



## Online panel, October 2021

# Transparency – what can your members see at the ROC?

Online panels were key part of the Registered Organisations Commission's (ROC) education strategy. The ROC was abolished on 6 March. The Fair Work Commission (the Commission) is now the regulator for registered organisations.

Although processes may change under the Commission, much of the online panel content is still useful.

Email any questions about anything in this online panel to [regorgs@fwc.gov.au](mailto:regorgs@fwc.gov.au).

### Speaker Key:

<b>SW</b>	Sarah Wilkin
<b>KM</b>	Ken Morgan
<b>KR</b>	Kristina Menzies
<b>MM</b>	Michael Moutevelis
<b>CB</b>	Catherine Bebbington

<b>Time code</b>	<b>Speaker</b>	<b>Text</b>
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00:00:00	SW	Hello, and welcome to the ROC's online discussion panel. Today's topic is about the compliance documents lodged by registered organisations, what your members can find out about organisations from them and how they contribute to transparency. Thank you all for joining us for the first of our live events this financial year. Before we begin, I'd like to firstly acknowledge the traditional owners of the lands that we're meeting on across all of Australia and I pay my respects to the elders, past, present and emerging.
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00:00:34		My name is Sarah Wilkin. I'm a Senior Adviser in the ROC's compliance team and I'll be today's facilitator. I'd also like to take time to introduce our panel members for today's session. Firstly, we
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		have Ken Morgan who is a Financial Reporting Specialist at the ROC. Good morning, Ken.
	KM	Good morning, everyone.
	SW	We're also joined by Kristina Menzies who is a Senior Adviser in the ROC's education team.
00:01:01		Hi, Kristina.
	KR	Hi. Good morning.
	SW	The third member of our panel today is Michael Moutevelis who is an Assistant Adviser in the compliance team, and the administrator for our ROC to You programme. Hi, Michael.
	MM	Hi, everyone.
	SW	I also have Catherine helping out with today's technology. You can't see her face, she is invisible. But you might hear her voice during this session.
00:01:32		Before we start the panel discussion, I'm just going to cover off some basic housekeeping issues. First, if you have any questions during our session today, there is a chat box in the GoToWebinar control panel on your computer. You can type your question in there and we'll monitor this throughout the session. Please don't wait until the end to ask a question. We'll try and pick up on them as we go along.
00:01:59		I just also like to let you all know that we are recording today's discussion. If you want to go back and listen, the audio recording of today's event will be published to our website, the ROC website. And that will be available around a week's time. We'll also post a link to a survey at the end of this discussion. Please do fill it in as it does help us with the continual improvement of our education programme.
00:02:30		Thank you, and let's begin today's discussion.  I'm going to start today with a poll question because I'd like to know exactly who's joined us today. We'll launch a few polls throughout today's panel discussion. Catherine will launch our first poll now. It should be appearing on your screen shortly. What I'd like you to do is to please select the most accurate answer that describes your role.



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00:03:00		Your individual response won't be made public to anybody else.  Are you an employee of a registered organisation, or an officer? Maybe you're also a member or another stakeholder like a registered auditor. You might wear more than one hat. What I'm asking you to do is select all the options that are relevant to you. I'm just going to list these out loud.
00:03:27		Are you, A, a member of a registered organisation, B, an officeholder of a registered organisation, C, an employee of a registered organisation, D, a registered auditor or other? We'll just give that a few moments.
	CB	As you can see, a large number of our attendees here are employees of a registered organisation. But we have people who are also members or an officeholder, and 31% of people who voted are in the 'other' category.
00:04:02	SW	Thank you to everyone who's responded to that, because I think it's always interesting to know who's joined us today. I do hope that all of you will find today's discussion relevant to the work that you do. Now I'm going to begin today's discussion with a talk about transparency with an overview of what is available online. Our ROC website is a really good starting point.
00:04:30		Most of the things that you'll need to lodge with the ROC can be downloaded directly from the ROC website. Kristina, you're from our education and reporting team and you're involved in managing many of the materials that we see published on our website. Your team also monitors website traffic. Can you briefly take us through what a person, like a member of an organisation can find out about a registered organisation from the ROC website?
	KR	Yes, I can, Sarah.
00:05:01		On our ROC website, we've got a webpage for every registered organisation, and you'll also see a page for the deregistered ones as well. From those webpages on our website, you can find out a lot of information about organisations primarily through downloading their documents that are lodged with us. What we do is we publish most compliance documents that an organisation is required to lodge with us.
00:05:33		Just to name a few, they include the annual return and the notifications of change, which essentially updates the annual return. The election materials, we publish those... so that it would include



