Board Development

Advocacy

Advocacy is at the heart of all non-profit and charity organizations – incorporated into their mission statements – as they act as advocates for the clients they serve. Advocacy naturally becomes part of an organization's strategic planning since it advances the dissemination of the mission and educates the public.[1]

Non-profit organizations exist to serve a need in society. They provide shelter either on a temporary or long-term basis for individuals and families, they address health concerns of Canadians, they provide libraries, playschools and literacy classes in communities, they assist people with physical and developmental disabilities in becoming active participants in the social and economic fabrics of the communities they live in, and they do so much more.

In order to provide these services, board members need to promote and advocate for the organization and the people that it serves. Sometimes that will require changing government policy and at other times educating people in order to raise funds for the organization. Advocacy can be defined as promoting awareness and understanding of a cause or the ability to change public opinion, and cause a shift in people's perceptions or understanding of an issue. However, the popular understanding of advocacy is seen as engaging in the political process to effect change in public policy or legislation. This understanding is but one small aspect of advocacy and should be more accurately called lobbying.

Advocacy is a frame of mind - where an organization is influencing the environment in which it is offering its services and programs. It establishes and promotes positive community relations. Lobbying engages politicians and government officials in activities that will influence their decisions on issues of policy that affect clients and programs of the organization. Lobbying is a smaller piece of the board's advocacy role.

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[1] *Advocacy on the Agenda: Preparing Voluntary Boards for Public Policy Participation* by Annette Hegel; Volunteer Canada: Ottawa, ON, 2003 (Web resource), p. 3.

Advocacy can be defined as promoting awareness and understanding of a cause or the ability to change public opinion, and cause a shift in people's perceptions or understanding of an issue.

Board's Responsibility

"It is clearly the responsibility of the board to ensure that the vision and values of the organization are relevant and that the programs and services delivered by the organization are in harmony with its mission. The role of the board to champion the mission corresponds with the role and responsibilities it takes on as advocates for both the organization as a whole, as well as its services and programs. … The board frames the mission, develops policies that are compatible with the mission and provides oversight to program and financial activities undertaken by the organization. While these might not normally be considered 'advocacy activities' the communication of these by the board through its organization actually form the foundation of advocacy work." (Hegel,2003) Effective advocacy requires long-term planning and commitment by the board.

Public Trust

Advocacy is closely associated with a board member's ethical responsibilities and the public trust acquired through incorporation. As a board member you are to think about and act for a larger good than your own personal interest. Shaping of the public's perception of your organization and the issues and concerns that it addresses is your work as an advocate. If you are a library trustee then you are advocating for the public's information needs to be met through the services that your library provides.

The greatest capital that all non-profit organizations have is their reputation as being trustworthy. This is because they engage in public relations efforts that are based on trust, openness and involvement. There is a sense of an open dialogue between the different groups that an organization interacts with and serves. Responsible advocacy ensures that the public is not misled.

Communicating Mission

Speaking on behalf of the people that the organization serves and asking others to help carry out the organization's mission is advocacy. The key principle is to communicate with a variety of people about the mission and vision of the organization. Lobbying involves communicating the impact of public policy issues on the organization and the clients that are served. Advocate the solutions that your organization has identified and communicate those to the people in a position to make decisions. There are several excellent resources listed to assist organizations engage effectively in advocating for public policy change.

METHODS OR CHANNELS OF ADVOCACY

There are several levels of advocacy. At the grass roots level, a front-line staff that is in direct contact with the client pleads the cause on behalf of that client or empowers the individual to stand up for their rights. Mobilization of the community to identify unmet community needs is another level of advocacy. Exerting influence to achieve changes in or the development of legislation that addresses issues of common concern is the final level of advocacy. At each level the board needs to ensure that there is a feedback mechanism for information to get from staff and volunteers to the board on the issues that impact the services of the organization.

Advocacy by non-profit organizations occurs through several methods or channels:

- the use of the media;

- direct work with government officials and politicians;

- rallying the support of the larger community or general public;

- or participation in regional or national coalitions.

Media advocacy can be accomplished through letters to the editor, commentaries, press releases, position statements, and spokespersons.

