



Complaints involving Aboriginal and Torres Strait Islander corporations

1 July to 31 December 2015

Report prepared February 2016

Introduction

This report provides an overview of complaints submitted to the Registrar between 1 July and 31 December 2015. It also includes comparisons to data from previous periods.

As at 31 December 2015 a total of **2740** Aboriginal and Torres Strait Islander corporations were registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).

Key findings

For the six months between 1 July and 31 December 2015:

- » **362** complaints were received
- » **348** complaints were finalised
- » the average number of complaints received each month was **60.3**
- » the average number of days to finalise complaints by type was:
 - straightforward—**three days (previous period four days)**
 - detailed—**eight days (previous period 10 days)**
 - complex—**61 days (previous period 54.5 days)**
- » most complaints related to the conduct of **directors and officers (118)**.

Changes in the number of complaints over recent years

The number of complaints received has continued to decline over the past 18 months (Table 1) and appears to be returning to the level of complaints lodged in 2013–14¹.

Table 1: Comparison of complaints received and finalised, six-monthly periods

Six-monthly period	Number received	Number finalised
1 January to 30 June 2014	378	392
1 July to 31 December 2014	452	438
1 January to 30 June 2015	381	396
1 July to 31 December 2015	362	348

Table 2: Number of complaints received and finalised, 2012–13 to 2015–16 (projected)

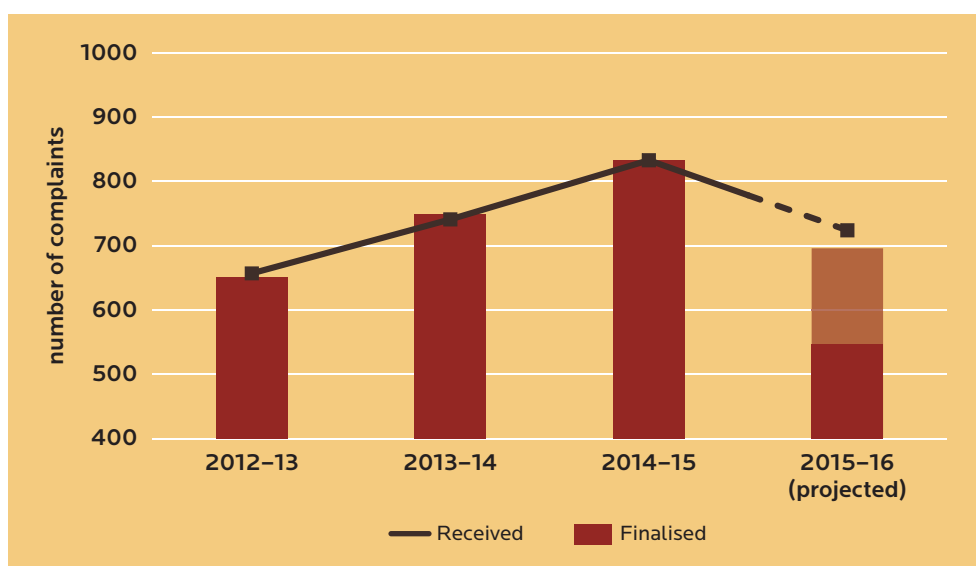
Year	Number received	Number finalised	Number carried over to the next year
2012–13	657	652	32
2013–14	741	750	23
2014–15	833	834	22
2015–16	362 (724)*	348 (696)*	—

Notes:

* Data for 2015–16 is projected based on the number of complaints received in the first half of the financial year. The projections are shown in brackets.

The number carried over to the next year for 2015–16 is not yet calculable.

Figure 1: Number of complaints received and finalised, 2012–13 to 2015–16 (projected)



1 Office of the Registrar of Indigenous Corporations 2014, *Complaints involving Aboriginal and Torres Strait Islander corporations 1 July to 31 December 2013*, ORIC, Canberra.

