**26th March, 2018 Update & Communiqué**

**LCA Aged Care and Community Services Governance**

*(A collaboration to enhance mission, governance & leadership in aged and community services within the LCA).*

**Summary of proceedings of Gathering in Adelaide**

A gathering of representatives from Lutheran Aged and Community Services was held in Adelaide on Saturday, 17th March 2018 at St Mark’s Lutheran Church, Underdale.

This honoured a commitment flagged in the 6 December 2017 ‘Conference Outcomes’ communique to bring together the LCA’s Aged Care and Community Service sector in the first half of 2018.

The gathering was attended by over 40 leaders from the Lutheran Church of Australia including Bishops, General Church Council representatives, District Church Council representatives, District Administrators, Chairs, Managing Directors and CEOs of Lutheran aged and community services throughout Australia.

The proceedings of the gathering are summarised under the three main agenda areas, as follows:

**Report back:** *GCC’s initial response to the Final ‘Way Forward’ report; as well as reflection and feedback from Districts and organisations to the October agreements and the final report.*

Bishop John Henderson reported that General Church Council received the report from Les Stahl and resolved to support its general direction. He affirmed GCC’s commitment to maintain the momentum established over the life of the dialogue process.

He further advised that the LCA EOC, Peter Schirmer, has been directed to prepare an implementation plan and that it be presented to GCC at its next meeting in April 2018. The discussion at this gathering will help to inform and shape its direction. He emphasised that the plan will continue the dialogue-based approach that has underpinned the success of the project.

Bishop John expressed on behalf of GCC his thanks to Les for facilitating an ‘eminently successful and effective’ process. He also thanked the members of the Dialogue Group for their support and advice to Les during the review, and to all the representatives from the participating organisations for their positive and active engagement, which he described as ‘heartening’.

The representatives of the District and each of the organisations at the gathering were invited to share their reflections on the project and how they’re responding to the agreements made in October and the recommendations in the final report.

Les Stahl summed up that the reflections from those who spoke affirmed there remains a strong commitment and momentum to implement the agreements, and there is already evidence that improvements are in the process of being made.

**Progress Update on 2017 Agreements:** *responding to the progress made to date in a number of the agreed governance enhancements and provide direction in areas where further dialogue was still required.*

Agreement 1: The **LCA** **vision and underpinning key governance principles** for Lutheran aged and community services (as set out in the Reports of this Dialogue) be adopted by the church and all Lutheran aged & community services.

*There remains a commitment to the adoption of the LCA vision and underpinning key governance principles including a collegiate approach to making ongoing improvements.*

Agreement 2: A concise **Lutheran Theological Ethos suite of documents** be developed by LCA, in accessible language, consistent with recommendations in the Reports of this Dialogue that can be used as a key guiding document in all Lutheran aged and community services.

*Action to date: Colleen Fitzpatrick reported on the “One Loving God” project and that work is being done to develop a suite of Lutheran ethos-related documents, in consultation with various groups and individuals. The existing multiple documents remain available on the Dialogue project webpage. There was encouragement to Colleen to draw on the existing resources and adopt a common language.*

*Action to come: Colleen will continue her work and has specifically invited participants to prepare and submit to her a one page statements of belief. They can be emailed to her at* *colleen.fitzpatrick@lca.og.au*

Agreement 3: The **governance standards** as set out in the Reports of this Dialogue be the future minimum governance standards expected of Lutheran aged and community services and these standards should be endorsed by LCA and adopted by all Lutheran aged and community services.

*The gathering affirmed its continuing support for good governance. Various representatives affirmed the importance of ensuring that all Lutheran services are governing and operating to a high standard. It was commented that both all providers and the church would likely be negatively affected if any one service came into public disrepute.*

Agreement 4: **LCA Districts to continue to enhance their support,** as per action areas set out in Reports of this Dialogue, of Lutheran aged and community services within their jurisdiction.

*Action to date: During the reflection and feedback session each of the District representatives shared how they are working to enhance their support of the services in their respective jurisdictions. This includes an ongoing governance review in Qld; SA/NT District Church Council support to LCC SA/NT and LDS in exploring shared governance arrangements; Vic/Tas District facilitation and support of enhanced cooperation between at least two Aged Care organisations in Victoria; and a more active engagement by the NSW DCC with LACA.*

Agreement 5: **LCA national office to provide much greater support to the sector**, particularly to small and/or remote services, as has been requested by these services and outlined in Reports of this Dialogue (e.g. provision of ‘model’ constitutions; model governance policies; model ‘lead’ policies; an LCA branding guidance policy; support for national advocacy; governance induction support; and ongoing professional development support for Chairs and CEs etc).