Advocating with government officials can be in person, through collective letter writing campaigns or individual correspondence, and presentations to government committees.

Public awareness campaigns that are connected to the organization's purpose enable the public to make an informed decision about the issue being advanced.

Working with other organizations at a local, regional or national level provides a collective voice when advocating for public policy changes.

Lobbying

Lobbying is a decision that the board makes to change public policy and is a small part of advocacy. This can be done in a variety of ways - from an individual board member talking to a politician or government official to engaging the organization's membership in a letter writing campaign about an issue that is affecting the people that it serves. There are a number of rules and regulations that non-profit organizations need to follow if they engage in lobbying or political activities. These are set

You can advance your cause and build public trust by communicating. Speaking out on public policy issues can increase the profile of your organization and people's understanding of what you stand for. Research shows that the more people understand charities, the more supportive they are. (YMCA Canada, 2003)

through Canada Revenue Agency (CRA) and the *Income Tax Act* and need to be followed if you are a registered charitable organization. Organizations may also need to register under the Federal *Lobbying Act (Canada),* SC 2006, c.9 and the Alberta *Lobbyists Act*, Chapter L - 20.5

CRA Regulations

Political activities as defined by CRA restrict the kinds of activities that a non-profit organization that has charitable status can engage in. Board members need to familiarize themselves with the regulations as outlined in the *Political Activities* CPS – 022 Policy Statement. Broadly stated the policy does not allow organizations to directly or indirectly support a political party or candidate. They can allocate a portion (somewhere between 10 and 20 percent depending on the size of the organization's income) of their budget to engage in what would be considered political activity or lobbying. Charitable organizations can put financial resources to making the public aware of its position on a particular issue or policy without being considered political activity.

Lobbying Legislation

Recently both the Federal and Alberta governments have passed legislation to ensure that there is accountability for individuals and groups that lobby either level of government. The intent of the legislation is to ensure that Canadians and public officials know who is communicating with government and on what issues or subjects.

On July 2, 2008 the amended Federal *Lobbying Act (Canada)* came into effect and in 2009 the Alberta Government's *Lobbyists Act* will be proclaimed as law requiring people who communicate with or lobby government officials to register with the appropriate government agency. There are many similarities between both pieces of legislation particularly in the area of what information is gathered from an organization for the registry and what activities constitute lobbying. The major difference between the two pieces of legislation relates to who needs to register under the legislation and how often reports need to be submitted.

Lobbying Defined

Lobbying has been defined in both pieces of legislation as the communication (written or oral) by an individual who is being paid to communicate with government through a public office holder about laws, public policy, programs, and possibly about obtaining a grant or

Is there a board member responsible for monitoring the CRA policy on Political Activities?

contract. A public office holder is any elected member of the government or an employee of a government department or provincial entity. The Federal regulations only include senior public servants at the level of the associate or deputy minister. The Provincial regulations appear to include any public servant. There are a few additional parameters for Consultant Lobbyists – individuals who are paid to communicate with politicians and public servants.

Exemptions

The Alberta legislation exempts volunteers, staff and directors of most non-profit organizations from needing to register under the *Lobbyist Act*. Professional Associations may not be exempt from registering. The legislation will be reviewed two years after it is proclaimed as law, assuming it comes into effect in 2009 this review would be in 2011, and then every five years thereafter.

The Federal legislation provides exemptions based on whether the organization has an employee(s) whose significant workload is to lobby. The phrase "a significant part of the duties" has been defined as being 20% or more of an employee's duties. An organization will need to calculate how much time their staff spends in preparing for and communicating with federal public office holders. Straightforward communications for information, briefing of parliamentary committees, submissions about the enforcement, interpretation or application of an existing law or regulation, and routine dealings with government officials is not considered lobbying from the federal point of view.

Registering

The senior staff of an organization that needs to register is responsible to file the information with the Registry. The type of information that is required is the name and position of the public official that has been communicated with as well as the date and subject matter of the conversation. Each level of government has different requirements for how often this information must be submitted; generally once every six months in Alberta and every month for the federal registry.
There are significant fines for the Executive Director if the organization does not comply with the Alberta legislation and for the person responsible for filing the annual federal returns who does not comply with the Federal legislation.

