Collaborative Governance Charter

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1   C4CE Purpose, Vision & Objectives

The Coalition for Community Energy's (C4CE) purpose is to create the conditions which support a vibrant community energy sector and movement right across Australia by leading and facilitating coordination, communication and collaboration. Its unique niche and contribution is to focus on collaborative initiatives which are clearly greater than the sum of their individual parts, and which benefit Members and the wider community energy sector.

C4CE sees community energy as being cooperatively-spirited, commercially-driven and environmentally minded. As such, community energy clearly contributes to a bigger picture of action on climate change, sustainability, social equity, community resilience and self-agency.

C4CE's vision is for community energy to be a significant creator and beneficiary of Australia's renewable and sustainable energy system ~ with community energy groups and projects initiating, developing, owning, operating, implementing and benefiting from renewable and sustainable energy.
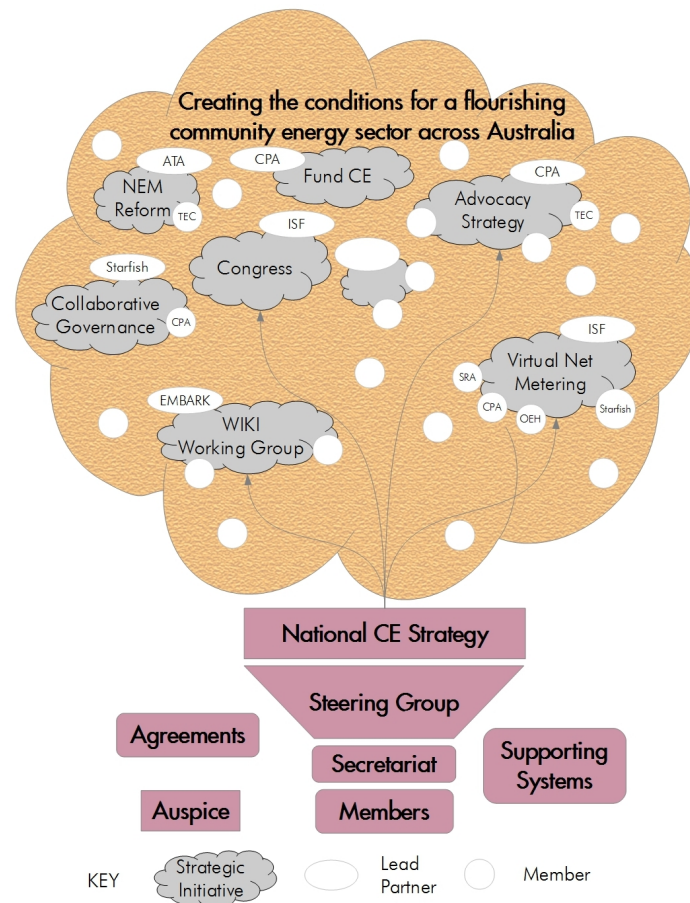
C4CE's objectives are to:
- Guide and support development of the community energy sector
- Create a coordinated voice to better advocate for the needs of the sector
- Grow the sector's profile, influence and membership (beyond the 'usual suspects')
- Facilitate the alignment of efforts by Members with support, systems, tools and training which enable collaboration for collective impact
- Identify and create strategic opportunities and attract investment for the sector
- Coordinate strategic initiatives which build the knowledge, know-how and capacity of Members and the sector

C4CE is leading the development of a National Community Energy Strategy, with broad participation by key actors from across the emerging community energy sector.

The purpose of the National Strategy is to identify the most important actions required to bring about the creation of a vibrant community energy sector across Australia. These shared priorities seek to form the basis of collaborative effort by key actors from across the sector.

As a National Strategy, its implementation and success is bigger than C4CE alone. However, as the lead authors of the Strategy, C4CE aims to play a significant part. In this way, the Strategy will inform and guide the strategic initiatives undertaken by C4CE and its Members.

