting, profiting by and influencing decisions of government. Members of this "government relations" (GR) trade are sprinkled throughout the offices of corporations, industry, trade and professional associations, non-profit organizations, public and para-public institutions, consulting companies and even in the employ of other governments, foreign, provincial/territorial and municipal. Indeed, the growth in numbers of those whose jobs it is to monitor, assess and advocate on public-policy issues on behalf of their employers, has been substantial over the last two and a half decades.

In both the *in-house* dimension of the government-relations trade and in the *consulting* business that serves it, the backgrounds of the individuals involved and the workplace responsibilities, generally fall in to one of a few categories.

Some companies assign responsibility for government relations to a veteran employee of the company whose tour of duty in GR is but part of a progression through management ranks. Their prime area of experience is with the industry in which their company operates; it has *not* been in the fields of government, politics and public policy though they are charged with learning about all of that as quickly as possible.

Other organizations opt for a government-relations person whose background and areas of interest and expertise is the political and public-policy process. They can be former political staffers to ministers or MPs or former public servants whose government experience was in an area of particular importance to their new employer. Sometimes – although less often in Canada than in the U.S. – they are former elected officials.

The mandate and focus of activity for the government-relations unit of a company or association depends on a number of variables:

- the extent to which the company or the industry in which it operates is regulated by government
- the relative importance of “sales” of the organization’s products or services to governments
- the degree to which the company’s or association’s activities are influenced by government programs or regulations; and
- the extent to which the senior management of the organization wants him or herself and the organization they lead to be a significant and visible player in the country’s political and public-policy communities.

Many organizations rely entirely on their in-house resources to deal with all their government-relations requirements. While some companies rely on their in-house lawyers for managing the organization’s relationship with governments, others build their own internal GR unit. In particularly large corporations, the GR department often serves the organization as if the GR shop was an internal consulting enterprise -- the various staff and operating units of the company are treated as individual “clients.”

In the minds of many *outside* government - in companies, associations and interest groups - when faced with the prospect that their own efforts to influence a government decision (i.e. winning a contract, obtaining a grant or amending a regulation, etc.) are not getting anywhere, their first instinct is to find and retain someone deemed to be “wired” to decision-makers at the political or bureaucratic level. Thus, we’ve witnessed the creation of the consultant lobbyists community.

Though this happens frequently, it is still a small proportion of the instances in which there is an organized attempt to influence a decision of government. In most cases, the advocacy work, whether on behalf of a company, a trade association or professional group is conceived, planned and implemented by the organization’s in-house resources. And make no mistake about it: the majority of interest groups in Canada have at least some in-house resources focused on

***make no mistake about it: the majority of interest groups in Canada have at least some in-house resources focused on dealing with government.***

dealing with government.

There are several national industry and professional associations in Ottawa with a dozen or more staff assigned to responsibilities associated with public-policy or government-relations work. Nationally, hundreds of associations and interest groups each have at least one mid-level government-relations staffer. Among operating companies, a relatively small proportion of the overall corporate sector has GR-focused in-house personnel. But most of the broadly-familiar brand-name enterprises in all sectors of the economy have some manner of in-house government-relations capacity, often involving a half-dozen or more professionals. This includes companies involved in financial services, energy, health care, pharmaceuticals, manufacturing, information technology, communications and transportation – and that’s only the start of the list.

But that still leaves thousands of smaller enterprises across the country for which there is no discernible, sustaining need for full-time, in-house government-relations staff. These companies rely largely on their industry or trade associations to deal with industry-wide concerns but then also individually and occasionally retain consultants as required.

The reality is that most operating companies in Canada spend relatively little time worrying about public policy or dealing with government. And most of them want to keep it that way. The allure of gaining any financial benefit from government – selling goods or services, securing a loan or a grant – has been fast fading for many companies that have learned that the rapidly rising transactional costs of dealing with government is a hassle they can happily choose to avoid.

## **Government-Relations Consulting Firms**

A key issue to be addressed in this paper is the potential creation and possible role of a government-relations (GR) consultancy focused on the needs of the sector. Before getting to that, some discussion about the nature of such consulting activity is in order.

Naturally, most organizations – whether in the private or not-for-profit sectors - seldom want to incur the expense of retaining outside GR consultants if they can solve their problems and achieve their objectives themselves. After all, senior management asks, why do they have in-house GR personnel if they’re going to be spending money on consultants? Yet, there are many possible reasons which prompt organizations to get outside help:

- The in-house GR personnel have too many things on their plate and they need help with a specific issue or need to spin it off to the attention of outside consultants in order for it to be handled in a timely fashion.
- In order to effectively deal with a particular file, they may need some issue or process specialist unavailable in-house;
- The client may feel it needs insights or special “access” to government officials’ thinking on the issue and that at hand does not have that access. The client may also feel it needs

assistance in meeting with key government officials and advice on how they should relate to those officials.

- Particularly common is the phenomenon of hiring outsiders when the in-house GR personnel have failed, to date, in their efforts. In this case, the in-house department may feel it needs to demonstrate to superiors that it has done *everything* – to achieve their management’s objectives, including the hiring of what are perceived as well-plugged-in, skilled consultant-lobbyists;

Twenty years ago, the typical relationship between a client and a GR consultant featured a monthly retainer fee for the services of a capital-based government-relations consulting firm. Typically this fee was in the area of \$3,000-\$5,000; sometimes, particularly if extensive ancillary services were provided, this could run to \$10,000 or \$20,000 monthly) For this fee, the client received on-going regular oral telephone or in-person briefings (weekly, monthly or quarterly, as circumstances dictated). The consultants were available to tender strategic advice to the client or answer queries on political and public-policy matters across a pre-determined set of issues. These were frequently on-going, long-term client-consultant relationships based on a relatively static fee level, though there was typically provision made for extra-billing if the volume of service spiked up as a result of prolonged, intensive client servicing.

While this model is still employed by some companies and their GR consultants, there has been a general tendency over the years for client-organizations (companies and associations) to take on consultants only if there is a need for advice or assistance on a specific project or issue, typically over a limited time frame. Charges for such a service are either specific, project-fee based (e.g. a set fee of \$5,000 or \$25,000) or charged on the basis of hourly rates (that can run anywhere from about \$150/hour to \$500/hour, typically averaging about \$350/hour for senior personnel.)

The government-relations consulting trade is intensely competitive with many consulting companies – there are dozens in Ottawa, alone - chasing the same potential business.

How does a client choose a consultant? Cost is always an issue - except in “bet-the-company” circumstances when protagonists may retain several teams of consultants each. But clients typically look for GR consultants or lobbyists who hold the potential for making up for whatever the client feels they are lacking – “access,” “insight”, or “technical knowledge.” There’s little question that a principal determinant is often, simply, how well-connected the consultant appears to be. Whom did he/she work for in Government? Does she know the minister and the minister’s staff or the key bureaucrats in a particular ministry? And the ubiquitous, “Can they get us in to see the minister?”

***There is an all-too-common assumption by many consumers of government-relations services that ultimate success hinges primarily on “getting the minister’s ear” on an issue.***

The perception of a consultant’s “access” to key players - ministers, senior officials, etc. - is almost always a consideration. There is an all-too-common assumption by many consumers of government-

relations services that ultimate success hinges primarily on “getting the minister’s ear” on an issue.

The corporate and association executives who usually select the consultants often know that good contacts within the bureaucracy can be at least as important as “access” at the ministerial level but, for these executives, the “sizzle” that impresses their superiors or association members is the suggestion that their consultants have contacts that extend right up to the ultimate decision-makers - whoever they may be.

There is considerable variation in the format of the interaction and “deliverables” provided by GR consulting enterprises. Many are very light on originally drafted written product, opting instead for oral reporting and advice by telephone or short, sharp e-mail notes, often with electronic attachments such as excerpts from government web-sites. They typically try to be very responsive to client queries for information and requests for advice on how to handle certain situations – much of which is responded to orally, and not in writing.

A few GR consulting firms – and some of the law firms that provide similar services - tend to be much more written-product oriented, providing all manner of written analysis and background information, strategies and draft material for submission to government, in addition to being responsive to requests for quick oral advice or a “read” on the current political and public policy environment.

One thing that all consulting services try to provide is an on-going assessment of a government’s priorities and preoccupations. While such information and insight often includes intelligence and analysis that is readily available from a thorough read of general and specialty publications, the consultants can - and frequently do – add some colour commentary, unavailable in the media, that can be insightful, provocative, entertaining and occasionally even usefully relevant to clients. (Indeed, providing such information is often a means of subtly telegraphing to clients how well plugged-in, connected and well-informed the consultant is.)

For example, information and insight provided by a consultant that speaks to the relative political standing and authority of various ministers (or their senior advisors and officials), might not ever turn up in the reports of the mainstream media, but it can be valuable to those outside government who are seeking the appropriate champion or sponsor for a particular issue.

In short, much of the helpful advice such as that provided by a good government-relations consultant need not be voluminous. And furnishing it, for some consultants, is often not very labour-intensive. Nonetheless, it can provide value to the client in making them better informed and prepared and more sophisticated in their dealings with government officials.

***a good GR consultant will help a client craft an appropriate “ask” - in other words, help make the client’s request of government an optimally realistic one that takes into account the relevant realities in and around the issue at hand.***

Perhaps, most importantly, a good consultant will help a client craft an appropriate “ask” - in other words, help make the client’s request of government an optimally realistic one that takes into account the relevant realities in and around the issue at hand.

