Commissioning for outcomes in NSW – an NGO perspective

Discussion paper

Dr Jennifer Mason

On 25 October 2018 a workshop was conducted on 25 October involving FACS, NGO peaks, providers, regulators and other key stakeholders on the future shape of commissioning for services for children and families in NSW. A draft of this paper formed the basis of discussion for the workshop, and has been updated to reflect major outcomes from the workshop. The paper is based on interviews with 20 NGO representatives, a number of other stakeholders, and a review of key documents and research. It shows that there are opportunities for a constructive reset of the commissioning relationship between government and the NGO sector, based on some agreed principles and proposals for shared work. Some indicative strategic directions for the NGO sector also emerge from the data. A major finding is that any government/ NGO commissioning reset will need to have as a priority strategies for meaningful engagement with children and young people, who appear to have been largely absent in many key discussions about service design.

Glossary of terms

Commissioning: "…a cycle that involves planning the service system, designing services, selecting, overseeing and engaging with providers, managing contracts and undertaking ongoing monitoring, evaluation and improvement".(Productivity Commission 2017)

Commissioning: "a collaborative process to assess individual and community needs and assets, agree on outcomes, and design and evaluate the most efficient response to achieve outcomes over the short and long term"(FACS 2017).

Co-design: "An approach to designing services and system responses that attempts to actively involve all relevant stakeholders in the design process to help ensure the result meets their needs and is usable. Stakeholders involved will differ depending on the issue being tackled but in the child and family service space it is likely to include children, their families, front-line staff (NGO and government), contract managers, other government staff, NGO service providers, advocacy groups and peak bodies".(CSIA 2018:7)

Collaborative governance: "A governing arrangement where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public programs or assets'. (Ansell and Gash 2008)

Co-production: a process in the delivery of public services in which citizens are meaningfully involved in the creation of public policies and services.

Market stewardship: the planning and regulation of markets for public services, in order to ensure the equitable provision of services, in particular in areas of market failure, or where performance is difficult to measure

Relational contracts: contracts which set out broad frameworks for the achievement of agreed targets over time, with mechanisms for negotiation for change in response to altered circumstances and unanticipated developments.

Responsive regulation: regulation which makes a flexible choice between coercive and co-operative regulatory strategies, with first preference for strategies that are less coercive, less interventionist, and less expensive**.**

Transactional contracts: economic exchanges, often short-term, based on carefully detailed contractual agreements designed to anticipate and control developments during the life of the contract

Executive summary

Over the last six months, commissioning of services for children and families has been discussed at a series of workshops involving FACS, representatives of the non-government sector, and other key stakeholders, facilitated by KPMG.
The workshop process has succeeded in bringing key stakeholders to the table, created momentum and enabled the frank identification of contentious issues in a constructive environment.
At the most recent workshop, a subcommittee of non-government representatives was tasked with producing a short paper addressing co-governance and shared risk management from an NGO perspective. Drawing on interviews with more than 20 NGO stakeholders, as well as background briefings from regulators, departmental staff and other stakeholders, this paper sets out the issues raised for the NGO sector by commissioning. It identifies the strengths of the current system as well as risks, challenges, and opportunities for change. It identifies some priorities identified by interviewees for shared work between the sector and government, as well as strategic issues for the NGO sector, particularly the peaks.

What does the evidence say commissioning with the NGO sector should look like?

Commissioning is a term that is used very broadly, and often ambiguously, as the two contrasting definitions in the glossary above indicate. Economists, and some central agencies, typically use "commissioning" to refer to the planned purchase of services by government, often with an implicit or explicit element of "command and control". When used in the context of the human services, and service delivery by the NGO sector, commissioning is more usually associated with terms such as partnership, co-governance and co-design.
Commissioning of services for children and families with vulnerabilities is often claimed to be defined around the client/service user – to be "child centred". The most challenging, important (and rarely achieved) element of any commissioning model in this context is to ensure that it is genuinely focused on the achievement of identified client outcomes, with meaningful engagement with service users and/or their advocates at every stage of the commissioning cycle.
The table below, drawn from extensive analysis of the policy literature, sets out the key elements of a traditional contracting or procurement model, and contrasts these with the optimal features of a "stewardship commissioning" model for the planning, procurement, delivery and evaluation of human services in partnership with the NGO sector.