Dealing with complaints

Table 3: Average number of days to finalise complaints by complexity, 1 July to 31 December 2015

	Straightforward	Detailed	Complex
July 2015	3	7	57
August 2015	2	8	85
September 2015	1	6	60
October 2015	2	7	79
November 2015	5	10	43
December 2015	4	12	40
Average for six-month period (rounded)	3	8	61

Table 4: Number of complaints received by complexity, six-monthly periods

	Jan–Jun 2014	Jul–Dec 2014	Jan–Jun 2015	Jul–Dec 2015
Straightforward	90	206	130	175
Detailed	140	167	154	108
Complex	148	79	97	79
Total	378	452	381	362

Categories of complaints

Table 5: Top five complaint categories, 1 July to 31 December 2015

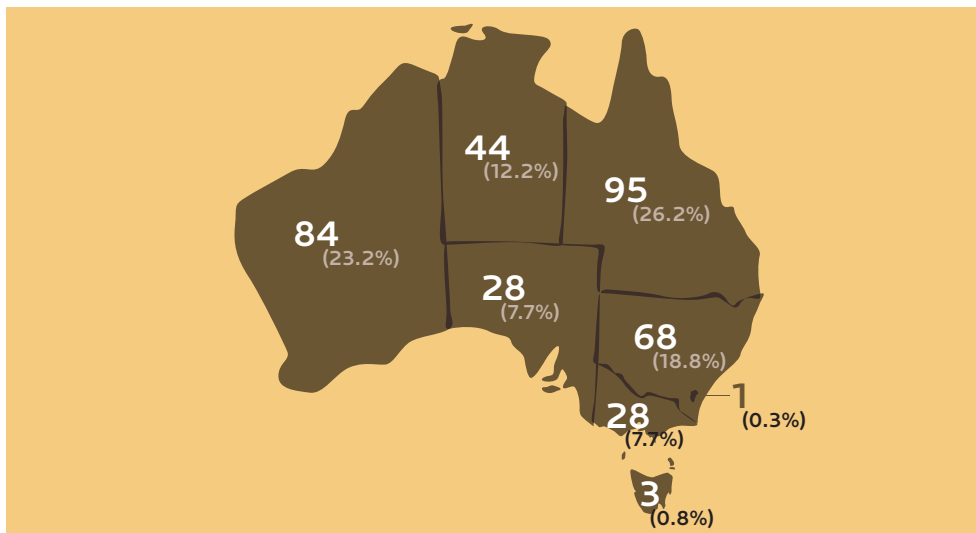
Rank	Complaint category	Number
1	Corporation directors and officers ¹	118
2	Multiple categories ²	106
3	Corporation meetings ³	44
4	Record keeping and financial issues ⁴	28
5	Membership issues ⁵	21

Notes:

1. Complaints about the conduct of directors or breaches of directors, officers or employees' duties.
2. This group of complaints cover a wide range of issues not always captured within the other definitions of complaints, as well as complaints about a range of issues. It can include, but is not limited to, native title issues, staffing complaints, allegations and documentation.
3. Complaints that members' or directors' meetings are not being held or meetings are not being held in accordance with the corporation's rules or the CATSI Act.
4. Allegations of financial irregularities or misuse/misappropriation of corporation funds, members are not given information about the corporation's finances, corporation records are not accurately kept, or the corporation is trading while insolvent. Also includes follow up by the Registrar's office of financial irregularities and concerns resulting from a review of audited financial statements lodged by corporations.
5. Complaints about the management of memberships, including incorrect membership details, removal of members or members not being provided with information about their membership.

Geographic spread of complaints

Figure 2: Complaints received by state/territory, 1 July to 31 December 2015

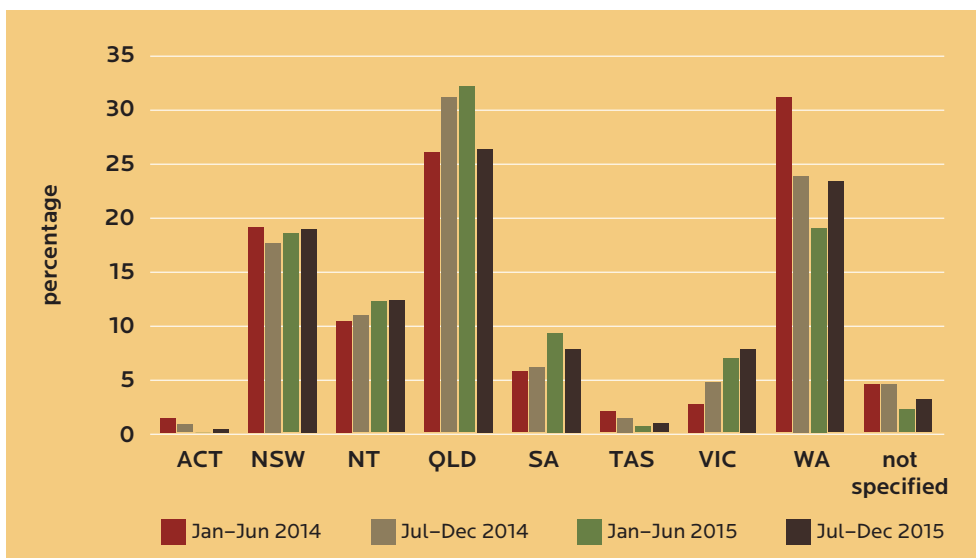


Notes:

Eleven complaints (3 per cent) were made where the corporation, and therefore the state, was not identified.