*Action to date: Geoff Thiel shared progress in the development of a model constitution for incorporated associations. A key new addition is the provision for a LCA member capable of exercising ‘emergency powers’. Wendy Rocks also spoke to LACA’s work with Matthew Turnour in the development of an up to date constitution for a company limited by guarantee. Clare Seligmann advised that Lutheran Services are still happy to take the lead on creating a model ‘constitution’ for unincorporated church based services and Lutheran Services ByLaws will be amended following Qld District’s governance review.*

*Action to come:*

1. *Those organisations which are unincorporated are invited to share their existing governing instruments with Clare Seligmann:* *jcselmed@gmail.com* *by 15 April 2018*
2. *Those organisations that are companies limited by guarantee are invited to share their existing constitutions with Wendy Rocks:* *wendy.rocks@lacalbury.com* *by 15 April 2018*
3. *Peter Schirmer will continue to coordinate further work on the model constitutions with Geoff, Wendy and Clare.*
4. *Janine Lenigas (LDS) and Bruce Arnold (NSW DCC) offered to be involved in this area. Any other participants who are interested in working on a small group to further develop the three model constitutions contact Peter Schirmer by 15 April 2018.*

*The gathering encouraged the early finalisation of the model constitutions for the three types of legal entity as a number of organisations want to change their current constitutions as soon as possible.*

Action 5d: **Services with existing quality governance policies will share them** to enable the less well-resourced services to have access to, and build their suite of, quality governance policies. Key policies to share were identified as: annual responsibilities of a governing body; delegations policy; risk policy; board member selection policy; continuing education policy; board member tenure policy (ideal maximum length of stay 10 years); oversight of CEO policy; and WHS policy.

*Action to date: Peter Schirmer advised that it is feasible to develop a restricted password-entry online portal, in all likelihood accessed via a revamped Governance Dialogue website, where governance policies for the Boards and chief executives of Lutheran aged and community services on which governance policies and other key governance documents can be uploaded.*

*Action to come (1): The gathering reaffirmed its support for this initiative. Peter Schirmer will work with LCA Communications to implement the development of a restructured Aged Care and Community Services web-site, including the portal. When this is completed, Peter Schirmer will arrange for the uploading of Appendices 26 & 27 from Report 2 onto this restricted clearinghouse as draft model documents relating to board member induction and ongoing professional development.*

*Action to come (2): Organisations are invited to forward the abovementioned policies and other key governance policies to Peter Schirmer so Peter can arrange to place them on the restricted access clearinghouse for Lutheran aged and community services.*

Action 5e: Together with the sector, LCA will develop a concise “**Owners Resource Kit**” consistent with statements in the Reports of this Dialogue, that can be used with the owners/stakeholders of services to enhance their knowledge and skills in ‘ownership governance’ (the resource kit to include information on how owners can best ensure competent Boards, succession planning by Boards, questioning of Directors at AGMs etc).

*Action to date: Peter Schirmer introduced a draft Kit that has been prepared by Wendy Rocks.*

*Action to come: The gathering endorsed the direction and general content of the document. Peter Schirmer will continue to liaise with Wendy Rocks in finalising the document. Organisations are invited to forward any additional content to Peter by 20 April 2018. The Kit will then be uploaded to the web-site.*

Action 5f: On behalf of LCA, together with the sector, the CMA will further refine the Lutheran ‘End of Life Support guidance statement’ into a **national Lutheran** ‘**End of Life Support Policy** to give clearer guidance to Lutheran aged & community services in this important area of service and care.

*Action to date: A policy hasn’t been developed but the paper on end of life issues is available on the CMA website:* [*http://www.lca.org.au/departments/local-mission/ministry-with-ageing/*](http://www.lca.org.au/departments/local-mission/ministry-with-ageing/)

*Action to come: Organisations with an existing ‘End of Life Support Policy’ or similar are invited to forward a copy of their policy to CMA so that CMA can further progress this action.*

Action 5g: On behalf of LCA, together with the sector, the CMA will develop a national Lutheran ‘**General Diversity Inclusiveness Policy’** for all Lutheran aged & community services. This policy will give guidance in regard to individual and cultural respect, relevant to working with people with disabilities, people with different religious beliefs and the LGBTI, Indigenous and multicultural communities.

*Action to date: Tania Nelson introduced a document titled ‘People whose worldview is other than Christian within Australian Lutheran Aged and Community Care services’ which has been prepared by CMA.*

*Action to come: CMA is inviting feedback to the document from the boards and chaplains of Lutheran aged and community services organisations. Input can be addressed to:* *cma@lca.org.au*

 *Organisations with an existing ‘General Diversity Inclusiveness Policy’ are invited to forward a copy of their policy to CMA.*

Action 5h: LCA, in consultation with the sector, to develop a short suite of **general branding guidelines** that could inform and assist individual Lutheran aged & community services within Australia.