Table one: Contracting vs commissioning – a summary [1]

	Transactional Contracting	**Intelligent/stewardship Commissioning**
Major theme	Assumes that interests will	Assumes that interests are

[1] This table is modified from Mason (2017) and draws on concepts from Van Slyke (2007:167) and Schillemans (2013)

	diverge as each party pursues its own rational self-interest (win/lose); a focus on control (mistrust)	capable of being aligned (win/win); a focus on collaboration and developing trust
Pre-contractual need assessment and service design		
How will the service be defined?	The funder decides what the service will be and then goes to market	The funder participates in consultative/collaborative processes with external providers and users to define service needs
Who will provide the service?	A competitive tendering or other competitive selection process	A preference for various forms of selected tender, interactive tendering, invitations to prequalified providers, joint ventures, lead agency/consortia models
What will the contract look like?	Contracts will be detailed and transactional, seeking to anticipate as many eventualities as possible and prevent "gaming" behaviour	Contracts will be relational, setting a broad framework and relying on negotiation between trusted partners to resolve disputes
What incentives will induce desired performance?	Financial/extrinsic rewards and sanctions set out in contract; use of litigation and cancellation of contract for non-performance	Some use of extrinsic incentives, but incorporating recognition and preservation of altruistic intrinsic motivations, through appropriate non-economic incentives
Post-contractual administration		
How will performance be measured?	Detailed measures decided by funder and set out in the contract; often an emphasis on easily quantified process and input measures	Joint process to agree on desirable outcomes to be achieved; development of strategies to achieve shared objectives
How will performance be monitored?	Frequent reports contractually required from provider to funder; random audits; external audit and investigation	A large element of self-regulation by providers through codes of conduct, and professional accreditation; peer review; minimal use of surveillance and coercive reporting requirements; responsive regulation
How are the interests of service users protected?	Random audits and checks by the funding agency or outside regulators; tracking	Client-centred "mission" of NFP providers; intrinsic motivations including ethical

	of outcome measures; funding of 'customer' complaint and advocacy mechanisms; use of market mechanisms such as individual funding packages, pay by performance schemes	codes of professionals working with clients (health workers, social workers); client consultation mechanisms embedded in governance of NFP providers; consultation with service users on outcome measures – well-being, client satisfaction

In summary, the evidence is that a model based on relational contracts, responsive regulation, joint work and training and mutually agreed, client-centred outcomes, has the best chance of achieving outcomes that are both equitable and efficient

In contrast, the best current evidence indicates that models of contracting with the NGO sector which rely on highly detailed contracts, competitive tendering, financial penalties, high levels of monitoring, and a focus on inputs and procedures rather than outcomes, are poorly suited to service delivery with the NGO sector. Such models have been shown to result in escalating transaction costs, including increasingly expensive oversight and regulation costs, with little demonstrable improvement in client outcomes or other social benefits.

In the case of services such as OOHC, where clients are highly vulnerable to abuse, and the level of political and media volatility is acute, recent history, particularly following the Royal Commission into Institutional Responses to Child Sexual Abuse shows that there is likely to be a relatively high degree of regulation and oversight, both through the contract and through external accountability mechanisms. Funding agencies such as FACS face strong pressures in reconciling the needs of ministers, central agencies and external accountability bodies such as the ICAC or Auditor General. These pressures can result in contracts and contractual monitoring which are highly transactional, and the imposition of additional layers of reporting. Regulators face similar pressures to demonstrate rigour and vigilance, which can be at the expense of ideal models of responsive regulation.

The challenge is to design a commissioning and regulatory model which provides appropriate protection for children and young people, without undesirably eroding opportunities for partnership, relational contracting and co-design with service providers and users.

