



Complaints involving Aboriginal and Torres Strait Islander corporations

1 January to 30 June 2013

Report prepared July 2013

Introduction

This report provides an overview of complaints submitted to the Registrar between 1 January and 30 June 2013. It also includes some comparisons to data from previous years.

As at 30 June 2013 a total of **2485** 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 January and 30 June 2013:

- » **341** complaints were received
- » **332** complaints were finalised
- » the average number of complaints received each month was 57
- » the average number of days to finalise complaints by type was:
 - straightforward—**two days**
 - detailed—**13 days**
 - complex—**53 days**
- » most complaints related to the conduct of **directors and officers** (95).

Changes in the number of complaints over recent years

Complaints numbers have continued to increase over the past 18 months (Table 1).

Table 1: Comparison of complaints received in the six-monthly periods over the past 18 months

Six-monthly period	Number received	Number finalised
1 January to 30 June 2012	279	280
1 July to 31 December 2012	316	320
1 January to 30 June 2013	341	332

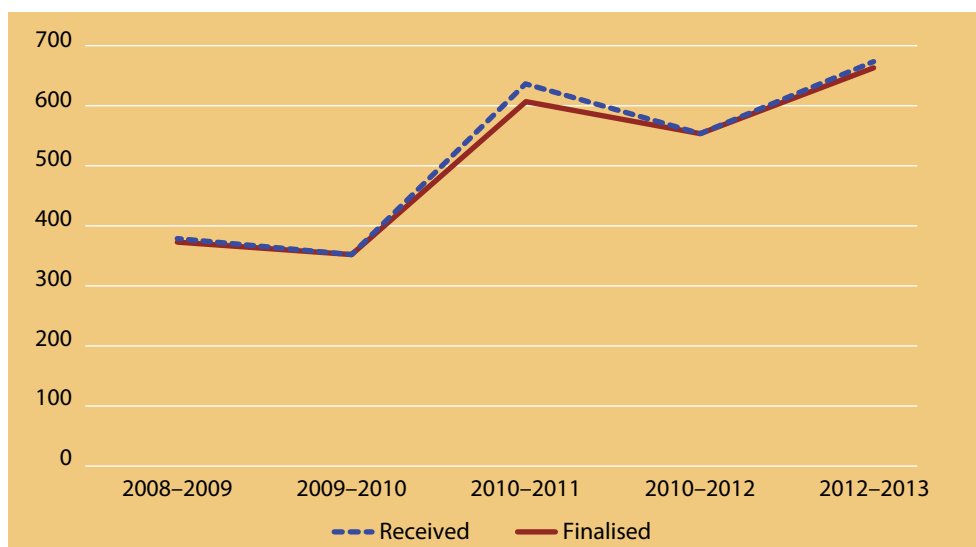
There could be a number of reasons for the increase. ORIC considers the most likely causes to be an increase in:

- » awareness of the ORIC complaints-handling process
- » confidence of members in their rights under the CATSI Act and corporation rules
- » training provided to directors and staff leading to a readiness to report concerns
- » community awareness of the governance structure of corporations, such as corporations' rule books and the requirements of the CATSI Act.

Table 2: Number of complaints managed by the Registrar, 1 July 2008 to 30 June 2013

Year	Number received	Number finalised	Number carried over to the next year
2008–09	362	358	4
2009–10	341	340	5
2010–11	622	597	30
2011–12	541	544	27
2012–13	657	652	32

Figure 1: Number of complaints managed by the Registrar from 2008–09 to 2012–13



Dealing with complaints

Table 3: Average number of days to finalise complaints by type, 1 January to 30 June 2013

	Straightforward	Detailed	Complex
January 2013	2	16	54
February 2013	2	9	39
March 2013	2	14	60
April 2013	3	12	46
May 2013	1	16	52
June 2013	4	8	68
Average for period	2.3	13	53

The increase in time taken to resolve complex complaints may be explained by an increase in the number of complex complaints received in January to June 2013 (Table 4).

