

## **Review of Australian Charities and Not-for-profits Commission (ACNC) legislation**

Community Mental Health Australia (CMHA) would like to thank the Review Panel for the opportunity to comment on the ACNC legislation.

CMHA is a coalition of the eight state and territory peak community mental health organisations. CMHA, through its state and territory bodies, has a direct link and contact to mental health organisations delivering services at the community level. CMHA provides a unified voice for approximately 800 community-based, non-government organisations who work with mental health consumers and carers across the nation and who are members of, or affiliated with, the various coalition members.

CMHA promotes the recovery of people living with a mental health condition so that they are contributing citizens and included in all the economic and social aspects of their community. The organisation presents a united and representative voice for the community managed mental health sector who work every day on mental health issues and have the expertise through a specialised workforce, including a peer workforce and lived experience.

CMHA is a member of the Australian Council of Social Service (ACOSS) and supports ACOSS' comments on the ACNC legislation review.

CMHA won't address each of the questions posed by the Review Panel in the Terms of Reference (TOR) for the review, but will make some general comments.

CMHA believes the objects of the ACNC Act continue to be relevant and hold the sector to account. In terms of the organisations and sector that CMHA works in, CMHA believes there is a high degree of trust and confidence in the work it does. Advocacy on issues either through submissions, policy papers or media commentary is a vital part of CMHA's work, and is work CMHA's members and networks would expect to be undertake. CMHA's job is to take the views and input of people who are on the ground every day using and delivering services, and bring that to government, decision-makers, other stakeholders and importantly the general public or community. Without this direct input from the grassroots level, all levels of policy will not reflect actual real-life experience – this is what is needed to develop evidence-based policy. All of this work could be framed or described as advocacy.

CMHA's work crosses over not just mental health but a range of issues including welfare, housing, employment, education and a range of other issues, as mental health is not just about a person's health but the range of factors that are impacting their life. Therefore, there are a range of issues which CMHA will comment on and work jointly on with other organisations.

CMHA makes these points as the submission by the ACNC to the review proposes to introduce two new objects to the ACNC ACT:

- To promote the effective use of the resources of not-for-profit entities; and
- To enhance the accountability of not-for-profit entities to donors, beneficiaries and the public.



The not-for-profit sector has a range of ways in which it is accountable to Government, the ACNC, members and the wider public. An organisation like CMHA uses its resources in a manner which is informed by members and the governing Board, which is informed by their respective members and Boards. The actions CMHA takes are based on the issues the sector raises which they believe are of importance and which they expect to be raised and brought to the national policy level. Any restrictions or classification of CMHA's work which impacts on an ability to do this, will ultimately have impact on people living with a mental health condition and the families and carers.

Government policy also won't be informed by what is happening on the ground. Sometimes this feedback to government isn't positive and may criticise a government policy or approach. However, if this is what our sector is saying, then that is what must be brought to Government, otherwise CMHA is doing the sector a disservice.

CMHA would urge the Review Panel to look at the range of work that is done by the mental health and wider social services sector, including the range of ways in which issues are brought to government, decision-makers and the public, and to not put in place any changes to the Act which impact on this work. Organisations should be able to determine the ways in which their resources are used to best achieve the outcomes their members want and need.