What have been the key findings from interviews with key stakeholders?

Interviews with stakeholders for this project identified many areas of common ground upon which to build. Many challenges were also identified, and these are detailed in the body of this report.

In brief, interviews and other data showed that for many stakeholders, the current commissioning process, despite early positive indications, more closely resembled a transactional contracting environment than any transformative commissioning process.

It is important to acknowledge at the outset that OOHC contracts are only a small segment of FACS contracting (1600 contracts with more than 700 providers) and that OOHC contracts themselves are now situated within the broader suite of PSP funding. Any funding model

needs to be appropriate for the broad range of programs and services. However, because of the contentious and high profile nature of OOHC, its contracting and funding has tended to be much more tightly monitored and regulated than funding of other programs.
The major strengths and opportunities identified from the interviews and other data are as follows:
* There is an **appetite for change** but a lot of uncertainty about what government really means by commissioning; in particular, there is confusion about the respective roles of central agencies, Their Futures Matter, and FACS.
* There is an appetite to **re-examine the role of the peaks**; there is work to be done within the sector on re-examining the relative weight of industry support, social advocacy, client advocacy and community development functions.
* There is also recognition that providers and peaks may need to **increase their level of engagement and investment** in order to make co-design and co-governance processes meaningful and valuable
* There is willingness by all parties to look at **strategies to rebuild trust** between government and the NGO sector. There is also recognition of the need to build trust between NGOs which has in some cases been eroded by recent funding and other processes.
* There is a willingness by all parties to focus on the achievement of **client centred outcomes**, rather than inputs or financial outputs; but also a recognition that there is a poor history of defining such measures in the past. There is a poor history of engagement of children, young people and families in developing such measures and in governance generally.
* There is strong recognition of imperatives for **Aboriginal self-determination**, implementation of the Aboriginal placement principle and implementation of a genuine local decision-making (LDM) process.
* There is an interest in the impact of **investment based funding approaches** such as SBBs; but a lot of concern about the potential impact of pay by performance schemes in creating perverse incentives, and perpetuating expensive transactional contracting models.
* There is strong interest in working with FACS, regulators, oversight agencies to **reduce regulatory overlap, multiple reporting and compliance processes**
The strongest themes emerging from NGO interviews were as follows:

Table two: key themes from NGO interviews

	Theme	**Percentage of interviewees agreeing (n=20)**
From contracting to commissioning	It isn't clear how commissioning is different from past contracting and funding models	90%
	There is confusion about who defines policy settings for commissioning, particularly the role of TFM and Treasury	50%
	There are strengths in the current commissioning process that we can build on	50%
	Commissioning should have strong co-	75%

	design/co-governance elements	
The voice of the child and commissioning	Both government and providers need to do more to meaningfully consult children and young people, especially on service design	90%
Contract administration	Competition for funds makes it hard to collaborate	45%
	Contract monitoring is time intensive, intrusive and unproductive	85%
	It feels like command and control, not a partnership	60%
	Contract monitoring is focussed on inputs and processes, not outcomes	70%
	Measuring impacts and benefits are important, even if the measures are hard to define	65%
	Data flow and reporting is a one way street	50%
Sector reform	There are too many providers in the sector	40%
	Peak organisations need to be strengthened	55%
	Peak organisations struggle to find their role when member organisations are competing for funds	60%
	It is hard to reconcile peak advocacy on social justice with industry development and representation roles	40%
	Government needs to consult directly with providers, not peaks	25%
	Large consultative forums are a waste of time	30%
	Government should move to a lead agency model	5%
	The sector needs to reform itself, there are low performers	25%
Regulation and oversight	Regulation/accreditation through the OCG is useful	65%
	There is a lot of confusing overlap between contract administration/monitoring, and the work of the OCG	75%
	The Royal Commission has changed the way providers think about listening to children's voices	50%
Shared accountability	Frequent political and bureaucratic changes make it hard to plan long term and to have trust in shared accountability	85%

Where to from here?