So, in sum, can the use of experienced external consultants in lobbying or government relations guarantee success? Of course not, but, on balance, the advice and assistance provided by competent, experienced GR consultants increases the prospect of success, or at least the achievement of some manner of alternative, acceptable outcome.

As with many other areas of consulting endeavour, the benefits of employing GR consultants lies in whatever “value-added” they can provide:

- Are the insights the consultants provide on either policy or process, politics or public policy, relevant to the organization’s challenges, objectives and strategy?
- Are the consultants’ contacts at the political or bureaucratic level those from which the client organization would not otherwise gain value?
- Can the consultant provide – or at least inspire - an alternative “narrative” or “story” which the organization can use as part of its advocacy?
- Can the consultant provide valuable “back-channel” feedback to the client organization on how its representations are being received by decision-makers and advisors - information that could be helpful in developing future arguments?
- Can/does the consultant provide good technical advice or assistance in crafting documentation (i.e. submissions, applications, briefing notes, backgrounders, options papers, issue analyses, etc.) which are helpful in advancing one’s issue?
- Can the consultant provide practical, alternative strategic approaches to the organization’s advocacy plan?
- Can the consultant suggest or facilitate an approach to coalition-building that will strengthen the organization’s cause?

Is the use of government-relations consultants an inevitable necessity for companies or organizations aiming to influence decisions of government? In this writer’s opinion, absolutely not! That assumes, of course, that the organization has, within its own ranks – on its staff, on its board or among voluntary advisors – individuals who can bring to the organization the knowledge, mindset, experience, perspective, contacts and skills that are relevant to effective public-policy advocacy.

If an organization doesn't currently have access to such human resources, can these attributes and skills be learned or otherwise acquired by the organization? Yes – and how to do just that is the focus of the rest of this paper.

## Part Three: Goals and Guiding Principles

Among the benefits gained from talking with about two dozen people in the course of preparing this paper were the ideas offered, explored and debated on the matter of “goals,” “guiding principles,” and “underlying values.”

The fundamental goals are straightforward enough: improving the capacity of Canada’s charitable/non-profit/NGO sector to deal more effectively with governments at all levels, including an enhancement of the sector’s ability to influence decisions of government.

More challenging, but equally important, are the principles and values that inform how these goals might be achieved. Based on those discussions as well as the author’s own experiences and reflections, following are some of the goals, principles and values that inform the recommendations made in this paper.

They are:

- an emphasis on **sustainability**
- preference for use of a **social enterprise model**
- the need to identify, **exploit and promote resources that already exist**
- emphasis on **collaboration**
- supporting both the **sector’s large and small players**
- plan for **incrementalism and scalability**

### Sustainability

In practical terms, whatever approaches or measures are to be recommended, sustainability must be both a value and a goal. In other words, in whatever is undertaken, consideration must be given to:

- long-term economic viability of the initiatives
- creating lasting value in individual sector organization and the sector at large
- the implications of relatively high turn-over in sector personnel

- the hard reality of the sector's limited financial resources

This also begs the question: “sustainability” on what terms? Does it assume - or not - the sector's ultimate ability to sustain initiatives created initially with Foundation help? Or does “sustainability” assume some manner of on-going subsidization from one or another source to make up for normal market revenues?

This paper assumes that certain “start-up and build” costs of specific initiatives would be underwritten by foundations, corporations and perhaps even some government seed-funding. Ultimately though, the initiatives proposed in this paper all assume either eventual financial self-reliance or, at most, much reduced financial support from philanthropic or corporate sources to top-up fee-generated revenue. In short, it is recognized that there must be some manner of market mechanism attached to the initiatives proposed. If the “paying market” for services provided at below commercial-market levels is substantially insufficient, such services cannot be viewed as sustainable.

*The initiatives proposed in this paper all assume either eventual financial self-reliance or, at most, much reduced financial support from philanthropic or corporate sources to top-up fee-generated revenue*

Another feature of sustainability in this context is an approach to capacity-building that invests in the sector's ability to regenerate, to prepare and plan for future challenges and needs. This means giving priority to the development in the sector of political and intellectual capital of lasting value. In practical terms, it means putting emphasis on on-going skills and knowledge development, means of capturing and exploiting what is learned for future application and always preparing a new generation of leaders and public-policy advocates in the sector.

## **A Social Enterprise Model**

There appears to be broad support in the sector for initiatives to be developed and managed using some manner of “social enterprise” model.

The truly successful social enterprises are those that make ends meet, that have a business plan whose products and services are costed and priced in line with the realities of their market, whose employees could always make better incomes elsewhere but whose passion for the work binds them to the enterprise, whose “revenues in excess of expenses” are always plowed back into the enterprise, but whose mission also always provides for looking beyond the bottom line, when necessary.

This notion, of course, relates back to the concept and relevance of sustainability. An organization that is incapable of surviving on its own without being propped up has little future.

The literature on social enterprise is varied and growing every day. Wikipedia offers this take:

In Britain, the focus is on the use of the surplus as the defining characteristic. In North America, there is less emphasis on generating a surplus and more on the double bottom line nature of the enterprise. European usage tends to add the criterion of social rather than individual ownership.

Social enterprises are generally held to comprise the more businesslike end of the spectrum of organizations that make up the third sector or social economy. A commonly-cited rule of thumb is that at least half their income is derived from trading rather than from subsidy or donations [http://en.wikipedia.org/wiki/Social\\_enterprise](http://en.wikipedia.org/wiki/Social_enterprise)

The focus here is on the enterprise being carried out by a nonprofit/charity organization, and generating revenue, but not necessarily a surplus. Many social enterprises in North America are considered successful if they break even, or even if they operate at a loss if the effectiveness in social mission is achieved.  
[http://en.wikipedia.org/wiki/Social\\_enterprise](http://en.wikipedia.org/wiki/Social_enterprise)

The initiatives suggested in this paper are all based on a social enterprise model.

## **Exploit and Promote Resources That Already Exist**

In other words, “let’s not re-invent the wheel.” Recognizing that there are already initiatives, programs, organizations and individuals doing important things to help the sector in its public-policy advocacy, it’s vital that these be identified, exploited and promoted. Before new initiatives are launched or new organizations created, emphasis must be placed on how best to take advantage of, and build upon, what is already in place or in the process of being developed. This doesn’t mean that new things shouldn’t be initiated or organizations formed, but only after an examination of existing capacities, potential host organizations, etc. This is particularly relevant when one considers the financial cost and the time involved in establishing a new charity or NGO when so many already exist that could play a role in delivering what is being proposed.

## **Emphasis on Collaboration**

A common concern among many in the sector is the prospect – or, in the mind of some, the current reality - of excessive rivalry among organizations in the sector.

A certain amount of this rivalry is inevitable in the competition for resources, mandate and recognition. This happens at the local level when two or more organizations find themselves competing for, as an example, funding by a government agency. A similar phenomenon can take place among national organizations when the stakes are much higher.

An oft-repeated wish of several leaders in the sector has been that, whatever initiatives are undertaken in the months ahead, special emphasis be placed on approaches that maximize the potential for collaborative effort among those organizations wishing to play a role in improving the sector's overall effectiveness in influencing decisions of government.

Taken with the previously articulated principle ("Exploit and Promote Resources That Already Exist"), this might mean developing governance and operating structures for any new initiatives that provide for the active participation of several existing organizations.

It also means that organizations in the sector cannot play the "information is power" game, where key insights and information are not shared with others in the sector but, rather, are hoarded in the belief that some strategic advantage for one's organization can be gained. While promises of confidentiality must, of course, be respected, sector organizations are going to have to find ways to make information available to others in the sector, for the common good of the sector

### **Supporting the Sector's Large and Small Players:**

On one matter there was not much consensus -- the question of whether the focus of any new initiatives should be on the needs of the many small sector organizations in Canada or on the big issues and more complex challenges of large organizations and coalitions.

On the one hand, the sheer size of the sector overall (some 82,000 registered charities alone, not to mention non-charity NGOs) makes it unlikely that any type of new service or organization could ever effectively address, or assist in dealing with, the vast number and array of issues faced individually or collectively. Meanwhile, a focus on national issues and national organizations fails to take into account an important reality underlined by many in the sector; that is, for the vast majority of charities and NGOs in this country, their provincial and local governments are of greater direct relevance to their concerns than are the weighty matters of national (or federal) import.

One veteran of a large national NGO has remarked: "At our national board meetings, our executive and senior staff are regularly berated for what the directors feel are our preoccupations with the federal government and so-called national issues at the expense of seemingly ignoring what they feel are the real, on-the-ground local and provincial priority matters."

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This paper's analysis and recommendations are based on the view that the "small versus large," "federal versus provincial/local" questions represent false choices and that at least some of the needs of the sector overall (large and small, nationally focused or locally oriented) can be addressed by appropriate design, strategic partnerships, clever leveraging and smart use of modern technologies. Nonetheless, some tough final decisions on mandate, focus and priorities will still need to be made by the sector and its funders and some groups are bound to be disappointed.

### **Incrementalism and Scalability**

Another guiding principle is the notion that the proposed effort to increase the effectiveness of the charitable and non-profit sector is going to take some time and will involve a building exercise over several years. This paper suggests a vision for where the sector might want to be, say, five years from now, in terms of its capacity and that of its members to deal with government. But the emphasis of this paper is on how to *start* what will undoubtedly be a longer-term effort. It proposes some priority building blocks on to which future resources can be applied and new expectations defined.

## Part Four: Recommendations

The recommended course of action in this paper is based on four key premises.