*Action to date (1): LCA Communications Manager, Linda Macqueen, introduced work that has been done in the development of branding guidelines for use in the LCA and shared examples of co-branding using the logos of two aged care organisations.*

*Action to come (1): An LCC SA/NT representative has offered to work with Linda Macqueen to further develop the branding guidelines, and co-branding protocols in particular. Others interested in working with Linda are invited to contact her:* *linda.macqueen@lca.org.au*

*Action to date (2): Linda Macqueen provided an overview of a draft LCA Issues Management Plan that will guide the church in responding effectively to issues that come into the public domain which has the potential to impact on the reputation of the LCA. Once the plan is finalised there will be a rollout including awareness building and training. Linda advised that she already works with Lutheran education in responding to media interest in schools.*

*Action to come (2): Organisations interested in working with Linda on this initiative are invited to get in touch with her.*

*Action to date (3): Linda Macqueen provided an overview of a church-wide ‘website integration project’, which offers website development services to congregations and districts.*

*Action to come (3): Linda Macqueen indicated LCA Communications could offer these services to Aged Care and Community Services organisations if there was a ‘critical mass’ of interest to fund a specific web-building project for the sector. Organisations are invited to contact Linda Macqueen and express their interest in such an initiative by the end of April 2018.*

Action 5i: The CMA will arrange for **key Lutheran policies** relevant to Lutheran aged & community services to be **more easily accessed** by these services by having links to these policies on the webpage of the Committee for Ministry with the Ageing.

*Action to come: Given the support of the gathering to the development of a refreshed Aged Care and Community Services website, incorporating password-access portal, these policies will be uploaded to that site when it has been established.*

Action 5j: LCA to **better support the Chairs** of the governing bodies of Lutheran aged and community services, particularly the Chairs of small and/or isolated services, by ensuring every chair has access to Lutheran networking & support meetings as well as professional development opportunities.

*Action to date: There is still a commitment from the Districts to implement this agreement.*

Action 5k: LCA to **better support the chief executives** of Lutheran aged and community services, particularly the executive officers of small and/or isolated services, by ensuring every CE has access to Lutheran networking & support meetings.

*Action to date: There remains a commitment from the Districts to enhance their support to chief executives, as agreed.*

Action 5l: LCA to organise its support for this Lutheran sector **better at the national level** so that the LCA/Lutheran aged and community services can:

* + meet informally near the beginning of each year as a sector-wide network to discuss matters of importance to the sector (including giving guidance on priorities for national advocacy);
	+ circulate quickly key national policy and funding developments in aged care, disability and community services amongst all LCA aged and community services;
	+ co-ordinate/sponsor governance and management training, especially for small/isolated services;
	+ efficiently and effectively communicate with each other;
	+ speak with one voice at external national forums; and
	+ continue to access up-to-date information and policies about governance.

*Action to date: Peter Schirmer sought the advice of the gathering about the reviewer’s preferred option of establishing a part-time position to co-ordinate & support the sector. The participants affirmed their endorsement of this recommendation.*

*Action to come: Refer to the proposed action under Agreement 6.*

Agreement 6: Lutheran aged & community services will sign up to participating in an **annual** **governance quality assurance system** within the LCA that is efficient yet robust and which will enable each service to provide annual assurance to each other and the church that it has effective governance processes in place, is sustainable and is compliant with LCA standards of governance. This outcome will be achieved by each service providing, on an annual basis an agreed data set to LCA, including having an annual conversation about governance with two or three suitable peers.

*Action to date: Peter Schirmer sought and received from the participants a confirmation of their support for the proposed quality assurance system, including the required data set. Peter Schirmer also sought and received support from the group for the reviewer’s recommendation that the proposed support co-ordinator also be the co-ordinator for the annual QA process.*

*Action to come: Peter Schirmer will prepare a proposal to GCC for the establishment of a part-time position to coordinate both the support program and the QA process. The position will report to the LCA Executive Officer, but doesn’t necessarily need to be located in Adelaide.*

Agreement 7: We as a leadership group of the Lutheran Aged and Community Services Sector, agree to go forward with the Emergency Intervention protocol outlined in Report 2 of this Dialogue in the interests of the common good. Specifically, Lutheran aged & community services will sign up to a process to develop a respectful, high quality, efficient and expert mechanism in the LCA, consistent with what is outlined in the Reports of this Dialogue, whereby the LCA, on behalf of all Lutheran aged and community services, has **emergency powers** to intervene in a service when it is imperative for the church to do so in the best interests of the wider Lutheran aged and community services sector. It is envisioned that the rights and responsibilities in relation to this matter will be outlined in a Quality Services Agreement between the legal entity of each service and the LCA.