Joint work:

A number of potentially fruitful joint projects were identified which have the potential to improve trust between government and the sector within a commissioning environment:

- Joint work between government, peaks, CREATE, the ACYP and the Guardian on strategies for **meaningful engagement of children and young people** at every stage of the commissioning cycle was identified as highly valuable.
- The **Ministerial Advisory Group** (MAG) has been reformed, and has provided a valuable opportunity to clarify issues around commissioning and the relationship between government and the sector going forward. The MAG was identified as a potential future forum to carry forward some of the projects identified in this report, particularly through engaging participants in discussions of joint projects to reset the relationship through shared work.
- ACOSS has identified some **detailed draft principles for commissioning** by government with the NGO sector. These are presented as attachment one to this executive summary adapted for the NSW context. Workshop participants agreed that these could form a useful basis for discussion and agreement going forward.
- Shared work with ABSEC on progressing the Aboriginal Commissioning Approach, including work toward implementation of Local Decision Making (LDM) as per Premier's Memorandum M2015-01
- Shared work on a number of **place or program based collaborative approaches**.
- A renewed focus on **shared evidence and data** – moving away from the perceived "one way street" of command and control reporting.

Where to for the NGO sector?

There was broad acknowledgement in the research for this project, and in the workshop, that "sector readiness" and engagement was a major element in any meaningful partnership or co-governance process within commissioning. A large number of issues were identified which may only be addressed through the internal strategic planning and consultative processes of the NGO sector, peak organisations and service providers. The responses from interviewees, summarised in this report, may offer a starting point for some of these deliberations. Key issues identified for future work are likely to include:

- The need to agree within the sector on principles for engagement with government and with service users within a commissioning environment. The ACOSS draft principles offer a useful starting point for discussion about a positive "reset" of the relationship with government.
- The need for sector agreement, or agreement by significant providers, on principles for engagement in collaborative projects suitable for testing of joined up approaches and pooled funding, whether through a collective impact or other suitable framework. Principles recently put forward by the Queensland Community Services

Industry Alliance (CSIA 2018:41), set out in detail in attachment two to this executive summary offer a positive starting position for discussion.

- The role and ongoing resourcing of peak organisations, including the contribution of major providers to that resourcing.
- Strategies to discuss and reprioritise the role of the peaks in roles such as social justice advocacy, industry support and capability building, and direct service provision.

Conclusion and recommendations

Commissioning by government with the NGO sector to provide services for children, young people, families and communities offers an opportunity to move away from many of the inefficiencies and inequities of transactional contracting and funding models. From the point of view of many in the NGO sector in NSW, to achieve commissioning based around partnership and co-design would necessitate a major reset of the relationship between government and the sector.

This series of workshops, facilitated by KPMG, has performed a valuable role in crystallising issues and creating momentum for renewed joint effort. Workshop participants agreed that the projects identified in this paper will need to be carried forward in appropriate joint forums and the internal processes of the sector and of government.

Workshop participants agreed that, subject to the deliberations of the ACWA Board:

A short briefing paper drawn from this report should be circulated broadly by ACWA to relevant stakeholders to facilitate constructive future work on reforming commissioning.

The paper should identify 4 major streams of work to progress-

- work on agreed principles to underpin commissioning work, based on the draft ACOSS principles as outlined in this paper
- work on agreed principles to underpin collaborations within the sector, building on the CSIA principles as outlined in this paper
- work on embedding the voice and rights of children and young people in the commissioning process, building on the work already being undertaken by the ACYP with government and non-government organisations
- as a priority, FACS and TFM have agreed to give broader access to the sector to a range of data, to facilitate joint work on system reform

Participants were clear that the future process to further these pieces of work should be in forums convened and led by the sector, albeit in partnership with FACS, and with joint agenda setting. ACWA may wish to consider the role it wants to take in leading this work, or calling for nominations for a steering group to further this work.

Attachment One

What principles should guide commissioning going forward?