The first is a recognition that there is no “silver bullet” of lobbying, no single approach that can guarantee success, but that there are practical, tangible things that can be done to enhance one’s prospects for success in influencing decisions of government.

The second is that a central determinant in effective public-policy advocacy is the degree to which the sector’s leaders and staff have a sophisticated, up-to-date awareness and understanding of how governments develop policy and make decisions and what this means for the analytical and communications skills which need to exist in sector organizations. In short, there is a need for a focused effort on developing the advocacy capacity and skills of sector organizations as an important, primary step. It’s consistent with a central tenet in the charitable and voluntary sector: it’s vital to help people help themselves.

The third premise holds that training is not enough -- that it should be complemented and supplemented by an increased availability of external, expert advice and assistance both to support sector advocacy efforts and to help impart the benefit of valuable experience, contacts, relevant knowledge, insight and know-how.

The fourth premise is that, notwithstanding the need for the sector to upgrade the capacities and skills of its people with respect to public policy and advocacy and quite apart from the value of having skilled and experienced advisors available to sector organizations, there is still a critical need for some important systemic change in this country, particularly as it relates to government’s approach to transparency in its decision-making and the news media’s role in explaining how government and politics really work in Canada.

Based on the terms of reference for this paper along with the aforementioned analysis, premises and the proposed guiding principles, the following recommendations are offered here as the basis for a government-relations/public-policy program for the sector.

The proposed initiatives fall under four themes or headings:

- Help build the sector’s understanding, capacity and “street smarts About government, politics and public-policy advocacy

*There is no “silver bullet” of lobbying, no single approach that can guarantee success, but that there are practical, tangible things that can be done to enhance one’s prospects for success in influencing decisions of government*

- Facilitate access by sector organizations to external expert advice and assistance in public-policy advocacy
- Promote, develop and disseminate knowledge and learning tools about public-policy advocacy
- Confront key systemic barriers to citizen understanding, access and effectiveness in democratic decision-making

## **Recommendation #1**

### **Help build the sector’s understanding, capacity and street smarts about government, politics and public-policy advocacy**

The thinking behind this initiative is simple: the more that sector organizations, their Boards and staff, know about public policy, politics and government, the better they are likely to be in working constructively with government and influencing its decisions.

There needs to be a greater, practical understanding among sector players of

- how governments operate and make decisions;
- how the public-policy and political decision-making processes work and interact;
- the pressures and demands on government related to the legal, administrative, federal-provincial, international, jurisdictional and precedential dimensions of issues; and
- the lens (or lenses) through which bureaucrats, political staff and politicians view issues/decisions.

*The more that sector organizations, their Boards and staff, know about public policy, politics and government, the better they are likely to be in working constructively with government and influencing its decisions.*

There are various levels of understanding that are relevant. Of course, it’s important that there are people employed in, or contracted by, sector organizations who have extensive, first-hand experience in policy and politics, available to be deployed in intensive policy-development exercises. But it is one of the contentions of this paper that those who are involved in public-policy advocacy (a.k.a. “lobbying”) needn’t be policy experts *per se* but do need to have a good current,

working knowledge of how government, policy-making and decision-making happen in government and an understanding of how it's relevant to effective advocacy.

Public-policy advocacy is yet another area of modern endeavour that requires life-long learning. There are certain institutional verities that are both ubiquitous and don't change much over-time -- basic political dynamics and public administration practices. But the reality is that there is much in any government that is ever-changing – among them priorities, themes, narratives, personalities and decision-making processes. These require on-going monitoring, assessment and a consequent, constant recalibration of advocacy approaches and strategies. Thus, increasing and improving one's awareness and understanding of government decision-making is an on-going challenge, even with – indeed, especially for – those who do it for a full-time living.

Similarly, an organization interested in improving its effectiveness in dealing with governments needs also to track and assess emerging and evolving approaches to the art and science of influencing decisions of government (“best practices”, “preferred practices,” new technologies, new approaches to strategy, tactics and management of both public-policy and political research and advocacy itself.) This, too, is an on-going quest.

This paper posits certain assumptions with respect to the “capacities” and “skills” relevant to improving the sector's effectiveness in influencing decisions of government.

A distinction should be made between what is meant here by “capacities” and “skills.”

The skills possessed by an organization's leadership and staff, relevant to effective advocacy, are but one of the “capacities” that need to be addressed. Other capacities include:

- adequate financial and human resources i.e. overall organizational management strength;
- “time” among staff and/or volunteers to do what needs to be done;
- the “headspace”, i.e. attitudes, mindsets and relevant hands-on experience within an organization (particularly among its leadership) with respect to the relevance and role of public policy to the mission of the organization; as well as
- the ability for the organization to conceive and adopt practical, achievable political and public policy objectives.

And overall, there is the matter of what some describe as the “absorptive capacity” of the organization or individuals in it to acquire - or learn or be taught - the skills necessary for success.

So, how might one identify and define the specific capacities and skills related to effective public-policy advocacy that are relevant to sector organizations bent on improving the effectiveness of their advocacy efforts? These might include the capacity and/or skill to:

- determine and establish relevant, achievable political and public-policy priorities and objectives for the organization -- defining a realistic “ask” of government
- conduct relevant strategic inquiry and research in support of advocacy activities
- develop, implement and manage advocacy strategies and plans
- prepare, package and effectively present public-policy propositions to government
- develop and effectively use public-policy advocacy tools (tactics, documents, meetings and presentations)
- establish, develop and sustain constructive strategic relationships with individuals and organizations that have the potential to contribute to a sector organization’s political and public-policy objectives
- be viewed as constructive, credible participants in policy development by Government

The above-mentioned “capacities,” of course have a number of dimensions each. Each involves certain skill sets, some of which can be taught, some requiring hands-on experience in addition to traditional means of instruction. Each of these capacities also requires either the organization’s ability to attract and train volunteer resources or the necessary financial resources to hire or contract with individuals who already have the requisite skills sets and experience to provide relevant training to in-house staff.

The “street smarts” cited earlier refers to those things which often are beyond the reach of traditional “teaching” and “learning” but, rather, are a function of first-hand experience and the ability to incorporate and apply the lessons gained from such experience to the objectives and challenges of the relevant client or employer. It involves the development of sensibilities to much of the informal practices and cultural norms associated with political activity and behaviour. These include learning how to “network”, how to read and interpret political considerations, confronting and dealing with irregularities, corruption and “scandal and how to confront various other ethical considerations encountered in public-policy advocacy.

***“Street smarts” refers to those things which often are beyond the reach of traditional “teaching” and “learning” but, rather, are a function of first-hand experience and the ability to incorporate and apply the lessons gained from such experience to the objectives and challenges of the relevant client or employer***

Thus, an important dimension of this initiative must be the awareness that not everything related to effective advocacy can necessarily be “taught or “learned” in the conventional sense, using

classrooms or even distance-learning technology

Other means of providing training and relevant experience involve making available opportunities for individuals employed by the sector to work directly on advocacy efforts of other groups, through such means as executive interchange, internships or fellowship programs or by facilitating the involvement of volunteer mentors, coaches and consultants (to be explored in more detail later in this paper).

There are several ways this initiative can be realized and managed. The development and provision of training programs and workshops for sector organizations in policy-development and advocacy is an obvious one. This could involve both in-classroom and distance-education (i.e. on-line, interactive) formats -- detailed, intensive multi-component courses in policy and advocacy as well as short, more narrowly focused workshops or seminars ranging from one-hour to a half-day or full day in length.

But, back to training, there is the question of providers or who is best equipped to develop and present effective and engaging programs for employees and leaders in the sector. One vehicle through which such training can be provided is the government-relations consultancy that is being described in this paper. But, it's important to be aware of some *existing* training and educational programs that are already available – and, in some cases, already being accessed by sector organizations. These include:

- the recently launched Maytree-Wellesley Public Policy Training Institute sponsored by the Maytree Foundation and Wellesley Central (see Appendix D for draft program) “to build the capacity of social activists and change agents to create policy change. The objective of the program is to provide participants with the knowledge and skills required to develop, influence and monitor public policy on issues relevant to their communities of interest.”
- the seminars and workshops in lobbying developed and sponsored by the Government Relations Leadership Institute of Canada – a joint initiative of the Canadian Society of Association Executives and the Government Relations Institute of Canada
- the seminars and workshops on the policy process developed and delivered by the Institute on Governance
- the workshops and seminars sponsored by the Toronto-based Public Affairs Association of Canada
- the various courses in policy analysis and interest-group behaviour available at several Canadian universities and community colleges (e.g. Queens University, Carleton University, the University of Ottawa, Mount Royal College, University of Lethbridge, University of British Columbia, University of Victoria, University of Guelph, Ryerson Polytechnic University, Dalhousie University and York University, to name but a few).

Appendix C provides examples of the various type of formal and informal training that could form the basis of “Build Understanding, Capacity – and Street Smarts.”

## Recommendation # 2

### Facilitating Access to External, Expert Advice and Assistance

Even with internal resources and training, there will still often be a need by sector organizations to have the benefit of advice and assistance from individuals outside the organization. This external experience and counsel can be helpful in developing and executing a successful advocacy strategy, just as it is with other organizations that embark upon government-relations work. Whether it's an informed "second opinion" for a major national charity on an issue or proposed strategy that's needed or some advice to a small NGO on where to start in dealing with government, independent outside advice can be very helpful.

Of course, there's a need to be mindful of the limited financial resources available to most NGOs and charities, so alternatives need to be considered. It's also important to acknowledge that the range of needed external advice will be highly variable and could involve everything from some simple start-up advice through to extensive on-going involvement by the outside advisors.