POLICY DEVELOPMENT

Advocacy policies set out the organization's response to matters affecting its relationship with the community and society. They can clarify

Currently, non-profit organizations do not need to register with the Provincial Lobbyist Registry. This will be reviewed in 2011 and then every five years.

The Federal legislation requires non-profit organizations that have devoted 20% or more of an employee's time to lobbying to register with the Lobbyists Commissioner. This will be reviewed in 2013 and then every 5 years.

Is there a board member responsible for monitoring the Federal and Provincial Lobbying Acts?

the organization's response to issues that it faces or deals with. They establish how the organization will promote its mission to the public and how it will respond to controversial issues or sensitive matters.

When developed carefully and used appropriately, these polices increase the organization's profile and credibility. Policies developed through the resolution process at the annual general meeting, provide an opportunity to establish collective agreement on issues that the organization addresses or encounters in fulfilling its mission. These policies carry more weight than those taken by the board alone.

By creating advocacy policies, organizations are more likely to have consistent responses to similar issues. This increases their credibility with the membership and the community. These policies arise from the framework policies.

Key Planning Questions:

The following questions can be used to assist with the development of advocacy policies:

Who is the official spokesperson for the organization?

In their absence, who is authorized to speak on specific issues?

Does the board have policies developed on specific issues of interest to the core business of the organization?

Are there issues the board will not comment on?

Has the organization identified sources of funding that would be incompatible with its basic values?

Is there a clear understanding about the difference between lobbying and advocating in the organization?

Are there issues on which the organization will lobby governments or funders?

Are there regulations limiting the ability to lobby?

How does the organization want to be perceived in the community?

Are there events that the organization will (not) be involved with?

Are other organizations or funders invited to attend the Annual General Meeting?

Does the organization provide speakers for other organization's functions?

Does the organization advertise or promote their cause regularly in media outlets?

Is there an ongoing process for monitoring pertinent local, provincial and federal policies and legislation?

Is there a detailed description of how an advocacy plan is to be developed?

Advocacy Plan Elements

Advocacy needs to be planned. It requires that discussion occurs as the organization develops a position statement that everyone agrees to. It ensures that consistent messages are being communicated from all parts of the organization.

Advocacy policies set forth in general terms the organization's strategy for establishing its identity and clarifying its response to issues in the community.

Elements of an advocacy plan include:

1. An overview and summary of the issues affecting clients and the mandate of the organization.

2. The spokesperson on the issue; there may be more than one.

3. The expected or desired results from the advocacy activity being undertaken, including how you will know that you have been successful.

4. Identify the key audiences for each advocacy issue.

5. The key message(s) on each issue, including the approved position statement from the board.

6. A description of the methods to be used to reach your target audiences.

7. A detailed plan to implement.

8. Monitor the progress and adjust as needed.

SELF-ASSESSMENT CHECKLIST

BE H.I.P.P.: HAVE INFLUENCE ON PUBLIC POLICY

This Public Policy Toolkit was generously funded by Human Resources Development of Canada (HRDC) and was designed by YMCA voluntary sector leaders to increase their understanding of the structure, processes, priorities and key players of local, provincial and federal governments in addition to providing tools for developing and influencing public policy strategy.

PUBLIC POLICY SELF- ASSESSMENT TOOL

A) TELLING YOUR STORY

	YES	SORT OF	NO
1. Our organization has a strategic plan with clearly defined priorities.	☐	☐	☐
2. We have a 'one pager' that describes our organization, its scope, impact, and contributions to the community.	☐	☐	☐
3. Our organization has volunteers, board members, and staff who can give a compelling presentation about how our organization achieves its charitable mission.	☐	☐	☐
4. We have up-to-date data that gives a good picture of our organization (e.g. number of members, program participants, volunteer hours, financial data).	☐	☐	☐
5. We have evaluation data describing the impact of our programs and services.	☐	☐	☐
6. We regularly provide training to volunteers, board members, and staff to ensure they understand and can articulate our charitable mission.	☐	☐	☐
7. The board chair, volunteers, staff and/or I have received media training and feel comfortable dealing with the media.	☐	☐	☐
8. Our organization has an inventory of political contacts among our volunteers or staff describing who knows people in positions of influence.	☐	☐	☐
9. Our organization has an external relations/public policy committee.	☐	☐	☐
10. Our organization has developed a strategy for influencing government as a means of forwarding our mission.	☐	☐	☐
Total	☐	☐	☐