2 Governance Model

Creating the conditions for a flourishing community energy sector across Australia

NEM Reform
ATA
CPA
TEC

Fund CE
CPA

Advocacy Strategy
CPA
TEC

ISF

Congress

Starfish

Collaborative Governance
CPA

Virtual Net Metering
ISF
SRA
CPA
OEH
Starfish

EMBARK

WIKI Working Group

National CE Strategy

Steering Group

Agreements

Secretariat

Supporting Systems

Auspice

Members

KEY
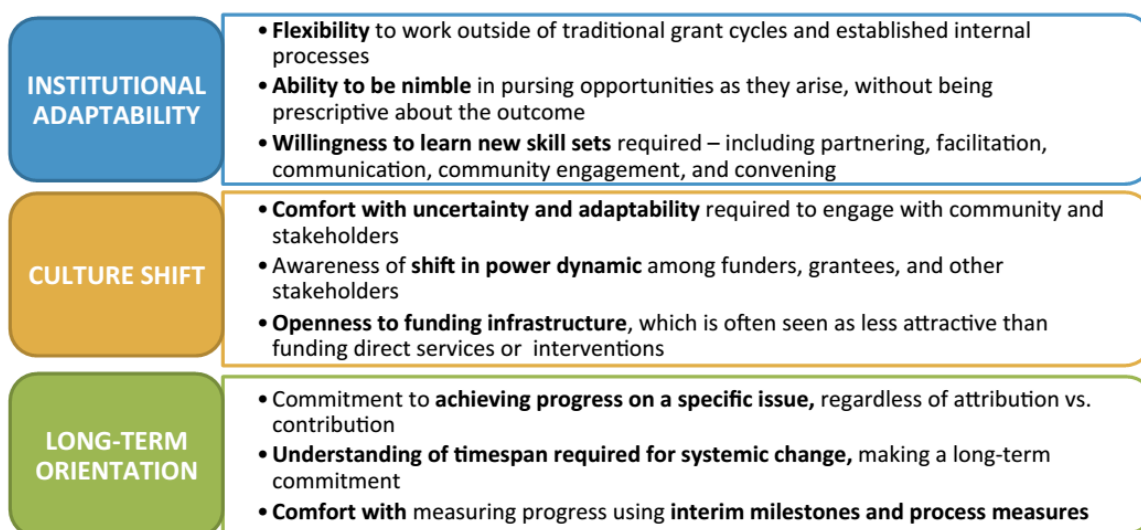Strategic Initiative
Lead Partner
Member

C4CE's Governance Model is depicted above. The purpose of each major part of the model is summarised below and detailed fully later in this document:
- Members ~ approved organisations, groups, agencies or projects
- National CE Strategy ~ strategic context and priorities for the development of the sector
- Strategic Initiatives ~ formally approved C4CE branded initiatives
- Steering Group ~ to govern and coordinate C4CE's work and role in the sector
- Secretariat ~ providing support for the Steering Group and Strategic Initiatives
- Agreements ~ defining the various roles, responsibilities and accountabilities
- Auspice ~ the financial and legal structure for C4CE and its Strategic Initiatives
- Supporting Systems ~ to enable the collaboration, communication, information sharing, sector analysis, implementation of initiatives, measurement of progress and performance

2.i   Guiding Principles

The below core principles guide the way that C4CE operates and the describe the values which will be be developed to enhance the effectiveness of the collaboration.

Principles	Behaviours and Actions
Collaboration	Every Member takes on the challenge of working together to build the sector, reduce duplication and competition by creating and implementing the National Strategy, Strategic Initiatives and Supporting Systems. This is about co-creating solutions as new possibilities which can't be arrived at individually and are greater than the sum of their parts.
Mutuality of self-interest, benefit and commitment	C4CE aims to create opportunities and initiatives which are mutually beneficial for Members and the sector. The interests of Members ~ such as their own strategic plans and priorities ~ are harnessed in areas where they align with the common or collective interests of the greater sector. This is about working to create 'coordinated mutual self-interest' as the best way to secure resources and goals. Members have free choices at all times ~ through their own governance and decision-making structures ~ to participate and contribute to C4CE as distinct to, and rather than, having obligations or constraints. In return for these collective opportunities, Members commit to acting in the best interests of C4CE and the sector.
Shared leadership, responsibility and accountability	C4CE encourages every Member to consider and commit resources and capacity for the benefit of the sector and implementation of the National Strategy and Strategic Initiatives. Leadership and workload are balanced, shared and aligned with Members' interests, priorities and competencies. Authority and function are distributed to the maximum degree, with the Steering Group and each Strategic Initiative ensuring that action is devolved to the most distributed part of the sector.
Adaptability, responsiveness and learning	All Members commit to being open to learning, systematic reflection and improvement as well as the essential need for innovation and experimentation. These are key qualities to be able to effectively work in a dynamic and emerging context of continuous change.