*there will still often be a need . . .to have the benefit of advice and assistance from individuals outside the organization*

So, where might such advice and assistance be found? Four sources are proposed here:

- from the sector itself, through the creation of an informal (perhaps web-based) "*advocacy information and advisory exchange*," through which sector organizations can seek advice from others in the sector on how to handle certain situations, obtain critiques of advocacy strategies, receive suggestions on research sources or important contacts in government
- from experienced volunteer resources drawn from among *retired* politicians, public servants, political staff and professional government-relations specialists who no longer work for a living in the field but who are prepared to volunteer the benefit of their experience to sector organizations
- from volunteers drawn from the community of *still-active* government-relations specialists in corporations, associations and consulting companies and law firms
- from the university community, particularly faculty-supervised student project groups (e.g. Queens University School of Policy Studies, *Policy Pro Bono* and a similar one being considered at Carleton's School of Public Policy and Administration).

Key to exploiting the potential of such volunteer advice and assistance will be three things:

- a solid data-base or list, simply constructed, regularly updated, easy to access and use by those so authorized. The creation, maintenance and management of this resource should lie with a particular NGO; it could be the proposed GR non-profit consultancy or some other existing NGO whose mission, terms of reference and resources are aligned with such an initiative.
- the collaboration – or ideally, the active involvement – of such organizations as the Association of Professional Executives of the Public Service (APEX), the Canadian Association of Former Parliamentarians, (and their provincial and municipal counterparts), the Federation of Canadian Municipalities, etc., that would be valuable sources of information, such as identifying interested retirees
- some manner of training program and relevant written material that provides guidance to volunteers on how they can best be of service and value to charities and non-profits in their public-policy advocacy; such training could be developed and provided by either universities or the non-profit government-relations consultancy or by some other NGO

## **Pro Bono Services From the Commercial GR Sector**

There are some practitioners in the government-relations field who already make time in their schedules to provide volunteer, unpaid advice and assistance on lobbying to charitable and non-profit organizations, but it is most often undertaken on an informal, *ad hoc* basis. Moreover, the proportion of professional GR practitioners who provide such services *gratis* is probably modest when one considers the thousands who are active in this line of work nationally.

Virtually every corporation of any significant size along with most professional and industry associations have individuals on staff whose job it is to handle the organization's relationships with government. Admittedly, some of them are novices or individuals who have been placed in their jobs for reasons other than a background or real skills in public-policy advocacy. But most have significant experience in certain policy fields and well-developed skills and contacts which can of considerable value to a charity or non-profit.

What is proposed here is a methodical and focused effort at recruiting the volunteer services of people who work full-time in the field as either in-house specialists in government relations or as consulting lobbyists in GR, law or management consulting firms.

Four things will be needed:

- an outreach, promotional effort to identify and motivate GR practitioners to find time in their commercially driven schedules to help the charitable and non-profit sector
- the collaboration – and ideally, the active involvement - of such organizations as the Government Relations Institute of Canada and the Public Affairs Association of Canada that are often looking for ways of demonstrating the professionalism of their members

and the contribution of their line of work to good public policy and administration; through these groups, a variety of incentives, recognition and award initiatives can be developed

- as with retired volunteers (described above), some type of training and written material that provides guidance to volunteers on how they can best be of service and value to charities and non-profits in their public-policy advocacy; again, such training could be developed and provided by either universities, the non-profit government-relations consultancy or some other NGO
- a central co-ordinating agency – probably an existing NGO or the non-profit government-relations consultancy - to develop and manage the recruitment/promotion effort, maintain a database/referral service and the appropriate training and follow-up

(Appendix A provides additional detail in summary fashion of how these initiatives might be structured.)

## **A Non-Profit Government-Relations Consulting Service**

The core services of such an entity (the Centre) could be similar in many respects to those offered by commercial, for-profit government-relations consultancies, focused in particular on providing strategic advice and guidance on implementation of an advocacy plan. However, it is recommended that both the overall purpose and the service orientation of the enterprise would be quite different than what is commonly available in the private sector

In short, services provided should be designed and delivered in such a manner that they contribute towards the *increasing self-reliance* of clients to deal effectively with governments. In other words, one of the metrics for successful service to clients by this social enterprise should be the extent to which the client organization and/or its employees feel they have learned something of relevance and enduring value about how to deal effectively with government. Another key feature of the enterprise – over time, though probably not for the first few years - would be its role as a training Centre in advocacy for employees of sector organizations, involving secondments and internships where participants would have an opportunity to learn new skills while assisting in the provision of service to clients of the Centre.

### ***Policy / Design Questions:***

**Location:** Where should the entity be based? Where it's headquartered and where its professional resources reside are two very different matters. In the cyber-age, most anything seems possible. There's been a clear signal from NGOs that their most common concerns and priority issues are related to municipal and provincial governments (rather than the federal government). It will be important that the Centre is equipped to provide value to clients not just from its main-

office personnel but also from associate-consultants affiliated with the Centre and based in various communities across Canada.

Ottawa makes sense as the site from which the Centre's professional services are co-ordinated and managed, though a central feature of the concept is that there be professional resources available through the company that can provide relevant services and informed advice to groups dealing at the provincial and local levels of government.

Ottawa-based consultants using long-distance telephone and web-based tools can help small-town NGOs anywhere in Canada in their government-relations and public-policy advocacy work

Locating the facility in Ottawa enables the center to draw on the substantial resources of the National Capital Area, in the public service, in academia, the retired community, as well as easy access to the Ottawa bureaux of all national media organizations.

**Services:** The services provided by the Centre would depend, in part, on a number of factors: the nature and volume of demand from clients in the sector, the skills and experience of the Centre's staff and associate resources, and the costs associated with providing certain services (some will be more labour-intensive than others; some will be provided individually, others on a broader, more generic basis). The costs of providing services, in turn, will be partly a function of the needs and in-house capacities of client organizations. The Centre – i.e. its Board - of course, will ultimately have to define and determine the range of services it will provide.

It is recommended that there be five general types of *consulting services* provided:

- training/education/ mentoring of client organizations, their boards and their staffs on public-policy development and advocacy
- start-up advice to client organizations on where and how to start their advocacy effort including how to conceive, develop, implement and manage advocacy strategies and plans on a specific issue
- “second opinions” on client-developed advocacy strategies, “asks” and plans
- insight, intelligence, information gathering and “back-channel feed-back” on specific initiatives and advocacy objectives<sup>5</sup>

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<sup>5</sup> There should also be a special effort among supporting sector organizations to regularly and systemically share insight and information relevant to public-policy advocacy. This can be done in a number of ways but one in which the Centre might play an important co-ordinating role is to organize and facilitate a regular telephone conference call “roundtable” among participating sector organizations during which they would share and compare information on key process, policy and personnel developments relevant to the sector broadly

***There's been a clear signal from NGOs that their most common concerns and priority issues are related to municipal and provincial governments - rather than the federal government.***

- operational assistance with implementation of specific advocacy strategies and plans

As noted above, an additional role for the Centre could be as a part of what ultimately could develop into a ***National Training Academy in Public-Policy Advocacy***. This initiative would probably benefit from the involvement of those Canadian universities that wish to expand their research, academic teaching and extension-course learning activities into courses related to public-policy advocacy. It might also provide a venue for a ***national internship program in public-policy advocacy*** whereby both university students with an interest in politics, public administration, policy or advocacy as well as the staff of NGOs can go for focused, hands-on experience in lobbying and public-policy development, experience that could be valuable and brought back to their sponsoring organization. Though the costs (and responsibilities and distractions) of providing guidance to interns can be substantial, if managed properly, it might also be a means of providing some basic staff resources for the fledgling Centre.

The work of the Centre might also include the ***development and management of the various databases and training programs suggested earlier with respect to the recruitment and deployment of volunteer resources***, though, as noted above, this function could also be assigned to a specific NGO as a separately-funded project.

***Fees and Other Revenues:*** As noted earlier, it is proposed that the Centre be designed and managed as a “social enterprise,” that is, most, if not all, its services would be provided on a “fee-for-service,” either based on an hourly-rate (i.e. consulting services at, say, between \$75 and \$150 per hour with or without a budget “ceiling”) or priced at a negotiated fixed-fee for either a multi-month project term or the production of a specific “deliverable,” (e.g. a \$2,000 - \$3,000 per month retainer for services of certain consultants; a fixed fee of \$1,500 or more to plan and conduct a training session or facilitate a board of directors discussion about a public-policy issue and related advocacy strategy).

However, it’s likely that there will be virtually unlimited demand for “free” advice and service from the Centre. Indeed there doubtless will be instances when the “cost” of providing very simple but valuable service to a sector organization is *de minimis*. In the early days of the enterprise, it will be important to have some balance in all this, i.e. providing “free advice” where possible and in a targeted way while at the same time ensuring that revenue is realized by providing advice or assistance that is labour intensive, especially to sector organizations that have the resources to pay – and are used to paying for – professional advice and assistance.

Fee-generated revenue notwithstanding, it’s highly unlikely that the Centre could be started off on the road to self-sustainability without some seed-funding and medium-term financial support from donor organizations. It will be absolutely necessary. At the outset, this seed funding would probably amount to between \$300,000 and \$500,000 per annum.