B) UNDERSTANDING THE EXTERNAL ENVIRONMENT

	LOCAL			PROVINCIAL		
	YES	SORT OF	NO	YES	SORT OF	NO
1. I know the local and/or provincial government's top three priorities.	☐	☐	☐	☐	☐	☐
2. I know the local and/or provincial government's activities related to key areas of our organization's programs and services.	☐	☐	☐	☐	☐	☐
3. I can identify the levels and names of key people within the public service hierarchy at the local and/or provincial level.	☐	☐	☐	☐	☐	☐
4. I know the name of my municipal councillor, mayor and/or member of provincial legislative assembly.	☐	☐	☐	☐	☐	☐
5. I know what issues are of greatest concern to citizens in my community and/or in the province.	☐	☐	☐	☐	☐	☐
6. I know who the most influential community leaders are from various sectors at the local and/or provincial level.	☐	☐	☐	☐	☐	☐
7. Our organization has assessed the external environment and identified the key stakeholders at the local and/or provincial level.	☐	☐	☐	☐	☐	☐
8. I am aware of where opportunities exist to influence my local and/or provincial government to forward our mission and ward off potential "threats".	☐	☐	☐	☐	☐	☐
9. I keep apprised of local and/or provincial public affairs through the media (newspapers, TV, radio, magazines).	☐	☐	☐	☐	☐	☐
10. I know who in the local and/or provincial media covers areas linked to our mission.	☐	☐	☐	☐	☐	☐
Total	☐	☐	☐	☐	☐	☐

C) RELATIONSHIP BUILDING

	LOCAL			PROVINCIAL		
	YES	**SORT OF**	**NO**	**YES**	**SORT OF**	**NO**
1. I have met within the last year with key elected officials at the local and/or provincial level to make sure they are aware of the contributions of our organization and to hear about their plans and activities	☐	☐	☐	☐	☐	☐
2. I have met with public servants at the local and/or provincial level to make sure they are aware of the contributions of our organization and to hear about their plans and activities.	☐	☐	☐	☐	☐	☐
3. I have effective working relationships with local and/or provincial public servants, elected officials, and other community leaders.	☐	☐	☐	☐	☐	☐
4. Our organization can easily partner with other local and/or provincial organizations, as needed, to achieve our goals.	☐	☐	☐	☐	☐	☐
5. My board chair or I have met with key local and/or provincial media contacts to ensure they are well informed about our organization.	☐	☐	☐	☐	☐	☐
6. We have given tours of our organization to our key stakeholders.	☐	☐	☐	☐	☐	☐
7. Board members, staff and/or I have participated over the last two years in local and/or provincial public forums, committees, or task forces to discuss issues linked to our mission.	☐	☐	☐	☐	☐	☐
8. We have involved some of our key stakeholders in our organization's activities.	☐	☐	☐	☐	☐	☐
9. Board members and/or I have successfully influenced our local and/or provincial government.	☐	☐	☐	☐	☐	☐
10. We know whom we can draw upon for advice and support in positioning our organization on public policy.	☐	☐	☐	☐	☐	☐
Total	☐	☐	☐	☐	☐	☐

Total of all pages: "Yes" _____/out of 47

Score:
1-20 May need to review "Be H.I.P.P." again
21-39   You're on the right track.
40-47   You're on the fast track and your organization is well positioned to influence your local and provincial governments.

Voluntary sector leaders can play a key role in influencing social change. The YMCA in Canada has had an enduring mission of being dedicated to the "growth of all persons in spirit, mind and body and in a sense of responsibility to each other and the global community". YMCAs and YMCA-YWCAs across Canada serve over 1.5 million people and have the commitment of over 30,000 volunteers. This capacity has helped shape social change throughout the YMCA's history.