In a recent discussion paper, ACOSS has subdivided the cycle of commissioning activities as follows:

1. assessing need,
2. designing services,
3. purchasing services, and
4. Managing the delivery of services to achieve defined outcomes via monitoring, evaluating and performance improvement.

The following analysis adopts the ACOSS structure and suggested principles, adapting where necessary and appropriate, given the data provided by NSW participants to this project.

6.1 Assessing Need

The ACOSS discussion paper has set out some suggested principles for need assessment. Modified for the NSW environment, and the provision of services for children and families with vulnerabilities, the key components may be suggested as follows:

- **A dialogue about the design of the commissioning process itself.** This stage should engagement with peaks, service providers and regulators about the design of the commissioning process itself. The current KPMG process, and this project, are evidence of the commitment of all parties to this principle

- **Engagement with children, young people, families and communities.** As noted above, this is recognised by participants in this project as a vital component of any co-design process, and any meaningful attempt at creating a child- centred practice. However, it is also recognised as something that both government and the sector find extremely challenging.

- **Analysis of data and evidence.** As the ACOSS paper points out "This stage should involve commissioners collecting, sharing and analysing data collected at a population level including Australian Bureau of Statistics (ABS) Census and Census-derived data on demographics, projection data on the likely future demand for services, DEX data and other departmental sources, outcomes and other data held by community organisations delivering services in a local community, and data on existing services in a local community. It should also involve collecting, sharing and analysing the evidence about what works, by academics, peaks and local service evaluations." A number of interview subjects felt that the flow of data was heavily one way at this point, with onerous requests made by government of providers, while requests by providers of government were met with silence and long delays. There is currently a lack of confidence that data is being used well.

6.2 Designing services

Support for the ideas of co-design, briefly defined earlier, means that services are more likely to meet the needs of children, families and communities if providers and users have actively participated in their design. ACOSS notes that co-design "recognises that people are experts in their own lives. It also reduces unintended consequences, and provides insights into how services will be received and used".

The following suggested principles have been slightly modified from those set out by ACOSS to reflect the NSW context:

- **Clarity of purpose.** Reflecting some of the feedback in interviews for this project, parties need to be clear from the outset about who should be involved, the process of involvement, what is or is not negotiable, and what resources and time are available.

- **Inclusiveness**. As noted above, there must be inclusion of providers but also of children, carers, families and communities
- **Partnership**. Interviewees recognised that power inequalities are inevitable and that some decisions are the legitimate province of government. However, wherever possible, unequal power dynamics need to be recognised and addressed by commissioners to improve the quality of service design, particularly when seeking the views of service users.
- **Respect and Trust**. Issues which are detrimental to the creation and maintenance of trust have already been discussed, along with some factors that may enable trust to be rebuilt over time, particularly through shared work on limited, measurable projects. ACOSS suggests in addition "the use of a range of techniques to build respect and trust, including the use of independent facilitators and brokers where appropriate".
- **Data-Driven.** The importance of shared data on need, risk, cohorts and evaluations of past programs as a basis to inform service design has already been mentioned.
- **Comprehensive and on-going**. Co-design should always be envisaged as part of a coherent ongoing cycle of planning, implementation and evaluation. Several interviewees report adverse past experiences where notional participative co-design processes were abruptly terminated and replaced by highly transactional tendering and monitoring processes.

6.3 Purchasing services

Processes for purchasing are an integral part of the commissioning cycle. They are governed in NSW, as in every other jurisdiction, by legislation, regulation, policies and procedures. In NSW, they are also subject to scrutiny by parliamentary committees, the Auditor General and potentially by the Independent Commission against Corruption. Several interviewees suggested that as a consequence, in NSW, funders had to meet more onerous probity requirements than in other jurisdictions, and this made the process of tendering and contract negotiation more complex and constrained than elsewhere. This paper does not attempt to analyse the entirety of current procurement policy and practice in NSW. In keeping with the ACOSS paper, it acknowledges some key issues in procurement of human services, many of which have also been acknowledged in the recent Productivity Commission report into Human Services