INSTITUTIONAL ADAPTABILITY
- **Flexibility** to work outside of traditional grant cycles and established internal processes
- **Ability to be nimble** in pursing opportunities as they arise, without being prescriptive about the outcome
- **Willingness to learn new skill sets** required – including partnering, facilitation, communication, community engagement, and convening

CULTURE SHIFT
- **Comfort with uncertainty and adaptability** required to engage with community and stakeholders
- Awareness of **shift in power dynamic** among funders, grantees, and other stakeholders
- **Openness to funding infrastructure**, which is often seen as less attractive than funding direct services or interventions

LONG-TERM ORIENTATION
- Commitment to **achieving progress on a specific issue,** regardless of attribution vs. contribution
- **Understanding of timespan required for systemic change,** making a long-term commitment
- **Comfort with** measuring progress using **interim milestones and process measures**

2.ii Decision-Making

The overarching intention for all decision-making is to be highly participatory, inclusive and collaborative. This means to at all times be working for consensus, by which is meant decisions which all parties involved can 'live with' without compromising issues of fundamental importance ~ as distinct to needing to be unanimous.

In the event that consensus cannot be reached after reasonable attempts have been made, then decisions will be made by super-majority (ie. at least 75%).

This decision-making ethos applies to the Membership, Steering Group and Strategic Initiatives.

Any one of these decision-making bodies within C4CE has the authority to create higher standards of decision-making for areas they identify to be critical ~ such as policy, advocacy and financial allocations ~ to uphold the ethos of participatory, inclusive and collaborative decision-making. For example, all Members are given a free choice to sign-on to the final Policy Position Statements (see Rules of Procedure) that are developed.

No Member, or the Delegated Representative, or combination of either or both of these, is able to dominate deliberations or control decisions.

Decisions are also distributed to the greatest degree, with each Strategic Initiative having authority, responsibility and accountability for its defined purpose and objectives.

Being a "participant" for decision-making can be by the following means: face-to-face, by telephone, email, the interweb, video conference or any other practical means determined in advance. A proxy can also be provided for this purpose.

2.iii Changes to the Charter

Proposed changes to the Charter require a super-majority vote by Members. Any proposed changes will be provided to Members at least one month in advance of the meeting at which they are to be considered.

The Steering Group may amend the Rules of Procedure at any time by a super-majority vote.

3 Membership

Membership of C4CE is open, inclusive (non-discriminatory) and voluntary to any organisation, group, agency or project which can demonstrate its genuine involvement with community energy and its commitment to a vibrant community energy sector in Australia.

The minimum number of Members required to participate for decision-making is at least one-quarter of all Members up to a maximum of 25.

The benefits of becoming a Member of C4CE are:
- Gain in knowledge and capacity for community energy and collaboration
- Involvement in C4CE Strategic Initiatives and access to C4CE resources
- Join with a growing and coordinated voice to better advocate for the needs of the sector and have greater influence on the development of the sector
- Participation in decision-making processes
- Eligibility to nominate a representative for the Steering Group
- Utilisation of C4CE branding

The Membership's functions are to:
- nominate a Member Representative for C4CE
- nominate Member Representatives for the Steering Group
- appoint members to the Steering Group
- approve changes to the C4CE Collaborative Governance Charter
- accept the Annual Report

Each Member agrees to:
- Act in the best interests of C4CE and the sector more generally
- Actively contribute to the work of C4CE and the sector more generally
- Explain and promote community energy with their own members, constituents, clients and through their networks
- Collaborate with C4CE Members when mutually beneficial
- Avoid duplication of effort with other Members
- Contribute data and information for analysis of the sector as well as to measure and assess progress and performance of C4CE and any Strategic Initiatives
- Develop their own capacity for collaboration

Applications for Membership are approved by the Steering Group. The Steering Group also has the authority to revoke Membership where it is justified to be in the best interests of C4CE and the community energy sector.

