Oligopoly in Monopsony: The rise of Australian Big Charity in the delivery of services to people with a disability

An oligopoly is a market form in which a market or industry is dominated by a small number of sellers (oligopolists). (Wikipedia)

Monopsony: a market where a single buyer substantially controls the market as the major purchaser of goods and services. (Wikipedia)

Abstract

Some parts of the Australian non-profit sector sector has been growing much faster than others and that significant increases in revenue have mainly accrued to a group of large, multi-service, national social service organisations, a group Dalton and Butcher (2014) refer to as “Big Charity”. In various policy domains, Big Charity appears to exert disproportionate influence in various areas of social services provision. In this paper we focus on the emergence of Big Charity and examine the implications for the delivery of services under the proposed National Disability Insurance Scheme (NDIS). The Scheme will is likely to open up a new market but, in the context of the rising market dominance of larger charities, we ask if this will lead to a rationalisation of the sector in favour of larger providers of disability services.
Introduction
Australians rely on non-profit organisations to deliver a variety of social services – in the main funded by federal and state governments under contract and subject to competitive procurement. Big Charity has thrived in this government funded and directed ‘contract culture’. Larger organizations have greater capacity to handle complex contracting processes and government commissioners often prefer to engage with a small number of large, experienced providers, both to reduce transaction costs and manage risk. Thus a relatively small number of large organisations have captured a significant share of Australia's human services market (Dalton and Butcher 2014), a trend also observed in the United States (Tucker & Sommerfeld, 2006) and the United Kingdom (Backus, Clifford 2013). In the context of the roll out of the NDIS, what are the implications for policy making and outcomes of the concentration of market-power in a relatively small number of large non-profit organisations for disability services?

Our paper asks whether the trend to market concentration amounts to the ‘Tescoization’ of the non-profit sector. The term *Tescoization* is borrowed from the UK retail sector where so-called ‘big-box’ chain stores have used their market power at the expense of other market players. In particular what are the implications for the nonprofit disability field?

Australian third sector and its role in civil society
The term third sector is highly contested. Commentators usually follow variants of the “structural-operational” definition propounded by Salamon and Anheier (1996): with the following characteristics

it must have a degree of formality and be organised

self-governing

does not distribute profits or accrue and disperse surpluses to external shareholders;

independent of government and private,

have an element of voluntarism in its operation.

There is no criteria that it must exist to realise a specific purpose. Many organisations advance private interests, such as unions, and others may exist to advance the interests of a selected group of individuals (e.g. a golf club for golfers). Arguments about the number and
type of organisations in the Australian non-profit sector are therefore common. Nevertheless, non-profits are generally understood to include, but extend beyond, charities, to cover (for example) sports clubs, unions, professional associations, mutuals and cooperative organisations.

Non-profits inhabit civil society but consensus on the meaning of civil society remains elusive. According to Benjamin Barber (1996) “The more the term civil society has been used in the recent years, the less it has been understood.” Scholars such as Seymour Martin Lipset, Larry Diamond, Philippe Schmitter, Guillermo O’Donnell and Lucian Pye place great emphasis on the role of organisations within civil society in strengthening democracy (Anheier 2004; Lipset 1956, 1967; Diamond 1994; Schmitter 1995; O’Donnell & Schmitter 1986; Pye, 1999).. Larry Diamond writes, “increasingly, scholars are recognizing the symbiotic nature of the relationship between state and civil society, in the process of democratic consolidation and more generally.” (Diamond 1997: 34). Drawing on the observations made by Alexis de Tocqueville of 19th century, American life, other scholars developed the notion of social capital and the particular role of nonprofit organisations can play in building this social resource (Coleman, 1988; Wellman & Scot 1990), Bryce 2006).

Counting, classifying and mapping Australian non-profit organisations

The Australia non-profit sector has grown strongly over recent decades and a major driver has been that non-profit organisations have figured significantly as the preferred partners of government in the social policy space (Butcher & Freyens, 2011; O’Flynn & Wanna 2008; Casey & Dalton 2006). Some argue that this is a driver of more collaborative approaches to governance (Edwards, 2001; Considine, 2003). The preference to look to non-profits in the delivery social services is also, in part, driven by practical considerations of government. this is due to the fact that non-profits are able to provide services at a lower cost than public sector or for-profit organisations (owing to lower wages and the capacity to subsidise the costs of service delivery with donations and volunteers) and because outsourcing provision has the effect of placing the political risks associated with service delivery at a greater ‘arm’s length’ (Butcher and Dalton, 2014).