***Staff and Management Resources:*** The size and nature of the staff and management complement of the Centre would depend on a number of variables. First among them would be whether the Centre is structured and managed as a stand-alone organization or whether it is, at least at the

outset, attached to (i.e. an operating unit or department of) an existing NGO or charity. This has particular implications for the administrative, financial management and physical facilities of the Centre. In any event, the full-time staff complement should be modest, consisting of:

- an Executive Director - a senior (7-10 years experience) GR practitioner with experience in public-policy and advocacy, especially in consulting, and familiarity with the particular needs and constraints within the sector
- a full-time staff (by the end of year one) of an additional 3-4 practitioners with political or public service experience as well as experience as a consultant and a sensitivity to sector resource realities
- regional “associate consultants”, at least at the beginning – and depending on demand - retained on a continuing part-time basis (usually per project) to provide advice and assistance on local and provincial matters in their areas.

All consultants should have voluntary-sector sensibility and/or experience. All should be prepared to train or teach as well as to provide client service.

**Governance:** There are at least two approaches to the Centre’s governance that could be considered, both of them rooted, one way or another, in the principles enunciated earlier: i.e. having the entity designed and managed as a social enterprise; taking advantage of existing organizational and institutional capacity in the sector; and providing a means of harnessing the collaborative energies of various players in Canada’s NGO sector.

Those options include:

- locating the Centre in an existing Canadian NGO under the auspices of the NGO’s Board of Directors and as one of the operating units for which the NGO’s executive director (or most senior officer) is responsible. This option exploits certain economies of scale and shared-service efficiencies. Its link to other parts of the Canadian NGO community could be enhanced through the creation of an advisory board including representatives from other Canadian NGOs with an interest and mandate in public-policy advocacy.
- establishing a new, stand-alone non-profit organization with its own independent Board of Directors, its own Executive Director and staff. Some of the cost efficiencies of the first governance option might be lost but there will likely be less potential for some of the problems that might attend the first option – such as “mission creep” with the host NGO, the complexities of “cross-subsidization” and other revenue and expense complications between the various service areas of the host NGO. This option may provide the basis for a clearer focus on the Centre’s mission and can also reflect the oft-expressed desire for collaboration in the sector through use of the sort of Advisory Board proposed for the first option.

(Appendix B provides additional detail in summary fashion on how this initiative might be structured.)

One “policy” and “operations” matter that the Centre’s governing authority (its “board”) will need to consider early on is how to deal with client conflict. It’s something that all consulting enterprises must confront sooner or later: What to do when you have two or more clients with competing and/or conflicting objectives and goals? Several models can be considered ranging from protocols that provide for “ethical screens” between those staff working for conflicted or competing issues through to a policy that requires the Centre to pick and choose which clients they’ll stick with versus those they made to lose.

## Recommendation # 3

### Develop and Disseminate Knowledge and Learning Tools

A great deal of written material is currently available on public-policy and the non-profit, voluntary and charitable sector. Some organizations are already using such information to inform their own approach to dealing with government. But very little of this material deals with the *dynamics* of advocacy. There's a distinct lack of research, analysis and teaching materials related to public-policy advocacy (i.e. lobbying) in Canada, particularly involving non-profits and charities.

One of the reasons there is so little known or written about how lobbying works is that those who are active in the field are often reluctant to talk or write frankly about it. There are many quite understandable reasons for this that have nothing to do with malfeasance, bad faith, illegality, unethical behaviour or corruption, though certainly every government and every age has some of that.

Rather, people both in government as well as in advocacy organizations are often reluctant to be forthcoming about their observations and experiences in lobbying because they don't want to burn bridges with those whom they have previously dealt with on the object of their advocacy. This is one of the reasons why there are so few case studies about real lobbying activities.

The nature of politics and much public-policy decision-making is such that minds often need to change on the way to a decision. Compromises and trade-offs are made, alliances shift, "deals" and "understandings" are effected, bargaining and negotiating are undertaken, promises are made and then "readjusted" later, certain players get sidelined or parachuted in, "end runs" are done around the obstructive, and, occasionally, along the way, principles get trimmed, objectives are modified, previous commitments are put aside.

Important though they may be to understanding what happens on a particular matter and why, these are not easy things to write about and explain to others, especially if one intends to continue working in the fields of government, politics and public-policy advocacy.

There are often professional-conduct considerations, as well. Certainly, in the context of a law firm and some consulting enterprises, there are imperatives related to client confidentiality and client privilege. These can limit what can be said afterwards about the dynamics and details of an advocacy effort frequently involving dimensions that – while posing no legal or ethical problems – are nonetheless not the sort of thing one can necessarily talk or write openly about afterwards.

***People both in government as well as in advocacy organizations are often reluctant to be forthcoming about their observations and experiences in lobbying because they don't want to burn bridges with those whom they have previously dealt with on the object of their advocacy***

For example, the incompetence of lobbyists from the “other side” the inadequacy of a government’s research findings, the significance of warring factions within government or within a coalition of interest groups, the marginality of the role played by one group of ostensible “players” or another, some “short-cuts” taken by public servants to get things done, the political deals forged by ministers in cabinet committees, the salience of a government department’s “unstated” objectives on a matter that cannot be disclosed without causing a federal-provincial or international uproar, the difference between the real reasons things are happening and the “spin” that is put on an announcement by all parties involved.

None of these involve illegality or unethical behaviour but just the vagaries of public administration, commerce or politics. Nevertheless, they often end up being grist for those who want to believe - and ardently want others to believe - that illegalities and treacheries abound.

But not all lobbying activity is so complex and so sensitive that nothing can be said or written about it afterwards. There are many lessons to be learned, analytical frameworks to be considered and effective narratives to be examined, all drawn from accounts of how certain policies came to be, how various policy options were promoted and the manner in which competing lobbies made their pitches. Sometimes, “composite” stories and case studies need to be crafted in order to effectively convey important principles about the art and science of public-policy advocacy without disclosing specific details that would end up distracting from the essential lessons that need to be conveyed and learned.

Some Canadian universities and community colleges appear eager to develop and produce case studies and other resource materials as well as design and deliver both credit and non-credit courses in public-policy advocacy. In support of their efforts and to enable a more fulsome use of it by sector organizations, a number of initiatives should be explored:

- the sponsorship of a conference or symposium on public-policy advocacy by the sector thus prompting the launch of specific research on the subject
- the establishment of a clearing-house approach to cataloguing and promoting material on public-policy advocacy
- work on pedagogy – how to most effectively teach public-policy advocacy in both educational and professional development settings

Clearly, there are a number of important roles to be played here by Canada's universities, colleges and other academies. In some cases, it's already happening:

- **what universities and colleges are already doing:**
  - teaching courses in public-policy analysis and public administration
  - teaching and research related to numerous topics of relevance to the sector
  - some are sponsoring various public-policy support programs for local NGOs (e.g. Queens, Carleton and University of Ottawa)
  
- **what they could be doing (assuming financial support):**
  - faculty-supervised student research on public-policy advocacy (i.e. what works and what doesn't work) especially among non-profit groups
  - development of advocacy (government relations) case studies for use in future academic and non-academic courses in public-policy advocacy
  - establishing a national network of researchers in this field to exchange information on lines of inquiry and research
  - delivering a mechanism for training and teaching in public-policy advocacy for the sector (involving both academic credit and non-credit courses)

## **Recommendation # 4**

### **Confront Key Systemic Barriers to Citizen Understanding, Access and Effectiveness in Democratic Decision-Making**

Quite apart from the challenges represented by the imperfect nature of government and public administration and the relatively uneven ability of sector organizations to influence decisions of government, there are two other features of the Canadian scene that comprise systemic barriers to citizen understanding, access and effectiveness in democratic decision-making. They are the practices of Canadian governments when it comes to explaining their decisions to citizens; and the performance of the Canadian news media in its coverage of government and politics.

While confronting these two phenomena is presented here as among the most important concerns we should have about the state of our democracy, they are not being proposed as *priorities* for immediate action. This is not just because they are complex and defy easy solution (not that there are real “solutions” to any of the issues cited in this paper, only “responses”) but because this paper’s other recommended initiatives are more relevant, timely, doable and urgently needed by the sector. Nonetheless, they are issues worth exploring.

#### **Pressing for Greater Government Transparency in Decision-Making**

The first is an attempt to have all governments in Canada –federal, provincial and municipal – take a more open, proactive approach to facilitating and assisting the constructive participation of Canadians in public-policy advocacy.

While governments at all levels have increasingly employed a variety of public consultations initiatives - from stakeholder meetings and policy forums to citizenship engagement initiatives and use of the Internet – there remains a broadly held view by most Canadians and Canadian NGOs that such exercises remain unsatisfying and do little to instil confidence in government decision-making.

This is a complex issue, a bit like peeling an onion; one thing leads to another. While consultation on a matter of public policy is deemed a good thing by most, for some participants, it ends up being seen as merely “going through the motions,” and a set-up for what government policy-makers intended to do all along. Fiddling with the process – adding more discussion venues, broadening the list of participants, getting parliamentarians involved – can deal with some of the optics issues, but at the end of the day, still prove unsatisfying to many participants. This will always be the case for people or organizations that are disappointed in whatever is the government’s decision.

Even more unsettling is the failure by governments – common to most governments on most issues, most of the time - to provide a more complete public articulation of how they made their

decisions, what options and trade-offs were considered and an explanation of why certain options were not pursued. A particular aggravation for many is the failure of government to ever offer any explanation of why it rejected certain propositions. Conventional political and public-policy wisdom has it that engaging in such explanations is a political non-starter, likely only to motivate the “losers” on some issue to crank up and start again. Cautious and risk-averse political advisors will also be concerned that such an open approach will also serve as a gift to opposition parties

But the case should be made that governments have a vitally important on-going role in educating the public about how they work and how they decide. Through the manner in which they announce and explain their decisions, Canadian governments can be involved in an on-going civics education for all Canadians. And the Canadian charitable, non-profit and voluntary sector is an important vehicle to help make that happen, by pressing our political leaders and senior public servants to be more creative and forthcoming in announcing their decisions.