Due to rounding the total percentage does not equate exactly to 100 per cent.

Figure 3: Percentage of complaints by state/territory, six-monthly periods



Geographic spread of corporations involved in complaints

Figure 4: Corporations involved in complaints by state/territory, 1 July to 31 December 2015

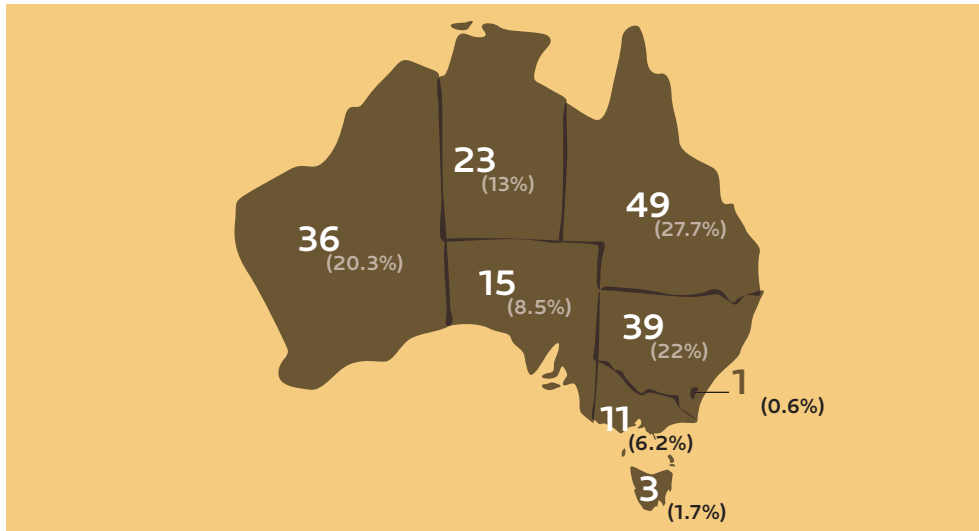
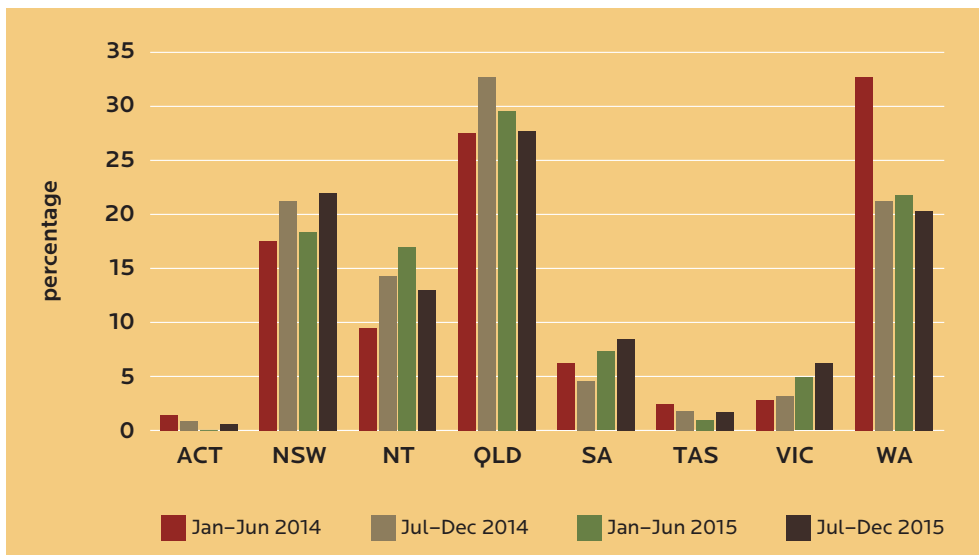


Figure 5: Percentage of corporations involved in complaints by state/territory, six-monthly periods



Proportional level of corporations involved in complaints

Australia-wide 6.5 per cent of all corporations were involved in complaints

Figure 6: Proportion of corporations involved in complaints by state/territory, 1 July to 31 December 2015

The map shows the number and percentage of corporations involved in complaints in each state and territory against the number of corporations registered in that state/territory.