This Public Policy Toolkit is also supported by a 2 hour e-learning module called "BE H.I.P.P. Have Influence on Public Policy (to be launched June 2003).

This e-learning module is available for voluntary sector leaders and future voluntary sector leaders to increase their self-knowledge of understanding public policy.

For more information on the Be H.I.P.P. Toolkit and e-learning module, http://www.ymca.ca/eng_homepage.htm at YMCA Canada.

Note: This publication does not necessarily reflect the views and opinions of Human Resources Development of Canada (HRDC). YMCA Canada has put these materials together from its own learnings and views this toolkit as contributing to collaborative learning within the voluntary sector in Canada on public policy development.

BIBLIOGRAPHY AND RECOMMENDED RESOURCES

Advocacy on the Agenda: Preparing Voluntary Boards for Public Policy Participation by Annette Hegel; Volunteer Canada: Ottawa, ON, 2003 (Web resource – www.volunteer.ca) – This resource is a "how to" manual for engaging in changing public policy in Canada. It provides some concrete examples of what to do, say and write.

The Art of Advocacy: A Handbook for Non Profit Organizations by Gina Warner; Canadian CED Network (Victoria, BC) and Habitat for Humanity Canada (Waterloo, ON), 2004 (Web resource – www.habitat.ca) – This resource gives a good outline of the CRA regulations in plain language with some practical suggestions and tips for engaging in a lobbying campaign.

Be H.I.P.P.: Have Influence on Public Policy: A Manual and Tool Kit on How Volunteer Organizations Can Influence Public Policy prepared by YMCA Canada: Toronto, ON, 2003 (Web Resource – www.ymca.ca) – The ultimate how to manual that has an 8 step action plan with checklists to ensure successful engagement in public policy work by helping you to minimize the pitfalls and overcome the barriers.

Board Development:
Advocacy

Laura Berezan has over 20 years as a board member with a variety of organizations. For four years she was an Information and Referral Consultant with the Resource Centre for Voluntary Organizations and then spent two years with the Board Development Program working with board members and staff of non-profit organizations. Laura is working on a law degree with a desire to assist non-profit organizations better understand the legal issues that they face.

BOARD
DEVELOPMENT
P R O G R A M

**Board Development
Program
907 Standard Life Centre
10405 Jasper Avenue
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The basis of the resource is that voluntary sector leaders should be influencing social change.

Module 5: Board Handbook for Community Relations and Advocacy; Victoria Order of Nurses, 2002 (Web resource – www.von.ca/english/Volunteers/V200Leadership/Module%205/ V200IntroModule5.htm) – A resource that provides a template for developing a terms of reference for an advocacy committee.

The Nonprofit Board Member's Guide to Lobbying and Advocacy by Marcia Avner with Kirsten Nielsen; Amherst H. Wilder Foundation: Saint Paul, MN; 2004 – This American book provides an excellent guide to board members on their role in advocacy and lobbying. It offers some very practical planning tools and questions to enable a board to effectively engage in advocacy work that is tied to the mission and vision of the organization.

Participating in Federal Public Policy by the VSI Capacity Joint Table; Government of Canada through the Voluntary Sector Initiative: Ottawa, ON; 2003 (Web resource – www.vsi-isbc.org/eng/index.cfm) – This comprehensive Canadian publication outlines how to navigate public policy engagement at the federal government level. It includes additional resources and links to assist in developing an effective campaign.

Political Activities CPS-022 Policy Statement by Canada Revenue Agency: Ottawa, ON; Government of Canada, September 2, 2003 (Web resource - www.ccra-adrc.gc.ca) - This advisory bulletin was released after significant consultation with the voluntary sector on allowable political activities. It provides guidance on what allowable public policy activities charities can engage in.

Office of the Commisssioner of Lobbying of Canada (website- www.ocl-cal.gc.ca) - This office oversees the implementation of the *"Lobbyist Act (Canada)"*. There are several interpretation bulletins to assist boards in determining if and how to comply with this legislation.

Office of the Ethics Commissioner (Alberta) (website- www.lobbyistact.ab.ca) - This office oversees the implementation of the *"Lobbyist Act"*. There are several pieces of information to assist boards in determining if and how to comply with this provincial legislation.