Admittedly, moving from where we are now – still the era of a DAD (Decide, Announce, Defend) approach to government decision-making and political communications will be a challenging and protracted exercise. But it could be a major advance in the evolution of Canadian participatory democracy.

The first step by the sector would be to acknowledge the problem and the challenge, as well as the benefit that will accrue to all who are involved in public-policy advocacy, if governments can be induced into taking a more open approach to announcing and more fully explaining their decisions.

This is not an initiative that the sector can or should assume on its own. But it can take the lead in engaging other players (i.e. the business community, retired politicians and public servants, academics, the media) on the topic, exploring how best to define the mission, establishing specific goals and priorities.

*... governments have a vitally important on-going role in educating the public about how they work and how they decide.  
... The sector is an important vehicle to make that happen*

## **Prompting a New Role for Media Reporting and Analysis of Public-Policy Advocacy**

A second, future priority should be pressing the media to play a more substantive role in providing Canadians with information, analysis and insight both on how governments make decisions and how those decisions are, and can be, influenced. This means more focus on how citizens, and the civil society organizations they rely on to give voice to many of their beliefs and preferences, can play a more constructive role in forming those decisions.

Print and broadcast media should be prompted to take a more ambitious view of what makes for relevant and useful “investigative reporting.” Rather than focusing so single-mindedly, as they often seem to do, on trolling for and exposing political or bureaucratic malfeasance, ineptitude and poor judgment – all phenomena that are clearly worth reporting on, as circumstances dictate – they should be encouraged to devote research and editorial resources to subject matter that has much greater potential value to Canadian voters and the civil society organizations they often rely on to express their views, preferences and values.

Take, for example, an examination of how the (previous) Government of Canada developed its approach to child care. Over the last 18 months, there have been numerous journalistic accounts of federal ministers and officials meeting with their counterparts in each of the provinces negotiating terms of the various federal-provincial agreements needed to cobble together the “national” program.

But these media reports are usually rather uni-dimensional, often only a mere recitation of what federal officials say and then what provincial officials say, with the occasional “colour” piece, describing the various types of child care available and how that might change, one way or another, if a national program, delivered by the provinces materializes. While this “news” serves some purpose, forming part of society’s record of what took place and when, it seldom amounts to much more than what could be gained from a perusal of government web sites.

Not much is learned by readers – or journalists – about the real dynamics that take place: the interplay between various parts of government and between governments; the interventions of interest groups (both civil society organizations and commercial interests) and the strategies and tactics they employ; the political and public-policy variables at play; the trade-offs considered, accepted and rejected. The lessons that can be learned from such a publicly available account can be valuable to all who are involved in advocacy even if they do not have a direct interest in the particular issue in question.

Instead, what we’ve had is several years of intensive reportage on “scandal” in Ottawa - the notorious “sponsorship” saga, accusations about improper or unregistered lobbying, and reports of unlawful “contingency fee” arrangements for lobbyists assisting clients in pursuit of Industry Canada technology-support grants. Add to this numerous allusions by journalists and other observers to the rising “power” of lobbyists in policy formulation and decision-making in Ottawa.

In the minds of some, the very existence of lobbyists – individuals paid to work at influencing decisions of government – is a scandal in itself.

In those instances when the news media latches on to a story about lobbying, there is a tendency to examine the phenomenon through the lens of stereotypical depictions of back-room deals, high-priced consultants, and cash contributions to political parties or politicians. Thus “lobbying” and improper behaviour become inextricably linked in media discourse and, ultimately, the public consciousness. It’s then further played up by reporters programmed to dwell on relatively easy-to-understand, apparent or imagined clashes of interests.

The mere suggestion by one side (that is, the “losing” side) that they’ve been “out-lobbied” by the competition is an easy complaint to make, difficult to substantiate and irresistible to reporters looking for a simple, binary story angle (“for” and “against” something, “good” and “bad,” “public” versus “private” interests).

It might even be true. Maybe the winning side conducted a brilliant advocacy campaign, calibrated to the public mood, the Government’s need and the practicalities of modern public administration. But, then again, the outcome may have had more to do with the failings of the losing side who may have had an impractical idea, poorly researched and inadequately conveyed. Yet, an examination of what exactly is involved in lobbying is rarely taken up by the media. In the minds of virtually all reporters, “lobbying” is, well .... the word “lobbying” now speaks for itself.

In this view, everyone already “knows” that lobbying is all about “who knows whom.” It’s all about “connected,” “powerful,” “Liberal”, “Conservative” (or whichever partisan tribe is in power at the moment) lobbyists using their influence on behalf of paying clients.

Seldom is there an examination of how that influence is comprised, how it’s exercised or – even more interesting and important – how its value is determined. Is it the salience and practicality of the proposition’s design? Is it the strength of argument presented, the cumulative effect of so many supporting interest groups, the perfect combination of bureaucratic and political sponsors? Or is it that the minister’s former chief of staff is leading the advocacy effort? And why and how is that so important?

***Seldom is there an examination of how that influence is comprised, how it’s exercised or – even more interesting and important – how its value is determined.***

In the minds of most reporters, and their editors, the more complicated dynamics of government and politics – let alone the subtleties of public-policy advocacy - are, journalistically speaking, too labour-intensive to explore and too complicated to assess and write about. “No one is interested in process,” say editors, convinced that such reportage and analysis of such Ottawa-insider navel gazing serves no purpose, has no market and adds little illumination to the question of how decisions are made.

So, media coverage about lobbying, such as it is, is usually focused on the *business* of lobbying rather than the dynamics of the advocacy that government-relations staff or consultants are undertaking. Missing is any attempt to examine and report on the actual services provided by lobbyists or government-relations consultants or, much more importantly, the work of the far more numerous, but less visible, in-house lobbyists that most major organizations now employ.

The Ottawa-based national media and parts of the capital's lobbying community have an incestuous relationship. With much media coverage focused on the theatrics, personalities and machinations of the political class, reporters often find themselves turning first to those who are always happy to talk in their capacity as party "strategists" – more often than not, individuals who are employed as lobbyists or pollsters and who have carefully cultivated a personal reputation or profile of being well-plugged in to the dynamics of political positioning, if not real political and public-policy decision-making.

For people who are in the business of words and ideas, reporters and columnists are often remarkably careless, indeed promiscuous, in their characterization of lobbyists. They are almost always described as being "powerful", "influential," and "well-connected."

Seldom, if ever, is there any explanation or example offered that substantiates such depictions except, perhaps, for previous newspaper quotes about how "powerful" lobbyists are. The words "lobbying" and "influence peddling" are often used casually and interchangeably despite the fact that influence peddling is an offence under the *Criminal Code of Canada* and is similarly proscribed in virtually all other democratic jurisdictions. No matter, in the minds of most journalists, it just sounds like a perfect description of their understanding of what's involved in lobbying.

Media examination of lobbying activity seldom goes beyond mere recitation of who is working for whom and on what issues – information that is now easily obtainable, thanks to the various lobbyist registration systems that exist at the federal level and in five provincial governments. However, nowhere – outside, occasionally, of helpful specialty publications such as *The Lobby Monitor* and *The Hill Times* – is there an examination of how companies, industry and professional associations, interest groups and even other governments, go about their attempts to influence decisions of government. The principal focus of much media coverage is on the partisan connections of lobbyists. Little else is suggested or explored.

This explains, in part, why so many consultant lobbyists are so intent on cultivating their own reputations as active partisans. The media, particularly its radio and TV political talk shows, have a constant need for "content" to fill their 24-hour line-ups; live bodies, glib and clever, preferably telegenic, clearly identified as representing one partisan stripe or another, are needed as "talent." Thus is born to us the "celebrity lobbyist," someone who the networks freely advertise as a Liberal or Conservative "strategist."

In this tough world, there may be no free lunch but there remains abundant opportunity for nationally broadcast free advertising if you play your cards right in the lobbying/politics biz and are able to serve up fresh, partisan banter and barb on cue.

Neither has there been much examination of lobbying or organized public-policy advocacy in the research and academic communities. This is probably due to a presumption that lobbying and government relations are little more than frothy “public relations,” a matter of “spin” not substance, the necessary but messy dimension of winning support for a position. While there are many academics who study interest-group behaviour, the analysis seldom, if ever, explores, the *dynamics* or the constituent elements of an advocacy campaign. This absence is, arguably, one of the great holes in our understanding of Canadian civics, public policy and politics.

So, one might ask, what is there about lobbying to study or to understand better than we currently understand it? And what relevance does it have for charities and NGOs who can’t afford consultant lobbyists anyway? The answer: plenty – not just to sector organizations but to all Canadians.

Canadian media outlets need to know they can do a much better job than they are currently doing in their coverage of government, public policy and politics. There is already evidence of considerable professional guilt in the journalism trade about its preoccupation with the superficial in politics and government.

What the media needs is a concerted push by various elements of Canadian society – business, government and civil society – to take a different approach.

## A Proposed Course of Action Going Forward

This paper suggests a variety of initiatives. But where to start?

The cumulative cost of all the initiatives highlighted in this paper – even if they are implemented incrementally - probably exceeds the funding capacity of any one entity or foundation or even the group of foundations that have demonstrated an interest in boosting the ability of sector organizations to influence decisions of government.