Governments also seek to justify the use of non-profit service providers by extolling their presumed capacities for responsiveness, nimbleness and innovation (McDonald, 1999;
McDonald & Marston, 2002a, 2002b). However, it has also been recognised in some quarters that rigid, hierarchic procurement and accountability frameworks entail risks of compromising the very qualities sought (ostensibly) by public sector commissioners (Rathgeb Smith & Smyth, 2010).

According to the 2011/2012 Australian Bureau of Statistics (ABS) ‘Non-profit Institutions Satellite Account’ sector is also one of the biggest employers in Australia. Non-profit organisations contributed A$55 billion to Australia’s economy (an increase of A$22 billion on 2006-07 and up from $34 billion, or 3.4% of GDP, in 2006/2007). They are also the largest employer in Australia, accounting for over 1 million employees (1,081,900) or 8.6% of overall employment – up from 890,000 in 2006-07. They The non-profit sector generated income of A$107.5 billion (up from A$76 billion in 2006/2007). The types of non-profit institution activities that contributed to total gross value added were education and research (30.9 per cent), social services (19.5 per cent), health and hospitals (18.1 per cent) and culture and recreation (13.2 per cent). The NFP sector is growing much faster than the economy overall, experiencing 7.7% real annual growth (ABS 2014).

So the sector’s generated income, contribution to Australia’s economy and number of employees are all growing - but to the point of this paper – has the total number of nonprofits increased or decreased? And more specifically, are these increases in income and employment figures driven by an increase in figures aggregated from a large number of non-profits or is it part of the expansion of a fast-growing few? Aggregate concentration does not necessarily lead to the increase of market concentration, but a significant growth of few dominant players can lead to a form of oligopoly.

According to the 2011/2012 Australian Bureau of Statistics (ABS) ‘Non-profit Institutions Satellite Account’, there were 56,894 NPI organisations in Australia registered with the ATO at June 2013 and in scope of the NPI Satellite Account (that is considered ‘economically significant’ by the ABS ie those that employ staff). According to the ABSS 2011/2012 satellite account there were just over 59,000 organisations in 2006/7 (ABS Non-Profit Institutions Satellite Account, 2006-2007). So it seems that between 2006/7 and 210/11 we lost just under 2,000 organisations?

In regards to changes in numbers of organisations a comparison between 2006/7 and 2010/11 ABS data shows:
Some parts have grown a lot faster than the average: including non-profit schools, health services, research organisations, charismatic churches, culture and arts. (NB Growth in Schools in related to growth in Charismatic Churches establishing Independent Schools)

But other parts have grown at only average pace – religion (other), professional and business groups, registered clubs.

Some parts are shrinking including unions, service clubs (Rotary etc)

But how and what kinds of non-profits are generating this increase in income, contribution to Australia’s economy and number of employees?

The ‘Tescoisation’ of the Australian non-profit sector

Our analysis looks to the 2007/2008 and 2011/2012 Australian Bureau of Statistics (ABS) ‘Non-profit Institutions Satellite Account’ to identify trends in the distribution of non-profit income. We then analyse the Australian national charity regulator, the Australian Charities and Not-for-profits Commission (ACNC), registered charity dataset 2013 and a variety of nonprofits’ annual reports (all from 2012) to assess organisation-specific information including amounts of income by source, staff numbers and types and breadth of operational activities.

The analysis of ABS and ACNC data shows that there is a group of 13 social service non-profit organisations that are exceptional in terms of the size of their revenue, their large numbers of staff, their engagement in multi-service provision and the extent of their national footprint. The data also shows that these 13 organisations large revenue base is linked to their success in securing the lion’s share of government social services related funding. This group of 13 we refer to collectively as “Big Charity”.

Size and dimensions of Big Charity

The following analysis is based on the 2012 annual reports of 13 comparable large social services organisations which were selected based on the following criteria: large, multi
service, national social service organisations with similar national foot prints and is drawn from Dalton & Butcher 2014. 1

| 1. Anglicare        |
| 2. St Vincent de Paul Society |
| 3. Benevolent Society |
| 4. Australian Red Cross |
| 5. Salvation Army   |
| 6. Wesley Mission   |
| 7. The Smith Family |
| 8. Baptist Community Services |
| 9. Brotherhood of St Laurence |
| 10. Catholic Social Services |
| 11. Barnardos       |
| 12. Uniting Care    |
| 13. Mission Australia |

These organisations are compared in terms of areas of service provision; total revenue; numbers of paid staff; numbers of volunteers and by sources of revenue.