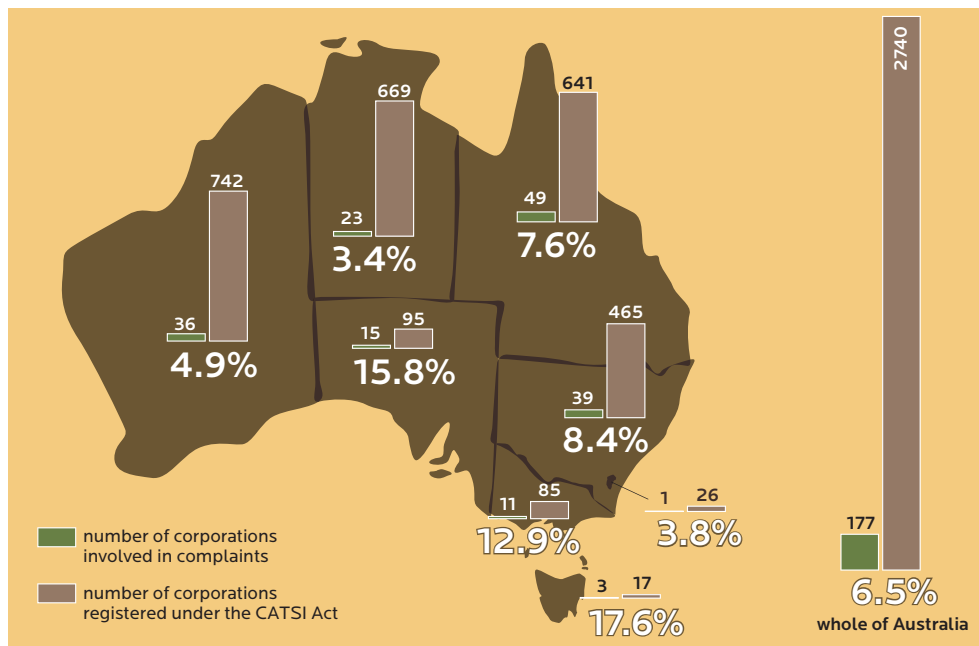
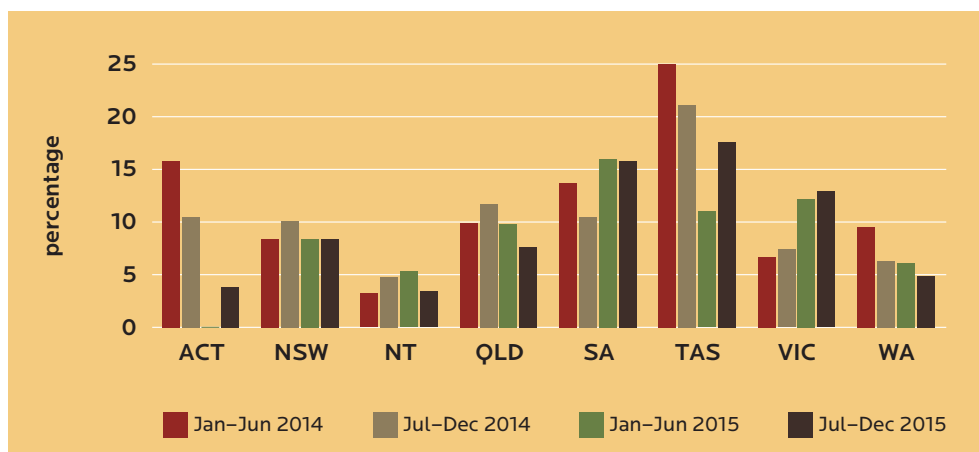


Figure 7: Proportion of corporations involved in complaints by state/territory, six-monthly periods



The Registrar promotes the timely consideration of complaints by corporations and has produced two fact sheets which may be of help when considering how to manage complaints or finding out more about members' rights—*Complaints involving corporations* and *Members' rights*. The Registrar also produces a regular newsletter, the *ORIC Oracle*. It contains useful information on the roles of the CEO, directors, independent directors, the chairperson and how to call corporation meetings. The November 2015 issue featured an overview of a complaints management process for corporations. Please see the Registrar's website for the relevant information at www.oric.gov.au.