Consequently, an effort should be made to broaden financial participation involving:

- other private foundations;
- corporate foundations and corporate philanthropic and sponsorship programs (involving Canadian, European, U.S., Korean and Japanese corporations) interested in demonstrating commitment to constructive public-policy engagement
- certain federal and provincial governments (and, possibly, municipalities through FCM) with an interest in improving the quality of participatory democracy at all levels of government

Consideration could be given to packaging the whole effort along the lines of - for lack of a better moniker - The *National Advocacy Project: A Public Education Initiative in Support of Constructive Participatory Democracy*, governed by a Board or similar body with representatives from a broad cross section of NGOs, charities, donor foundations and corporations and managed, by an existing NGO.

The principal purposes of the National Advocacy Project (NAP) would be to provide a focal point for:

- the overall direction of the effort to help sector organizations be more effective in their public-policy advocacy
- overseeing development of an integrated approach to the practical study, development, dissemination and exchange of knowledge and know-how on Canadian public-policy advocacy;
- financing and selecting delivery mechanisms for support to sector organizations in their advocacy
- assessments and evaluations of funded projects and initiatives.

Once the funding question has been at least initially addressed, then a start can be made on launching some of the initiatives under the rubric of The National Advocacy Project; or if, as is likely, that might take some time to establish, a group of supportive foundations might collaborate in starting the ball rolling by funding certain start-up initiatives.

In each case, Canadian NGOs (including universities, colleges and other non-profit enterprises, acting in collaboration or on their own) would be invited to submit proposals on one or more of following initiatives, in response to Requests for Proposals issued by the NAP or individual funding organizations such as foundations:

- A government-relations consultancy centre for the Non-Profit sector (see appendix for details of envisioned concept)
- The development of a capacity-building and skills-development program in public-policy advocacy for Canadian charities, non-profit and NGOs
- The development, promotion and management of a national program to recruit, train and place two types of volunteers (i.e. retired politicians, public servants; and currently active GR professionals in industry, associations and consulting enterprises) providing advice and assistance in public-policy development and advocacy to Canadian charities, non-profits and NGOs

## **Appendix A - Pro Bono GR Services Program**

### ***Objective:***

- facilitate access by sector organizations to expert, external advice and assistance in public policy and advocacy
- link sector organizations in need of advice and assistance on public policy matters with volunteers who have substantial experience in the public policy and political realms

### ***Mission /Activities/ Services:***

- to develop databases or rosters of individuals who are prepared to provide voluntary service to sector organizations (along with a modest training program to prepare such volunteers for their role with charities and NGOs).
  - these volunteers would come from one of two groups: either a) retired public servants, politicians and political staff; or b) government relations specialists currently employed in corporations, industry or professional associations or even, in some cases, large NGOs, but who are prepared to offer their advice and assistance on a voluntary basis
- to identify, recruit, train and deploy volunteer advisors to sector organizations
- to develop and implement a promotion and “volunteer recognition” program to motivate, acknowledge and “reward” the contribution of volunteer advisors

### ***Resources:***

- assuming this service is based in an existing NGO, an Executive Director (an administrator, not a consultant; could be employee of existing NGO) to manage and implement organizational start-up and oversee operations; may also assume training roles
- additional staff to aid in recruitment and matching efforts including establishment of a computerized database

### ***Budget:***

- anticipated initial operating budget of \$150,000 about half of which would undoubtedly be required as core funding (though affiliation with an existing NGO could provide savings)
- sustained core-funding of between \$75, 000 and \$100,000 would probably be required for at least three years until the service was able to be entirely self-sustaining;
- self-sustaining operations can only be achieved by charging service fees

***Governance:***

- the governance associated with this service would be the responsibility of the NGO that has been awarded responsibility for starting and managing it

***Challenges:***

- the principal challenge will be economic, i.e. generating adequate revenue to sustain this service either by way of basic core-funding or fee-for-service revenue;

***Relationship to Rest of Program:***

- part of the Program's overall effort to provide greater access by sector organizations to experienced advice and assistance in support of the organization's public-policy and political objectives

***Where to Start:***

- consider whether there is available adequate core funding (i.e. up to \$100,000 per year for three years) to get the centre started; if not, this portion of the program should not be launched
- issuance of an RFP to NGOs interesting in bidding for this service

## **Appendix B: A Government-Relations Consultancy focused on the Voluntary, Charitable and Non-Profit sector**

### ***Objective:***

- to provide cost-effective, direct advice and assistance to sector organizations by experienced, skilled government- who are also adept at anticipating and meeting needs of sector organizations
- to equip sector organizations with practical advice, analysis, insight and intelligence on public-policy and political matters relevant to the client organization's political and public-policy objectives
- to provide support, guidance and training to those in the sector charged with advancing their organization's objectives
- to become a focal point for the development and dissemination of general information on politics, public-policy and advocacy to sector organizations

### ***Mission/Activities/ Services:***

- the mission, activities and services of the GR firm will depend in large part on the economic model which is chosen as well as the nature of the demand from the sector; however, over time, the following services and deliverables could be provided to client organizations:
  - - specific issue monitoring and analysis for clients
    - provision of strategic advice (including design and development of written advocacy strategies) with special emphasis on imparting knowledge and know-how among clients related to public-policy advocacy
    - assistance in identifying and connecting government officials with client sector organizations
    - feedback and assessment on client's advocacy activities
    - convening of regular conference-call briefing and information-sharing sessions for sector organizations
    - ultimately, serving as a training centre for employees of sector organizations

### ***Resources:***

- an Executive Director (ideally a proven manager, preferably with a GR or public-policy background; could be employee of existing NGO) to manage and implement organizational start-up and oversee operations; may also assume some consulting and training roles
- in first year – a full-time Principal employee consultant; seasoned practitioner with substantial experience or exposure to sector; lead consultant/strategist/trainer
- in first year, a mid-level employee consultant who could assist Principal in consulting operations but also assume lead responsibility associated with developing the Centre's Web site and related products/services
- incrementally, over time addition of mix of senior and mid-level GR consultants such that in three years there are perhaps: 2 Senior Principal consultants; 2 mid-level consultants; an Executive Director and two-person support staff; and 12 “associate consultants” located throughout Canada (not employees but rather consultants paid on project-by-project basis)

### ***Budget:***

- anticipated initial operating budget of \$600,000-\$750,000, about \$500,000 of which would undoubtedly be required as core funding (though affiliation with an existing NGO could provide savings)
- sustained core-funding of between \$300,000-\$500,000 would probably be required for at least three years until the Centre was able to be entirely self-sustaining;
- self-sustaining operations can only be achieved by charging consulting fees (albeit, at somewhat lower than prevailing consulting market rates) for all but the most generic product or service

### ***Governance:***

- depending on whether the consultancy would be attached to an existing NGO or established as an independent entity with its own board and management (see page ??)

### ***Challenges:***

- the principal challenge will be economic, i.e. generating adequate revenue to sustain this service either by way of basic core-funding or fee-for-service revenue;
- 
- determining which clients it will serve and for what, if any, fee

***Relationship to Rest of Program:***

- part of the Program's overall effort to provide greater access by sector organizations to experienced advice and assistance in support of the organization's public-policy and political objectives

***Where to Start:***

- consider whether there is available adequate core funding (i.e. \$500,000 per year for 3-years) to get the Centre started
- if adequate core start-up funding is available, a founding Executive Director should be hired in tandem with the retaining of a senior practitioner to start providing "top line" (as opposed to hands-on, basic) service delivery to clients; additional GR consulting staff would be added incrementally; network of consulting associates would be similarly incrementally developed, as demand dictated;
- objective in Year One would be to successfully establish a modest but visible and effective presence in the GR consulting community and a high level of awareness in, and use by, the sector of the consulting company's generic advice about public-policy advocacy on its web site.

## **Appendix C: Sample Subject Matter for Training, Education and Professional Development**

There are several potential categories of subject matter that are relevant to the development and maintenance of an organization's enhanced capacity to deal effectively with government. Collectively, they could form the basis of a body of training seminars, workshops and, in some cases, whole courses of professional development in public-policy advocacy. Of course, the following does not represent the *only* way – nor the only appropriate organization of subject matter – in which the essentials of public-policy advocacy can be conveyed, learned and then applied.

This particular range of subject matter is premised on the following:

- An individual's or an organization's effectiveness in dealing with governments is, at least in part, a function of having certain understandings or types of knowledge about how government operates and decides as well as how it is dealing with specific issues. Some of this involves an awareness and appreciation of certain "facts" about government and policy development and decision-making. This type of information and analysis can be conveyed by written material or lectures and is relatively stable in that change is incremental. There are essentials that, relatively speaking, endure (i.e. the process of regulatory amendment, the dynamics of the legislative process, making Access to Information Requests).
- There are numerous approaches to considering public policy that can be used by advocates. Some may have a rich theoretical base to them; others are more practical and relate to "mindsets," processes and priorities that constantly evolve. The teaching (and learning) of this material is most effective if it is combined with an opportunity for participants to try out the theory through application to their own situation and issues.
- Quite apart from understanding how the system works and gaining an appreciation of various approaches and strategies, there is also the matter of acquiring key advocacy skills and tools. While traditional methods of instruction have a role in teaching this content, it's especially important to have a format that permits lots of opportunity for students to not only read and hear about certain advocacy skills and tools but also to have an opportunity to develop and practice these skills both in the classroom and in real situations. In this regard, there may be particular value gained from having workshops in which sector groups could present their plans for advocacy efforts and have them critiqued by panels of GR practitioners who volunteer their services for such workshops.