Table 4: Number of complaints by complexity over past two reporting periods

	July to December 12	January to June 13
Straightforward	115	95
Detailed	134	130
Complex	71	107
Total	320	332

Categories of complaints

Table 5: Top five complaint categories from 1 January to 30 June 2013

Rank	Complaint category	Number
1	Other categories ¹	98
2	Corporation directors and officers ²	95
3	Corporation meetings ³	38
4	Record keeping and financial issues ⁴	30
5	Membership issues ⁵	22

Notes:

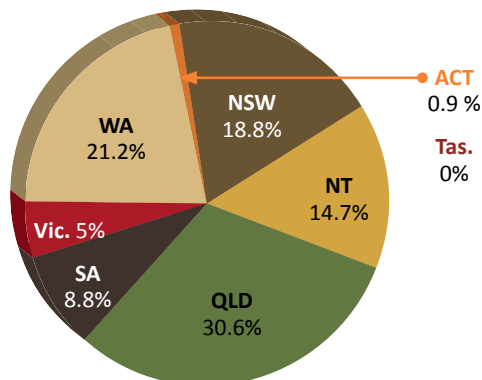
1. This group of complaints cover a wide range of issues not captured within the other definitions of complaints. It can include, but is not limited to, native title issues, staffing complaints, allegations and documentation.
2. Complaints about the conduct of directors or breaches of directors, officers or employees' duties.
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 being given information about the corporation's finances, corporation records not being accurately kept, or the corporation trading while insolvent.
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: Number of corporations involved in complaints by state and territory, 1 January to 30 June 2013



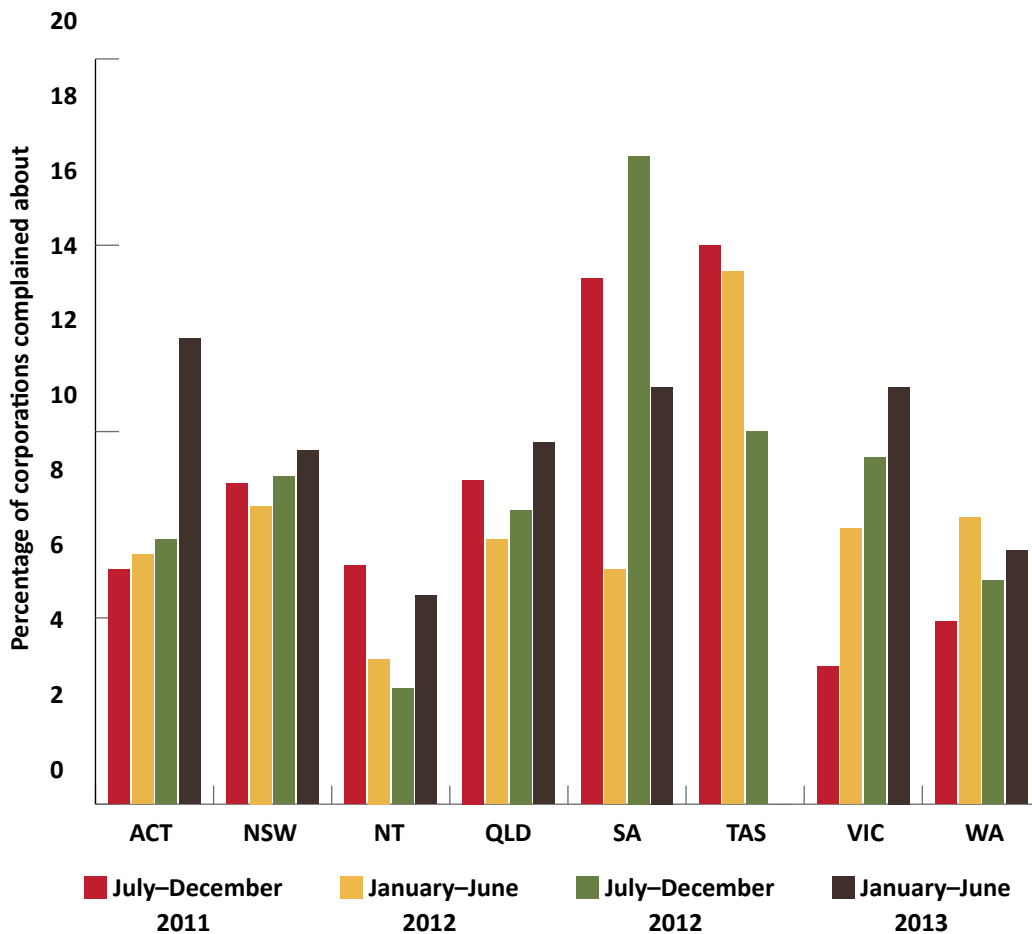
Figure 3: Percentage of total complaints by state/territory of corporations involved in complaints, 1 January to 30 June 2013



Proportional level of complaints

Figure 4 below represents the number of corporations complained about in each state/territory as a percentage of the total number of corporations registered in that state/territory.

Figure 4: Percentage of corporations complained about by state/territory, 1 July 2011 to 30 June 2013



ORIC 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* can be found on ORIC’s website (www.oric.gov.au).