Any Member may withdraw from C4CE by notifying the Steering Group.

The Steering Group will determine what membership fees, if any, are payable from time to time.

4 Steering Group

The Steering Group is accountable to Members for the governance and performance of C4CE to fulfil its purpose and achieve its objectives.

The Steering Group will comprise up to nine Member Representatives plus one Secretariat Representative (who does not have voting rights). Steering Group terms are for two years and are renewable.

The Steering Group will elect a Chair and Vice-Chair for one-year terms, with a maximum of two consecutive terms in the same position. Elections shall be conducted by the Secretariat as a secret ballot.

Participation of more than half of the number of members of the Steering Group is necessary to make decisions.

The Steering Group's functions are to:
- guide the ongoing development of strategy for the Community Energy, including the National Community Energy Strategy
- to monitor and analyse the system dynamics of the sector
- to work with the Secretariat to secure sufficient resources for C4CE
- share work and enable collaboration between the Members
- approve the Annual Operations Plan and Annual Report
- approve Strategic Initiatives and oversee their performance
- approve Membership applications
- determine what membership fees, if any, are payable from time to time
- establish Rules of Procedure for its proper functioning
- represent C4CE as agreed from time-to-time
- assess the health and performance of the C4CE collaboration
- consider other relevant matters submitted by the Secretariat or any Member
- recruit, select and appoint its own membership based upon their collective ability to bring the required mix of experience, expertise and influence for C4CE's effectiveness

The Steering Group also has the following responsibilities for the Secretariat and Auspice:
- recruitment, selection, renewal and|or replacement
- monitor and assess performance
- provide guidance and direction

5 Secretariat

To Secretariat is accountable to the Steering Group and is responsible for executive support and the day-to-day coordination and administration of C4CE's Strategic Initiatives and Support Systems. The Secretariat can be a Member.

The Secretariat's functions are to:
- guide the development of a shared vision and strategy and work with members to align strategic initiatives with the shared strategy
- work with the Steering Group and Strategic Initiative Working Groups to secure sufficient resources (including funding) for C4CE to support its goals
- provide coordination support to the governance processes of the C4CE, including preparation of Steering Group meeting agendas, business papers, including performance reporting from Strategic Initiatives, keep minutes, prepare the Annual Operations Plan and Annual Report
- facilitate the preparation of proposed Strategic Initiatives for the Steering Group and support the set-up and functioning of the Strategic Initiatives Working Groups as needed
- manage the internal communications channels of C4CE
- represent C4CE as agreed
- facilitate the induction of Members
- coordinate the monitoring and evaluation of C4CE and its impact
- provide additional administrative services as approved by the Steering Group such as personnel, financial management, legal assistance and development of policy positions.

Guide Vision and Strategy
- Build a **common understanding of the problem**
- Provide **strategic guidance** to develop a common agenda

Support Aligned Activities
- Ensure **mutually reinforcing activities** take place:
  - **Coordinate and facilitate** communication and collaboration
  - **Convene** partners and key external stakeholders
  - **Catalyze** or **incubate** new initiatives or collaborations
  - Provide **technical assistance**
  - Create **paths for, and recruit, new partners**
  - Seek **opportunities for alignment** with other efforts

Establish Shared Measurement Practices
- Collect, analyze, interpret, and report **data**
- Catalyze or develop **shared measurement systems**
- Provide technical assistance for building partners' **data capacity**

Build Public Will
- Build public will, consensus and commitment:
  - **Create a sense of urgency** and articulate a call to action
  - Support **community member engagement** activities
  - Produce and manage **external communications**

Advance Policy
- Advocate for an aligned **policy agenda**

Mobilize Funding
- Mobilize and align public and private **funding to support goals**

Six key functions for the Secretariat as a 'backbone' for the C4CE collaboration

6   Agreements

6.i   Secretariat

A written agreement will be made for the Secretariat. This agreement will be with the Auspice on behalf of the Steering Group.