Please note the limitations of this data in particular the lack of consistent data collection processes and lack of standardisation of financial reporting and other information.

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1 The financial data for large networked organisations such as Catholic Social Services, which despite their uniform branding have separately incorporated entities in each state or territory, have not been included.
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Chart 1: Organisations by Revenue

Source: Dalton & Butcher 2014.

Chart 2: Organisations by staff
Source: Dalton & Butcher 2014.

Chart 3: Organisations by Volunteers
Many of these charities have grown exponentially in the last few decades driven by securing increasing amounts of government funding. A case in point is the growth is Mission Australia. In an interview with the Catholic Weekly back in 2003, then CEO Patrick McClure said that “When I came to Mission Australia, the budget was relatively small at only $40 million; now it’s $160 million” (Govorcin 2003). By 2008/9 Mission Australia’s annual budget was over $308 million - of which almost 90% was derived from Government grants (Mission Australia 2009). Total revenue for the Eastern Command of The Salvation Army for the 2008/9 was $295.3 million, of which approximately half was derived from government (The Salvation Army 2009).

**Big Charity: a new generation of ‘insiders’**

Classical theory warns that in oligopolistic markets monopolized producers neglect the technological innovation because they can control the prices. It is also worth mention that Australia’s social services sector domestic market shares of Australian non-profits often cannot be considered oligopolistic as our social services sector has both local and
international for-profit players – it is a globalised market, and Australia nonprofits are a domestic group among many suppliers.

From the perspective of the non-profit sector oligopoly poses other dangers.

Although the non-profit sector often projects a superficial veneer of solidarity, in reality it speaks with many voices (Gidron & Bar, 2010; Laforest & Acheson, 2012). As a result, intermediary organisations sometimes struggle to represent coherent positions on policy matters of common concern to the broader non-profit sector. Not only do governments ‘cherry pick’ input from organisations known to be ‘on-side’, but support for government initiatives by major non-profits can be highly tradable in the political marketplace. Large, socially conservative organisations at times appear to exert a disproportionate influence on policy and/or are more willing to buy into neoliberal policy framings (such as work-for-welfare programs or social benefit bonds) (Millar, 2013; Pascoe, 2013).

Australian Big Charity is characterised by a high level of dependence on state income. For these “insider” non-profit organisations, a desire to ‘grow their business’ is often seen as synonymous with securing more government contracts. For Big Charity, in order to realise their strategic goal to increase financial turnover and diversify their business portfolio into policy domains and/or geographical areas, considerable investment is being made into their capacity to forge close relationships with government to exert greater influence on the policy agenda a key tactic to realise this goal.

Once the agents of political and social activism, large parts of the Australian non-profit sector appear may become progressively co-opted by neoliberal economic reforms (Everingham, 2001; Onyx, et al., 2010). Competition over contracts and ‘market share’ has in some cases compromised longstanding cooperative practices in the non-profit sector: accounts of predatory business practices, unwillingness to share knowledge, and the ‘poaching’ of staff are common (Butcher & Freyens, 2011). These effects may be more pronounced in ‘Big Charity’.

According to Casey non-profit sector participation in marketised service provision has created a new generation of ‘insiders’ that enjoy close relations with public officials by virtue of perceptions that they are ‘respectable, reliable and responsible’ (Casey, 2004). Many non-profit organisations regard a close relationship with government as an important strategic goal. The ‘insider’ status these organisations enjoy by virtue of their contractual relationships...
with government contributes to perceptions that larger non-profits have captured the policy agenda at the expense of smaller, less well-connected non-profits.

Insiders might also exhibit a propensity for advocating policy change behind the scenes by directly lobbying government. However, the effectiveness of this approach rests on the presumption that meaningful access to government exists and that non-profit officials are listened to (Gormley & Cymrot, 2006:104). Insiders’ influence can be undermined by the inherent asymmetry of power within the relationship (Caragata & Basu, 2013:329-330; Shields, 2013) and generates new dilemmas as non-profits strive to maintain their autonomy whilst working to protect their insider status.

