



Complaints involving Aboriginal and Torres Strait Islander corporations

1 July to 31 December 2013

Report prepared January 2014

Introduction

This report provides an overview of complaints submitted to the Registrar between 1 July and 31 December 2013. It also includes some comparisons to data from previous years.

As at 31 December 2013 a total of **2558** 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 2013:

- » **363** complaints were received
- » **358** complaints were finalised
- » the average number of complaints received each month was **60.5**
- » the average number of days to finalise complaints by type was:
 - straightforward—**one day**
 - detailed—**10 days**
 - complex—**51 days**
- » most complaints were in the category of **directors and officers** (85).

Changes in the number of complaints over recent years

Complaints numbers have continued to increase over the past two years (Table 1).

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

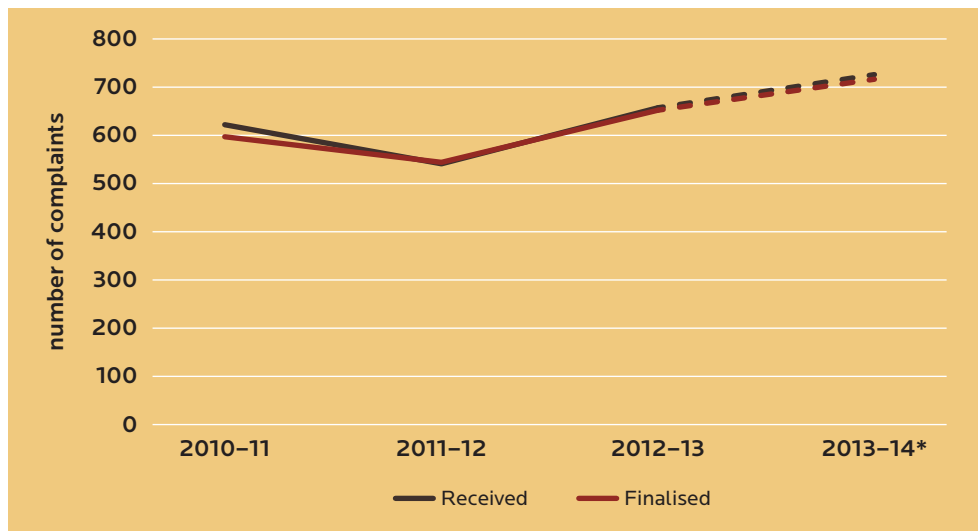
Six-monthly period	Number received	Number finalised
1 January to 30 June 2012	279	280
1 July to 31 December 2012	316	320
1 January to 30 June 2013	341	332
1 July to 31 December 2013	363	358

Table 2: Number of complaints received and finalised, 2010–11 to 2013–14 (projected)

Year	Number received	Number finalised	Number carried over to the next year
2010–11	622	597	30
2011–12	541	544	27
2012–13	657	652	32
2013–14*	363 (726)*	358 (716)*	(42)*

Note: * Data for 2013–14 is projected based on the number of complaints received in the first half of the year. The projections are shown in brackets.

Figure 1: Number of complaints received and finalised, 2010–11 to 2013–14 (projected)



Note: * Data for 2013–14 is projected based on the number of complaints received in the first half of the year.

Dealing with complaints

Table 3: Average number of days to finalise complaints by complexity, 1 July to 31 December 2013

	Straightforward	Detailed	Complex
July 2013	1	11	37
August 2013	2	15	74
September 2013	1	9	86
October 2013	2	11	41
November 2013	1	9	52
December 2013	1	6	17
Average for six month period	1	10	51

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

	Jan–Jun 2012	Jul–Dec 2012	Jan–Jun 2013	Jul–Dec 2013
Straightforward	14	115	95	135
Detailed	53	134	130	132
Complex	209	71	107	96
Total	276	320	332	363

Categories of complaints

Table 5: Top five complaint categories from 1 July to 31 December 2013

Rank	Complaint category	Number
1	Other ¹	108
2	Corporation directors and officers ²	85
3	Corporation meetings ³	51
4	Record keeping and financial issues ⁴	48
5	Membership issues ⁵	41

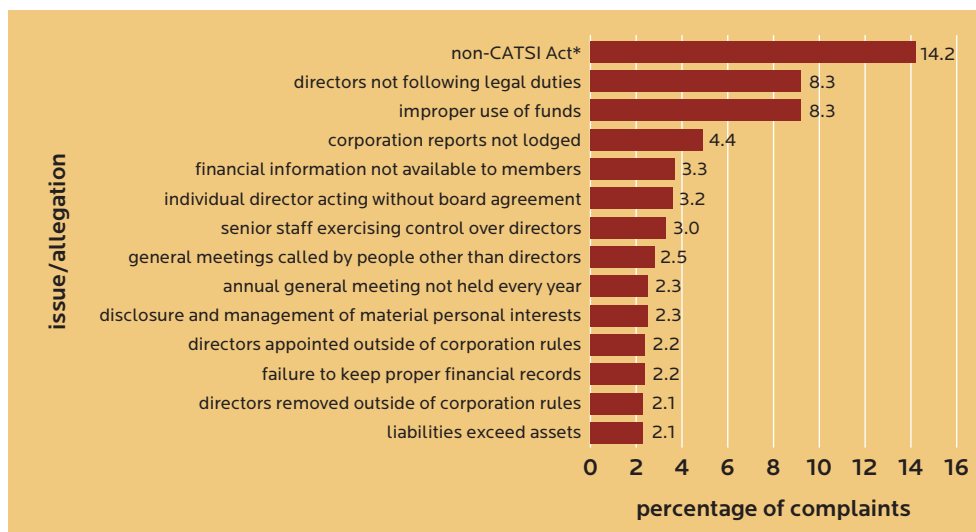
Notes:

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. 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.