The Secretariat is ideally a performance-based, fee-for-service role. That is, remuneration and payments are only made once the agreed deliverables and|or outcomes have been satisfied.

The Secretariat will be reimbursed for expenses and costs reasonably and properly incurred in accordance with the prior approved arrangements by the Steering Group.

Neither the Secretariat, or any of its officers, personnel, agents, representatives or contractors are to commit the C4CE or its Members to any agreement or expenditure beyond what has been prior approved by the Steering Group.

6.ii   Auspice

The Auspice is to provide C4CE with a financial and legal structure, noting that C4CE itself is an unincorporated structure.

The Auspice is ideally a performance-based, fee-for-service role ~ and could be performed by the Secretariat if approved by the Steering Group. That is, remuneration and payments are only made once the agreed deliverables and|or outcomes have been satisfied.

The Auspice functions are to:
- hold any or all C4CE assets in trust (brand, intellectual property, website, cash, etc.)
- provide reports to the Steering Group on its performance as required
- hold any or all Strategic Initiatives assets in trust, as agreed by the Steering Group on an initiative-by-initiative basis
- manage the dissolution of the C4CE as required by Members

C4CE materials and communications will clearly disclose that C4CE is an unincorporated collaboration and initiative of the Auspice.

6.iii Intellectual Property

All intellectual property created through C4CE or its Strategic Initiatives will be made available through Creative Commons Attribution-Non-Commercial-Share-Alike licence unless otherwise approved by the Steering Group.

6.iv Brand Usage

The C4CE brand will be applied to all official activities, including approved Strategic Initiatives.

Approved and current Members are permitted to use the C4CE brand to acknowledge their membership in a manner that supports and enhances the objectives of C4CE.

A written licence agreement will be prepared for adoption by the Steering Group for any other usage of the brand to ensure that such usage supports and enhances the objectives of C4CE.

7 Dissolution

The Members may discontinue the collaboration any time. In this situation the Auspice will arrange for the liquidation of C4CE assets, and so far as practicable, arrange for distribution of any assets or the proceeds from them to another organisation with a similar purpose and objectives.

8 Rules of Procedure

8.i   Steering Group

The Steering Group will meet at least three times per year.

In the event that a Member Representative is unable to participate in the Steering Group for a one-off or short period of time (less than 3 months), the Member may nominate an Alternate Representative.

Nominees for the Steering Group are to detail their:
- Experience and expertise in community energy and collaboration
- Leadership position and influence in the sector
- Commitment to the necessary time to effectively fulfil the role
- Commitment to act in the best interest of C4CE and the sector (rather than representing their own organisational, sub-sector or personal interests)

8.ii   Strategic Initiatives

Strategic Initiatives can be created by the Steering Group or proposed by the Secretariat, a Member or group of Members for approval by the Steering Group. They can be formal projects, emergent initiatives or working groups which lead particular aspects of the sector and are clearly better done collaboratively.

Each Strategic Initiative will be coordinated and implemented by a self-governing, activity-based Strategic Initiative Group involving one or more Members, with other Members involved in the Strategic Initiative as required.

Non C4CE Members can also participate in Strategic Initiatives. Each Strategic Initiative Group is required to have a majority of C4CE Members at all times.

Participation of more than half of the number of members of the Strategic Initiative Group is necessary to make decisions.

Each Strategic Initiative Group's functions are to:
- prepare and propose a policy framework for the Strategic Initiative ~ such as terms of reference, project plan, scope of work, budget, brief, members involved and their roles, responsibilities and authority ~ for the consideration of the Steering Group
- coordinate and implement their Strategic Initiative within this approved policy framework, as may be changed from time-to-time (with Steering Group approval)
- work in accordance with this C4CE Collaborative Governance Charter
- work with the Secretariat to secure sufficient resources for their Strategic Initiative

- prepare agendas, reports and minutes
- report to the Steering Group ~ based on the approved policy framework ~ so that it can play a coordinating role, and work to leverage the skills, assets and expertise of the collaboration for the Initiative's benefit

Strategic Initiatives can either form part of the C4CE Auspice or be under the legal auspice of one of the Members in the Strategic Initiative Group. The exact arrangement will form part of the proposed policy framework.