**Implications of the rise of Big Charity for disability services**

*Between 1996 and 2007 the number of people receiving the Disability Support Pension (DSP) actually increased from 500,000 to more than 700,000. Growth in the number of DSP recipients was greater than in any other pension category in the decade to 2007. It’s estimated that 20 per cent of this total – 140,000 people – are thought to be capable of work. We can’t let this situation go on.*

Toby Hall former CEO of Mission Australia, *The Sydney Morning Herald* Sep 20, 2010

The majority of disability services in Australia is currently provided by nonprofit organisations. Most of these groups are funded by the government, but are relatively small, receiving less than $1 million in government funding per year. For example in the Australian state of Victoria, according to the 2011-12 Victorian Department of Human Services annual report, only 15 per cent of these bodies in Victoria have a budget between $1-2 million (Victorian Department of Human Services 2012).

According to the NSW Department of Families and Communalities (FACS) the NDIS “is a generational reform that will deliver a national system of disability support focused on the individual needs and choices of people with disability. The NDIS will provide people with disability reasonable and necessary supports to live life their way, achieve their goals and participate in social and economic life.” (NSW FACS 2014)
The introduction of the National Disability Insurance Scheme or Disability Care, which when fully operational will grow to ultimately double the size of current funding for disability services, from $6 billion per year in initial government funding to $12 billion or more.

Many disability services have welcomed the NDIS as they see it as a way to tackle waiting lists for services and directly fund people with disabilities, who can then 'shop around' for different services.

There are a host of challenges that are likely to come with the shift towards self-directed approaches in the disability services sector. In particular, small, specialist, boutique services are likely to struggle to secure enough clients to support their operations. For example in Victoria over the last five years 15 per cent of registered disability services have closed or merged (Register of Disability Service Providers lists from 2007-2013). On current trends, we could expect even more mergers, amalgamations or outright closure, to achieve the ‘economy of scale’ needed to prepare for the new funding arrangements. Some predict that as a quarter to a third of disability organisations will close shop before the introduction of the NDIS (Leighton 2013).

Concern among small providers is so widespread that a major conference organiser has put on a conference entitled ‘Transitioning to the NDIS’ to be held in Sydney in November 2014. The home page opens with the lines. “NDIS: the end of small disability service providers?” “Put simply, small organisations don’t have the cash reserves required to ensure their survival in a less certain funding environment” (Criterion Conferences 2014).

Concern has already been expressed about the entry of some large for-profit businesses in the disability service sector that have used considerable resources at their disposal to aggressively gain market share (Leighton 2013). This seems to be playing out in some states. For example in NSW the centre-right conservative Baird government has announced that by July 2015 care services to 50,000 elderly and disabled clients of Home Care Service of NSW will be privatised. This has been heavily criticised by not-for-profit groups, who believe they will be excluded from tendering because the government will want to sell to multinational corporations such as health giant Bupa or Serco to maximise its profit.

However, larger Australian charities will no doubt see the NDIS as a business opportunity. A rationalisation of the sector may result in less ‘choice’ and thus less competition and perhaps to less variability in services and higher prices for services.
Implications of the rise of Big Charity for policy outcomes

What are the implications of the rise of Big Charity for policy outcomes? We argue that Big Charity’s investment in policy-influencing capacity has created a new generation of “insiders” dedicated to both advocating publically but also lobbying politicians and bureaucrats behind the scenes to influence the policy agenda. As examination of the role of Big Charity’s in recent policy debates also suggests that some of these organisations appear to have been progressively co-opted by neoliberal economic reforms. They have done so at a time when a recently elected conservative federal government is seeking endorsement of major charities for key components of its new policy agenda.

We argue that this is not a coincidence. While policy making remains complex and opaque, and it is difficult to clearly ascertain who is influencing whom, we argue that some things are more apparent: that is, a mutually beneficial relationship has emerged where endorsement from the charities is welcomed by politicians seeking public support for particular policy outcomes, and a close relationship with government is welcomed by charities seeking to grow their largely government-funded businesses.

It should be noted however, non-profit organisations vary considerably in terms of their investments in policy capacity and capability, meaning that the policy impact of non-profit sector representations to government are likely to be uneven within and between jurisdictions (Lyons, 2001, Productivity Commission 2010). In general, larger, more complex organisations appear better able to sustain internal policy functions. Whether the benefits of higher levels of policy capacity accrue to the organisation or are shared with the broader sector is unclear. Some non-profits will understandably be more concerned with the industry sector in which they operate than with a broader policy palette, and competitive pressures might contribute to information hoarding in sub-sectors where marketisation is well-entrenched (Butcher & Freyens, 2011).