Issues raised in complaints

Figure 2 below shows the most frequently raised issues in complaints. The issues are more particularised than the categories above. The figure was created using 1110 individual complaint matters reported to the Registrar's office sampled over a 12 month period. Only the most frequently raised issues complained about are included (i.e. issues raised by more than two per cent of complainants). The data was collected separately to the six-monthly report data so is not necessarily directly comparable in terms of absolute figures.

Figure 2: Issues most frequently raised in complaints



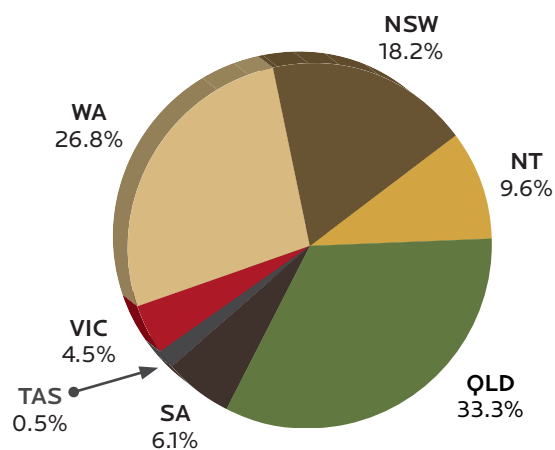
Note: * issues outside scope of Registrar's functions e.g. employment, service delivery, native title, contracts or relationships.

Geographic spread of complaints

Figure 3: Number of corporations involved in complaints by state and territory, 1 July to 31 December 2013



Figure 4: Corporations involved in complaints by state/territory, 1 July to 31 December 2013



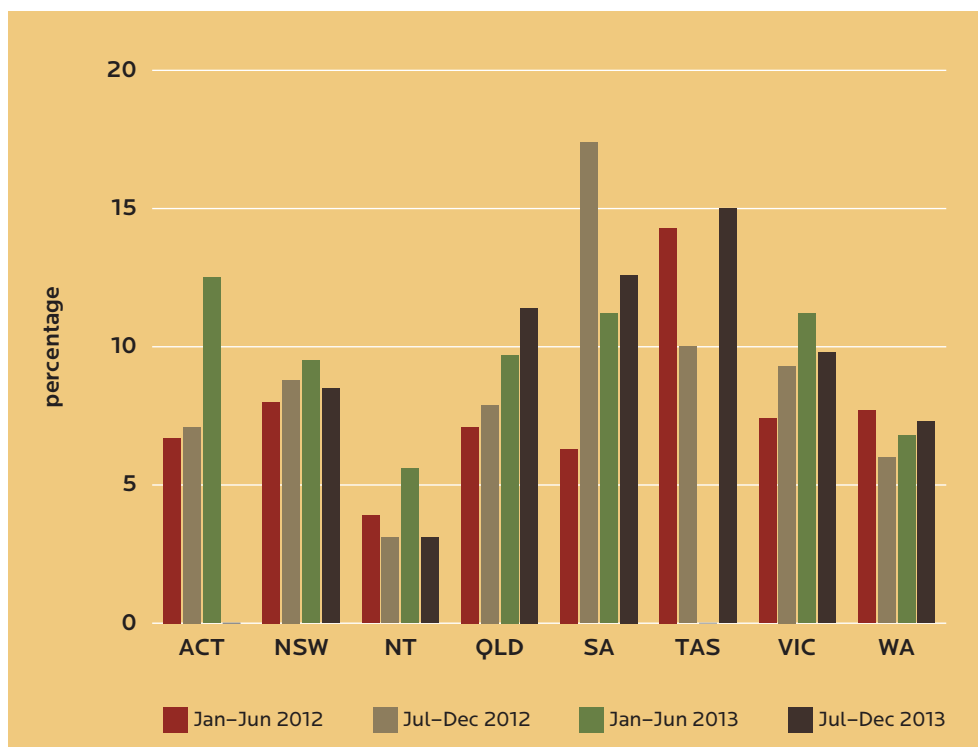
Note: There were no complaints involving corporations in the Australian Capital Territory.

Proportional level of corporations involved in complaints

Australia-wide 7.7 per cent of all corporations were involved in complaints.

Figure 5 below represents the number of corporations involved in complaints in each state/territory as a percentage of the total number of corporations registered in that state/territory.

Figure 5: Percentage of corporations involved in complaints by state/territory, 1 January 2012 to 31 December 2013



The Registrar's office 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 the Registrar's website (www.oric.gov.au).