Each C4CE Strategic Initiative will clearly disclose that C4CE is an unincorporated collaboration and that the Strategic Initiative is an initiative of the Auspice provider.

Any financial remuneration and payments will be performance-based. That is, they are only made once the agreed deliverables and|or outcomes have been satisfied.

8.iii Policy Position Statements

C4CE will develop Position Statements on matters of public and political policy as required and possible from time-to-time. These are public in nature and distinct to the Rules of Procedure and other internal policy matters relating to the governance and operations of C4CE itself.

These Statements reflect an agreed policy position at a given point in time, recognising the highly dynamic context for C4CE's work. In this sense the Statements reflect a policy position for a particular purpose more than being a permanent policy.

Once approved, Members are invited to voluntary 'sign on' to Position Statements. The final Position Statement will carry the logos of Members who do sign on.

More work intensive matters of public policy, such as formal submissions to public inquiries, could be organised as a Strategic Initiative in their own right.

The following process will be followed for all Policy Position Statements:
- Position Papers will be developed in keeping with the decision-making ethos
- Final approval will be either by the Steering Group or an Initiative Group as relevant
- Every Position Statement will clearly carry the disclaimer that it does not necessarily represent the views of all Members

No Member will take a position regarding issues on behalf of C4CE, or any of its parts, without the consent of the Members.

8.iv Conflict of Interest

Every Member agrees to act in the best interests of C4CE and the community energy sector more generally.

C4CE's decision-making ethos ~ of being participatory, inclusive and collaborative ~ depends upon Members being pro-actively transparent and tabling any and all relevant interests they have which may create perceived and|or real conflicts-of-interest.

No individual should obtain a private benefit or advantage by virtue of being part of C4CE in any way. Additionally, no individual should use their position within to unfairly influence or decide a matter where they have a real or perceived private interest. These principles apply to both pecuniary and non-pecuniary conflicts of interest.

Each participant in every decision-making forum (eg Member, Steering Group and Strategic Initiative Groups) and every decision-making process (eg. Formation) is required to identify and table all issues in which they hold a relevant interest.

In situations where an interest is disclosed, the participant with that interest may or may not participate in discussions regarding a relevant decision to the extent agreed by the other participants in that decision-making process.

In situations where an interest is disclosed, the participant with that interest may or may not participate in any decision relevant to those interests to the extent agreed by the other participants in that decision-making process.

In cases where there is ambiguity about a particular item, the Chair will rule whether a conflict of interest exists or not.

8.v Interpretation

In the event of any inconsistency between the Rules of Procedure and the Charter, the Charter shall prevail to the extent of the inconsistency.

9 Appendices

9.i Formation

The purpose of this section is to address the requirements for C4CE's transition from its original informal arrangements to the formal creation and implementation of this Governance Charter.

The original idea for C4CE can be traced back to a Community Energy Forum convened by the Total Environment Centre in May 2012. Since that time, it has been led by an informal collaboration between nine of Australia's leading community energy support organisations: Community Power Agency, the Institute for Sustainable Future at UTS, Starfish Initiatives, Embark, NSW Office of Environment & Heritage, Backroad Connection, Sustainable Regional Australia, the Alternative Technology Association and the Total Environment Centre.

Community Power Agency have provided the functions of Secretariat during this time. Starfish Initiatives have provided the functions of Auspice during this time.

The following Strategic Initiatives have been coordinated through these informal arrangements: Advocacy Campaigns (Fund CE, RET Review, Virtual Net Metering, Community Advocacy Strategy) as well as the Congress, National Strategy and Embark WIKI Working Group.

The overwhelming majority of this formative work for C4CE has been done on an unpaid basis.

The process for the Formation of C4CE is:
- The informal Steering Group
  - > invites formal Membership Applications, including from its own current members
  - > considers each Membership Application, addressing Conflicts of Interest as required
  - > requests that the informal Secretariat (Community Power Agency) coordinate a process for the recruitment and selection of the first official Steering Group
- The first official Steering Group
  - > Develops the Auspice Agreement then recruits and selects an Auspice
  - > Develops the Secretariat Agreement then recruits and selects a Secretariat
  - > Considers proposals to formally approve the current Strategic Initiatives

9.ii Limiting Legal Risks & Liabilities

This document is not legally binding and has no effect as a legal or political precedent. It is subject to the goodwill and effective contributions of Members to C4CE's activities and operations, either financially or through any of the Strategic Initiatives, and is subject to the laws and regulations applicable to the individual Members.