- Competitive tendering is not, and should not be, the only model for purchasing services when using a commissioning framework. Expressions of Interest, Preferred Service Provider processes and Direct Negotiation with existing service providers among other approaches are valid alternative to competitive tendering when using a commissioning framework.
- The complexity and detail of tendering, contractual and reporting requirements should be proportionate to the level of government funding and risk involved. The unintended consequences of seeking to impose highly complex and onerous contracts in the human services were discussed at the outset of this paper. As well, it should be noted that even very large and expensive infrastructure projects are regularly contracted on a relational basis through mechanisms such as Alliance Contracting or Early Contractor Involvement (ECI). Such mechanisms can meet probity requirements without the cost and inefficiency of detailed transactional contracts.
- ACOSS notes that “the full cost of service delivery should be covered by the funding envelope. Costs such as administration, management and IT costs should be considered integral components of any project or service. Co contributions to the cost of service delivery should not be required”. The Productivity Commission has previously endorsed this approach
- ACOSS notes that purchasing processes “should allow sufficient time for collaboration and partnerships to develop. Where possible, the purchasing element of commissioning should happen on a schedule telegraphed to potential participants well in advance of the purchasing occurring”
- Interviewees noted the positive effects that had been achieved by moving from 3 to 5 year contracts in NSW. ACOSS suggests that, in line with recommendations from the Productivity Commission in its 2017 report into Human Services, contract terms should be set at seven years, and ten years for remote Aboriginal and Torres Strait Islander service delivery.

- ACOSS suggests that “Price should not be the primary driver of a procurement process. Value for money is a better focus for commissioners”.
- ACOSS suggests that “Criteria should be designed to focus on a provider’s ability to improve outcomes (including outcomes which may only be achieved over the long term) for service users”.

6.4 Monitoring, evaluation and performance improvement.

Monitoring, evaluation and performance improvement, focussed on outcomes for children, are essential components of a Commissioning Framework. As noted at the outset of this paper, the settings of these components need to be appropriately designed to encourage the principles of co-design, co-governance and an outcomes focus. AS many of the comments cited in this paper illustrate, it is pointless to build a service system on principles of participation and partnership, and then undermine those principles through an onerous, interventionist command and control style of contract administration.

- **Proportionality** – ACOSS suggests that "the level of monitoring should reflect the level of risk associated with the delivery of the service. Low risk and lower cost projects and services should require less monitoring than higher risk or high cost projects and services"

- **Clarity** – the outcomes that NGOs are accountable for should be clear and unambiguous, and agreed with the service provider. The respective roles of staff at various levels within the department, as well as external regulators, should also be clear

- **Respect for service users** – the views of service users, particularly children and young people, but also families and carers, should feature prominently in any monitoring and evaluation framework.

- **Respect for service delivery staff** – ACOSS notes that "the perspectives of staff delivering a service on the ground should feature in the monitoring and evaluation framework". Several interviewees commented on the lack of respect for the expertise and professionalism of frontline staff shown in current contract monitoring.

- **Timely** – ACOSS notes that "evaluation and monitoring systems and frameworks should be built and/or established at the outset of a project or when service delivery commences, or in the case of recommissioning, when the recommissioning occurs. While some changes to monitoring and evaluation systems along the way are necessary, commissioners should be careful not to move the goalposts on NGOS delivering a service".

- **Cost** – the costs of monitoring and evaluation should be taken into account as an integral part of the service.

- **Support for innovation** – ACOSS notes that "systems should be built to ensure that innovation is supported, and that risk is managed well rather than avoided entirely".