*Action to date: The gathering affirmed its ongoing support for the necessity to include the provision of emergency powers in both the constitutions and bylaws of Lutheran services as outlined in the final Report of the Dialogue.*

*Action to come: Peter Schirmer will continue to liaise and consult with the sector and involved Districts to develop this protocol based on the guidance provided at Appendices 6 and 11 of the final Dialogue report. It is acknowledged that as part of the development of this ‘safety net’ LCA will have to demonstrate it has both the competence and wherewithal to manage such a process.*

Aged Care and Community Services Governance Enhancement Group

The reviewer’s final report recommended the establishment of a governance enhancement group to assist progress the recommendations and begin the next phase of aged care and community services change within the church.

*Action to date: Peter Schirmer sought advice about this recommendation. The participants suggested the group consist of people involved in the implementation of the agreements for the sake of coordination of effort and its membership reflect key stakeholder groups and the diversity of the sector.*

*Action to come: Peter Schirmer will prepare a terms of reference for the group. Lee Martin and Kym Wallent expressed an interest in serving on the group. Other participants are invited to contact Peter about serving on this body, which it is expected will be in place for about 12 months.*

**Identification of sector issues and priorities:** *Engagement between the participants and the LCA’s National Aged Care Alliance (NACA) representatives on current issues and priorities for action; as well as reflection on how to best advance collectively the interests of the organisations involved in the provision of community services.*

NACA representatives

The LCA’s NACA representatives, Geoff Thiel and Wendy Rocks, provided a summary of key issues raised at the NACA meeting held in February, including:

1. An encouragement from Geoff and Wendy for Lutheran organisations to participate in the consultations of the Aged Care Workforce Taskforce.
2. The release of new draft quality standards, which includes a stronger emphasis on the viewpoint of the consumer. The information is available on the quality agency website.
3. NACA is preparing for the Commonwealth 2018/2019 budget and identifying key issues which NACA may wish to highlight.
4. There are currently about 108,000 people with an approved package on the national Home Care waiting list. The amount of funding available is capped so the queue continues to grow.
5. The government has moved to introducing unannounced audit visits for the RCF accreditation process. The impact will be hardest on small organisations. This shift, coupled with increased accreditation requirements for governance, reinforces the need for organisations to seek support when in need, or begin to look at other long term sustainability strategies.

Community Services

Janine Lenigas (LDS), Helen Lockwood (LCC SA/NT) and Clare Seligmann (LS) shared some reflections about the diverse sector in which they are operating. Among the issues raised included:

1. The District-based nature of Lutheran community services organisations means they can have difficulty applying for a range of Commonwealth funding programs when larger national organisations compete for the same funding.
2. There is greater competition for the funding dollar, exacerbated by the entry of for profits into the sector which are ‘cherry-picking’ the more lucrative funded programs.
3. The introduction of the National Disability Insurance Scheme (NDIS) is requiring organisations to adapt to a new environment marked by rapid growth, a customer-focused (in constrast to organisation-based) funding model; and serving people who now have choice but for many of the most vulnerable not the commensurate capacity to properly assess the most appropriate option.
4. Community service organisations have identified the growing needs in areas such as mental health and domestic violence, but they are challenging issues to address.

There is currently no national body within the LCA that brings together Lutheran organisations working in the community services and disability sector to address issues such as those outlined above and speak as one voice.

*Action to come: It was proposed that at an appropriate time the Lutheran community and disability service organisations (LCC SA/NT, LDS, Lutheran Services Qld, Cornerstone Housing (SA) and any other identified Lutheran bodies) together with CMA and possibly also the LCA’s Commission on Social and Bioethical Questions, meet to discuss options for a national forum to provide support and collaboration on community services sector-specific issues.*

**Next Steps**

***Ongoing Co-ordination***

Peter Schirmer’s office will continue to serve as the coordinating point with all the governing bodies of Lutheran aged and community services concerning the progression of the agreements and actions outlined in this communique.

***Dialogue webpage***

The Dialogues’s webpage at <http://www.lca.org.au/laccs-gov-dialogue> will continue to retain information and other resources that have been uploaded over the life of the project. Once the enhancements to the website have been completed as agreed at this gathering, organisations will be advised and new information uploaded.

***Further Update Communiqués***

A further Update is planned for late April/early May so keep an eye out for it.

***Thank You***

Thank you to the gathering’s scribe Colleen Fitzpatrick for taking notes and to Les Stahl for his assistance in facilitating the day.

Finally, thank you to everyone who participated so positively and with such a spirit of goodwill on the 17th.

Sincerely in Christ,



Peter Schirmer

Executive Officer of the Church