Further, each Member's agreement is voluntary and should not be construed as in any way creating legal obligations or duties.

The strength of this approach is that it upholds the integrity and independence of all Members' governance arrangements, with each being encouraged though ultimately free to choose its own level of commitment to C4CE and its Strategic Initiatives. In this way C4CE creates options and opportunities rather than obligations or restrictions.

The weakness of this approach is that it is non-binding and open. Members are free to renege on their commitment at any time.
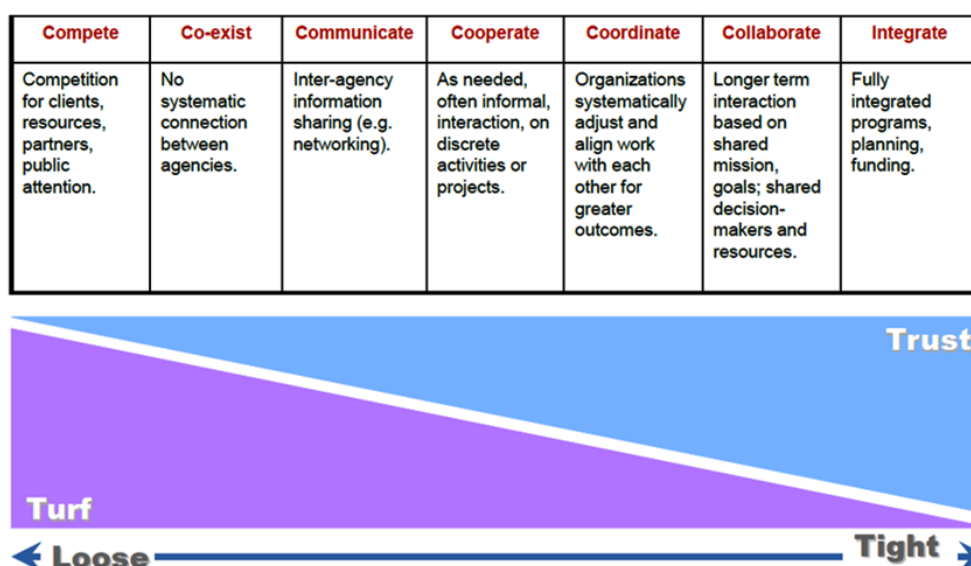
9.iii About Collaborative Governance

Collaborative governance[1] is at the cutting edge of governance theory and practice. It is a voluntary and unincorporated structure, with the binding force being genuine mutual benefits and shared responsibilities throughout the membership.

C4CE has chosen to utilise a collaborative governance model for the reasons of being able to:
1. leverage greater knowledge, ability and resources. The creation and development of the Australian Community Energy sector and movement is an undertaking far beyond the capacity of any individual organisation, agency, service or even government as whole.
2. effectively scan and assess the sector and movement to in turn guide and support strategic interventions which are highly adaptable and responsive to what is a complex and emergent space ~ both community energy and energy more broadly
3. create a culture of collaboration, where knowledge, tools, resources and support are shared to achieve the greatest possible uptake and impact of community energy throughout the country.

The Collaboration Continuum

Compete	Co-exist	Communicate	Cooperate	Coordinate	Collaborate	Integrate
Competition for clients, resources, partners, public attention.	No systematic connection between agencies.	Inter-agency information sharing (e.g. networking).	As needed, often informal, interaction, on discrete activities or projects.	Organizations systematically adjust and align work with each other for greater outcomes.	Longer term interaction based on shared mission, goals; shared decision-makers and resources.	Fully integrated programs, planning, funding.

Trust

Turf

◄ Loose ━━━━━━━━━━━━━━━━━━━━━━━ Tight ►

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1 Collaborative governance is one form of multi-organisational governance. Other related areas include collective impact, adaptive, constellation, network, chaordic, polycentric and place-based governance.