There are at least 3 categories in which various types of training can be organized:

A/ Understanding the System: How Governments Decide

B/ Developing a Mindset for Advocacy

C/ Developing Skill Sets

**A/ Understanding the System: How Governments Decide (or What Public-Policy Advocates Need to Know About Politics, Government and Public-Policy Decision-Making)**

- The Policy-Making Process
- The Cabinet Decision-Making System
- The Budgetary and Expenditure Process
- The Role of Parliament, Parliamentary Committees and Parliamentarians
- Inputs and Influencers in Government Decision-Making
- What is Meant by the “Politics” of an Issue
- What One Needs to Know About Government and Its “Strategic Communications” Practices
- The Use of Survey Research in Government Policy-Making and Administration
- Government Regulatory Processes and Principles
- Government Grant-Making Processes and Principles
- Government Procurement Processes and Principles
- Government Consultative Processes and Principles
- The Role of the Courts

**B/ Developing a Mindset for Advocacy**

Another category of information and training involves what can be termed “A Mindset for Public-Policy Advocacy.” This involves not so much hard information or analysis but rather different ways of looking at how governments operate and their relevance to how one goes about dealing with government.

The purpose of such sessions would be not so much to “teach” but rather to prompt or stimulate participants to look at their issues and their approaches to advocacy in different ways, to furnish them with some frameworks and mindsets through which to consider their advocacy strategies and tactics.

Some of these sessions would be designed to help them anticipate certain situations and provide suggestions on how to deal with them. Subject headings for sessions on this might include the following:

- Getting Started: Setting Goals, Objectives and Priorities
- The Role of the “Board” in an organization’s Government-Relations and Public-Policy Advocacy Activities
- Lobbying: Knowing Where to Start and When to Quit
- Strategic Inquiry: Research, Insight and Intelligence
- The Critical Importance of “Narrative” in Public-Policy Advocacy
- “With a Little Help from Our Friends” – Coalitions, Proxies and Collaborative Advocacy
- The Central Role of Political Capital: Building, Conserving and Spending It
- Confronting Corruption – What to do when something smells fishy
- The Rules of Public-Policy Advocacy in Canada (involving federal/provincial, territorial and local jurisdictions)
- Political Finance Law and Rules (donation restrictions etc.)
- Lobbyists Registration Act and Lobbyists Code of Conduct
- Gifts and Hospitality for Public Officials
- Conflict of Interest and Post-Employment Rules
- Rules, Policies etc. re: Procurement, Funding and Contribution Agreements etc
- Rules and Best Practices for Charities and NGO recipients of government grants and contributions

## C/ Developing Skill Sets

A third category of training topics would focus on “*Developing Skill Sets.*” This involves conveying not just basic information and frameworks or exposure to certain mindsets, but, rather, the imparting of specific skills directly related to effective advocacy.

These can be integrated with other types of seminars and training sessions but they can also be presented on a stand-alone basis. Indeed, because of their very nature and purpose, it’s probably best if these are presented in a different venue and fashion, one which provides for a greater degree of participant interaction, because, for the most part, “skills” can best be acquired by actually “doing” not just listening and observing as is the case in most classroom lecture situations. Thus, emphasis should be placed on a format which allows for interactive participant workshops and practice sessions.

Subject headings for these sessions might include the following, either as stand-alone sessions or in various combinations:

- public-policy development and analysis (e.g. Maytree/Wellesley’s program, see Appendix D)
- “strategic inquiry” – practices and strategies for gaining information and insight from government -- determining what is essential to know, learn or understand in order to facilitate effective advocacy; developing a research strategy and plan;
  - research methodologies (formal and informal, electronic, analytical)
  - how to use the Web
  - approaches to asking questions of public servants and political staff
  - using the Access to Information (or Freedom of Information) regimes
  - survey-research skills and applications in support of advocacy efforts
- crafting advocacy materials
  - documents (briefing notes, backgrounders, propositions) for use by government
  - communications strategies
  - talking points
  - memoranda to cabinet
  - applications/proposals for grants, contributions

- submissions to parliamentary or city council committees
- responding to government RFPs
- RIAS – Regulatory Impact Analysis Statement (and their provincial/municipal government equivalents)
- “strategic meetings” (getting the most of in-person meetings with government officials)
- advocacy communications skills
  - oral presentation skills (i.e. for use in meetings, speeches, appearances before parliamentary committees etc.)
  - developing and managing issue communications strategies
  - effective ‘narrative’ in public-policy advocacy
  - “grass-roots advocacy” strategies and operations
- advocacy management skills
  - leading and managing preparation of written public-policy advocacy strategies (including approaches to involving Board in development and implementation)
  - motivating, recruiting and managing volunteers
  - evaluating advocacy efforts

# Appendix D - Maytree – Wellesley Public Policy Training Institute

## *Building policy capacity to strengthen democratic society*

### Program Overview

The *Public Policy Training Institute*, a joint initiative of The *Maytree Foundation* and *Wellesley Central Health Corporation*, is an innovative training program designed for social activists and change agents. The objective of the program is to build the capacity of participants to make policy change happen.

By placing a unique emphasis on shared learnings and experiences among participants from different issue sectors, the Institute will develop a community of practice emphasizing how to develop and achieve *much needed policy solutions for people who most need them*. Following completion of the program, participants will possess the knowledge and skills required to develop, influence and monitor public policy on issues relevant to their communities of interest. Finally, participants should be able to develop concrete policy solutions to address a pressing issue their community is facing and a plan for how to shift public policy in that direction.

The program offers a five module training series of 1-2 day sessions with leading public policy experts. Policy perspectives from the viewpoint of academics, community activists, government policy developers, political policy staff and communications professionals will be presented.

### Who Should Apply?

The program is aimed at:

- staff, board members or volunteers employed/associated with nonprofit **organizations** that can *clearly demonstrate an articulated interest* in an issue where policy change could have a significant progressive impact;
- **individuals** and community leaders with a demonstrated interest in public policy change across the GTA nonprofit sector (arts, education, environment, health, housing, immigrant settlement, labour market, urban planning, etc.); i.e. persons who are *already engaged* in some aspect of public policy development and need to strengthen their capacity.

**Note** that all program participants will need to demonstrate that they are committed to working concretely on developing a policy-ready position that responds to an articulated area of interest on a given issue by program-end.

## **Program Curriculum Objectives**

- to provide participants with training in how to develop practical and workable policy alternatives through both formal and informal learning formats such as lectures, case studies, readings, panel discussions, group work and presentations by participants;
- to encourage shared learning amongst participants with different levels of expertise from a range of issue sectors in order to develop a community of practice and shared capacity building within the nonprofit sector;
- to enable each participant to develop a policy ready position/product by the end of the program that responds to a given issue of individual/organizational interest;
- to enhance participants' understanding about how federal, provincial and municipal governments make policy decisions so that they can participate more effectively in the public policy process;
- to enhance participants' capacity to assist others to develop and promote creative, practical responses to public policy issues affecting their communities of interest;
- to reinforce a sense of responsibility in shaping and influencing public policy among program participants;

## **Program Format**

The program starts in November, 2005 and will be offered to a minimum of 20 participants who successfully meet the selection criteria. The program offers a training series of five modules, each of which is 1-2 days in duration, and will be held on a monthly basis at Wellesley Central. A certificate will be awarded to all participants who successfully complete the program requirements.

**The deadline for accepting applications has been extended to Thursday, September 29, 2005 by 5:00 P.M.**

## Program Schedule

ORIENTATION	MODULE 1	MODULE 2	MODULE 3	MODULE 4	MODULE 5	FINAL SESSION
Program Orientation	Introduction to Public Policy	Doing Your Research and Identifying the Problem	Developing and Analyzing Policy Options	Influencing the Decision Makers	Ideas to Action: Implementation, Monitoring & Evaluation	Program Closure and Evaluation
Nov 9, 2005 from (5:30 to 8 pm)	Nov 10 & 11, 2005 (9:30-4:30)	Dec 15, 2005 (4 to 9 pm)  Dec 16 2005 (9:30 to 4:30 )	Jan 26, 2006 (4 to 9 pm)  Jan 27 2006 (9:30 to 4:30)	March 9, 2006 (4 to 9 pm)  March 10 2006 (9:30 to 4:30)	April 6, 2006 (4 to 9 pm)  April 7 2006 (9:30 to 4:30)	May 12, 2006 (9:30 to 6pm)
Hosted by: Maytree and Wellesley Central	Lead Faculty:  Naomi Alboim, Queen's University & Robbin Tourangeau, Imagine Canada	Lead Faculty:  Sarah Flicker, Wellesley Central	Lead Faculty:  Margot Lettner,  University of Toronto and Ryerson University, Wasabi Consulting	Lead Faculty:  Sean Moore,  Gowling, Lafleur Henderson LLP	Lead Faculty:  Martha Nixon, Martha Nixon Consulting	Lead Faculty:  Karen Cohl,  Crystal Resolution Inc.

**Program Director:** Naomi Alboim, School of Policy Studies at Queen's University and a former Deputy Minister of the Ontario Public Service.

Program Training Location: Wellesley Central, 45 Charles Street East, Suite 101, Toronto, ON

### How to Apply to the Program

Applications are no longer being accepted for the program

**For more information** on the program, please [email Anita K. Srinivasan](mailto:anita.k.srinivasan@utoronto.ca) or telephone her at 416 944 2627 ext. 245.