Still we must be mindful of the implications of the rise of Big Charity for advocacy and civil society more broadly. In May 2014 Executive Director of the Brotherhood of St Laurence, Tony Nicholson delivered a hard-hitting speech on the future of the community welfare sector warning of the demise of small charities in favour of super-sized welfare businesses. He warned that in the next year or two decisions will be made about the sector’s future that in
all likelihood will be irrevocable. Pointing to the Victorian Government’s sector reform platform, Nicholson said he feared that if the wrong decisions were taken they would inevitably lead to the erosion of what voluntary organisations have stood for more than a century:

*if an amalgamation of organisations was allowed to continue a welfare arms race in which the lion’s share of government funding will go to super-sized welfare businesses ... last year the Victorian Government initiated what it called a ‘sector reform’ process. Its stated aim was to improve how the government and the community sector work together in order to produce a more effective and sustainable community services system.* (Nicholson 2014)

Conclusion

Many consider that the marketization of public services over the past two decades has had a corrosive effect on collegiality within parts of civil society (Dalton and Butcher 2014; Casey 2012). As in the business sector, money is the source of power in civil society.

As Dalton and Butcher observe “Gains in both ‘voice’ and policy influence have been greatest for large, national, highly professionalised and more ‘corporate’ social service organisations, or ‘Big Charity’. Big Charity also understands that its capacity to exert influence on policy is proportionate to its willingness to be ‘civil’ in its dealings with government.” (Dalton and Butcher 2014)

Further research is needed to investigate what implications the increasing dominance of Big Charity has for different areas of welfare provision in Australia. This should entail investigation into the relative internal policy capability in non-profit organisations and the degree to which this is correlated with a capacity for influence. Here, there is considerable scope here for comparative case studies at the jurisdictional and policy domain levels. (Case studies might be the only option as with the announced closer of the Australian Not-for-profits and Charities commission there will be no charities register and thus no uniform, routinised and reliable reporting on the scale and scope of charitable or Not for Profit activities in Australia and thus no national, comprehensive and reliable data).

The absence of formal representative structures within the non-profit sector makes it difficult for government to know whom to engage or how to weight non-profit representations some of which are highly partisan and of uncertain quality. One ought to acknowledge, therefore, the difficulties faced by public sector agencies seeking to engage with a non-profit sector that is neither constrained by the policy mandate of elected governments nor necessarily mindful of the effect of such constraints on the public sector officials charged with implementing government policy.

Nevertheless this preference to deal with a few big providers has created a new group of insiders – Big Charity. This may be more a perverse rather than an intended outcome, but it has consequences for non-profits fulfilling its role in representing and advocating on behalf...
of the many diverse voices to promote the many and diverse interests of Australian civil society. We argue that this may be the case for 1 in 4 Australians that suffer from a physical or mental disability and the many more will have a disability at some time in their lives and the many more who are affected by having a family member or friend with a disability.

**What should smaller organisations sector do?**

Back in 2012, the Lowy Institute’s Danielle Cave (2012) warned that if Aid NGOs failed to engage strategically with the future of the aid program, it would be at their own peril. She said it would only be ‘when the money stops that the thinking starts’.

The Federal Budget and the McLure review of the welfare system and the new NDIS signals that, for many smaller organisations, the money might stop. Some argue that now it is time for civil society leaders to start thinking. To quote Tony Nicholson again what might be needed is for the sector “to re-imagine its place within, and its connection to, the broader community. Where organisations re-discover and re-invigorate their mission as vehicles for harnessing the altruism of their local communities…Rather than being expert at the delivery of narrowly conceived services as specified by government funders, our sector needs to build expertise in helping ordinary citizens to support their vulnerable neighbours and strengthen community life.” (Nicholson 2014).

What can non-profits do to engage in what British sociologist Anthony Giddens'(1994) refers to as ‘generative politics’. That is, to raise questions about whose issues become part of the agenda, how to ensure a place for minority voices and how to establish collaborative approaches at local, national and international levels, and how to ensure that people makes things happen and not just let things happen to them. In this challenging environment smaller organisations need to be proactive and take steps now to ensure they survive. Potentially the NDIS may not signal the end of small disability providers but the opening of an opportunity for small providers to work collaboratively with other small providers to become bigger providers. It might be the case the small providers “Get big, get niche, or get out.”

For policy makers seeking to deliver greater value for money for taxpayers, being mindful of the costs and other dangers that come from the creating oligopolies in care services provision will be important. It is also hoped that policy makers follow the advice of The NSW Council of Social Service deputy chief executive John Mikelsons that, “any process to transfer services to the nongovernment sector, the interests, rights and views of consumers are taken into account and the process is transparent." (Needham 2014)

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and