Attachment Two

Principles for engagement on shared projects within the NGO sector:

There is a need to agree within the sector on principles for engagement with government and with service users within a commissioning environment. Principles recently put forward by the Queensland Community Services Industry Alliance (CSIA 2018:41), offer a positive starting position for discussion:

• The goal is positive and sustainable outcomes for children and families;
• Constraints in the system are recognised, acknowledged and appreciated;
• Mutual benefits, mutual trust and mutual respect are key values in working together;
• All stakeholders, providers, funders and participants in the public value chain have legitimate interests they seek to protect and advance, and they have different expertise, skills and resources they bring to any collective efforts. These are all important to framing both the process and content of what is to be worked on together;
• Working together requires open and transparent dialogue about:
    - perceived blockages
    - problems and constraints
    - interests, agendas
    - performance
• Working together towards transformative change is a process that will require negotiation and iteration

In addition to discussion and agreement on some identified principles as above, there is also a need for agreement on:

- Collaborative projects suitable for testing of joined up approaches and pooled funding, whether through a collective impact or other suitable framework.
- The role and ongoing resourcing of peak organisations, including the contribution of major providers to that resourcing.
- Strategies to discuss and reprioritise the role of the peaks in roles such as social justice advocacy, industry support and capability building, and direct service provision.

9. References and further reading

Alford, J. and O'Flynn J. (2012) *Rethinking public service delivery: Managing with external providers*, UK: Palgrave Macmillan

Amirkhanyan, A.A., Kim, H.J. and Lambright, K.T. (2012) "Closer than 'arm's length': Understanding the factors associated with collaborative contracting", *The American Review of Public Administration*, vol. 42 (3), 341–366

Australian Council of Social Services (ACOSS) (2018) *Commissioning and Getting Better Outcomes – Principles and Practice: An ACOSS Paper* July

Begley, P. (2018) "The former Wallaby, the failed charity, the criminals and the $500k loan to Eddie Hayson" *Sydney Morning Herald* 27 October https://www.smh.com.au/national/nsw/the-former-wallaby-the-failed-charity-the-criminals-and-the-500k-loan-to-eddie-hayson-20181026-p50c4z.html

Besley, T. and Ghatak, M. (2005) "Competition and incentives with motivated agents", *American Economic Review*, 95 (3), 616–636.

Boston, J and Gill, D (2017) *Social Investment: A New Zealand Policy Experiment*

Bovaird, T. (2006) "Developing new forms of partnership with the 'market' in the procurement of public services" *Public administration* vol. 84, no. 1, pp. 81-102

Brennan, D., Cass, B., Himmelweit, S. and Szebehely, M. (2012) "The marketisation of care: Rationales and consequences in Nordic and liberal care regimes", *Journal of European Social Policy,* vol. 22 (4), 377–391

Butcher, J. and Freyens, B.P. (2011) "Competition and Collaboration in the Contracting of Family Relationships Centres" *Australian Journal of Public Administration* vol. 70. No.1, pp. 15-33

Carey, G., Malbon, E., Marjolin, A. and Reeders, D. (2018) *National Disability Markets: Market Stewardship actions for the NDIS* Centre for Social Impact http://www.csi.edu.au/media/What_are_market_stewardship_actions_for_the_NDIS_nzyC0wz.pdf [accessed 22/10/18]

Community Services Industry Alliance (CSIA) (2018) *Commissioning for outcomes: An industry-led approach* https://csialtd.com.au/u/lib/cms/csia-commissioning-report-may-2018.pdf

Dicke, L.A. (2002) "Ensuring accountability in human services contracting: can stewardship theory fill the bill?" *American Review of Public Administration*, vol. 32, 480–95

Dicke, L.A. and Ott, J.S. (2002) "A test: Can stewardship theory serve as a second conceptual foundation for accountability methods in contracted human services?" *International Journal of Public Administration,* vol. 25 (4), 463–487

Dickinson, H. 2015, *Commissioning public services evidence review: Lessons for Australian public services.* Melbourne School of Government, University of Melbourne

Donaldson, D. (2018) "Co-design risks being little more than a buzzword" *The Mandarin* 9 April https://www.themandarin.com.au/90909-co-design-risks-little-buzzword/

Green, C., Malbon, E., Carey, G., Dickinson, H., Reeders, D. (2018), *Competition and Collaboration between Service Providers in the NDIS*, Centre for Social Impact, UNSW Sydney

Hogan,D., Rubenstein, L. and Fry, R. (2018) "Place based collective impact: an Australian response to childhood vulnerability" *Centre for Community Child Health Policy Brief* no. 30, July https://www.rch.org.au/uploadedFiles/Main/Content/ccchdev/1807-CCCH-PolicyBrief-30.pdf

Independent Commission Against Corruption (ICAC) (2018) *Investigation into the conduct of a principal officer of two non-government organisations and others* http://www.icac.nsw.gov.au/docman/investigations/reports/5311-investigation-into-the-conduct-of-a-principal-officer-of-two-non-government-organisations-and-others-operation-tarlo/file [accessed 20/9/18]
Mason, J. (2017) *Agency, Stewardship and the Authorising Environment: Public Sector Contracting with the not-for profit sector to deliver out-of-home care in Australia* PhD thesis, University of Sydney, Sydney
Mason, J. (2018) "Cooking the golden goose? Purchaser provider relationships in Out-of-Home Care" *Developing practice [forthcoming]*
Melville, R. (2003) *Changing roles of community-sector peak bodies in a neo-liberal policy environment in Australia* University of Wollongong http://apo.org.au/system/files/7844/apo-nid7844-75621.pdf [accessed 23/10/18]
Miller, R., Allen, K., Mangan, C. and Glasby, J. (2013) "Singing from the same hymn sheet? Commissioning of preventative services from the third sector", *Journal of Integrated Care*, vol. 21 (5), 288–299
NSW Family and Community Services (FACS) (2017) *Sector Development Program Specifications*
NSW Government Treasury and Department of Finance, Services and Innovation (2016) *NSW Government Commissioning and Contestability Practice Guide* https://www.treasury.nsw.gov.au/sites/default/files/pdf/NSW_Commissioning_and_Contestability_Practice_Guide_-pdf.pdf [accessed 20/9/18]
Office of the Advocate for Children and Young People (ACYP) (2018) *Report on consultations with socially excluded children and young people* https://cdn2.hubspot.net/hubfs/522228/campaigns/socially-excluded-report/Report-on-consultations-with-socially-excluded-children-and-young-people [accessed 29/10/18]

Osborn, A. and Bromfield, L.(2007) "Participation of children and young people in care in decisions affecting their lives" *Australian Institute of Family Studies Research Brief* No. 6
Rowlinson, S. and Cheung, F.Y.K (2004) "A review of the concepts and definitions of the various forms of relational contracting" *International symposium of the CIB W92 on procurement systems "Project procurement for infrastructure construction" 7-10 January, Chennai, India*
Schillemans, T. (2013) "Moving beyond the clash of interests: On stewardship theory and the relationships between central government departments and public agencies", *Public Management Review,* vol. 15 (4), 541–562
Sellick, C. (2014) "Foster-care commissioning in an age of austerity: The experiences and views of the independent provider sector in one English region" *British Journal of Social Work,* vol. 44, 1788-1804
Shergold, P. 2011, 'Can governments and community organisations really collaborate?' *The Conversation*, 7 April, <http://theconversation.com/can-governmentsandcommunity-organisations-really-collaborate-394
Shergold, P. (2013) "My hopes for a public service for the future", *Australian Journal of Public Administration*, vol. 72 (1), 7–13
Smith, R.L and Merrett, A. (2018) *Competition Policy & Human Services: Where theory meets practice* https://www.acoss.org.au/wp-content/uploads/2018/09/ACOSS-Choice-Final-Report.pdf

Song, L., Mohamed, Y., and AbouRizk, S.M. (2009) “Early contractor involvement in design and its impact on construction schedule performance” *Journal of Management in Engineering,* January, pp.12-20
Tilbury, C. , Osmond, J., and Crawford, M. (2010) Measuring Client Satisfaction with Child Welfare Services, *Journal of Public Child Welfare*, 4:1, 77-90
Van Slyke, D.M. (2007) “Agents or stewards: Using theory to understand the government-nonprofit social service contracting relationship”, Journal of Public Administration and Theory, vol. 17, 157–187