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		the prescribed information that you lodged with us, the election arrangement decision and the post-election report.
00:05:56		We also publish your officer and related party disclosure statements. You might know that they are about payments to officers and to other people, like related parties. Sarah, we also publish financial reports as well.
	SW	Thanks, Kristina. These documents that you've just listed, they're the most popular downloads from the ROC website, aren't they?
	KR	Yes.
00:06:28		You mentioned earlier the team I'm part of looks at website traffic. We know that people are absolutely accessing those documents. Presumably, that's for a specific reason, like finding out certain information. People might want to know how much money officeholders are getting paid. They might want to know the financial position of a reporting unit and who are the officeholders who are making decisions on behalf of the organisation.
00:07:00		Those are just some of the things that people can certainly find out by downloading those documents on the website. But aside from the documents about registered organisations, organisations themselves ...so if you're an employee of an organisation, and I know that there are many of you who are listening out there...you can find out how we at the ROC assess compliance. You can do that by downloading our assessment checklists.
00:07:32		Those tell you the steps that myself and our colleagues take to check whether a lodgement is compliant with the legislation. Those are the checklists. Finally, we also publish filing letters on our website. That's the communication that we send to you after we've looked at your compliance. Filing letters are a great snapshot about whether a document is compliant.
00:08:01		Or if through our process we've identified issues, and we'll specifically spell out what those issues are. We carefully draft those so that they're easy to understand and just easy for you to identify what specific focus areas you'll need to look at the following year. You can find a copy of your filing letters after the compliance document in the same PDF file on the ROC website.
00:08:30	SW	Thanks, Kristina. That's a really good summary. I noticed you've mentioned several documents that we have on our ROC website that are publicly available to download, like election material and



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		financial reports, for example. But there are some lodgements that we at the ROC don't publish online. That's right, isn't it? Could you explain a little bit about what they are and why they're not available?
00:09:00	KR	Yes, sure Sarah. Everything we make available online complies with the requirements under the Privacy Act and the Fair Work (Registered Organisations) Act or the RO Act. The RO Act allows most lodgements to be viewed, and that's why we publish them on our website. We'll generally publish your document in the same form that you've lodged it with us.
00:09:30		Now in a small number of cases, you might notice some minor redactions, so bits where we may have blacked out. That doesn't happen very often. But there are circumstances where, for example, there is sensitive or personal information that's not required to be lodged with us, where we'll redact.
	SW	Could you give us an example of where that might happen?
00:10:01	KR	As I said, it doesn't happen too often, but it's probably most common with annual returns. Specifically, one particular issue we've identified is where home addresses of individual officeholders have been lodged with us. Employees who have joined us of registered organisations...you might know that your organisation has to keep records about the address of your officeholders.
00:10:31		We recommend that the address you keep is a professional one, like a 'care of' address, 'care of' the organisation rather than individual's home addresses. That way, when you lodge the annual return with us and we eventually publish it online, we're not publishing the home addresses of your officeholders.
00:10:56		Another benefit of doing this is that every time your officer moves house, you don't have to update your officeholders address and then lodge a notification of change with us. What happens is, if we identify in our assessment of an annual return that you've provided us with the home address of an officeholder, we'll redact that before publishing it. But obviously, it's best practice not to rely on the assessing officer to identify this information.
00:11:29		It is best practice to avoid lodging unnecessary private and sensitive information in the first place.
	SW	Thanks, Kristina. I'll just like to add that there are also documents that we don't publish online. That's right, isn't it?



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	KR	Yes. We don't publish whistleblower disclosures. Obviously, they contain highly sensitive information and we're very careful to protect that.
00:12:00		We also don't publish loans, grants and donations statements. But the RO Act does provide a method for members to inspect a loans, grants and donations statement. They can certainly be made available upon request.
	SW	Thank you. That's a basic summary of the material available online and a summary of the things that we don't publish.
00:12:29		Kristina has just mentioned the loans, grants and donations statement. One of the questions that has been submitted to us in advance of today's discussion is about financial transparency in registered organisations. Ken, as a financial reporting specialist at the ROC, I'll ask you to answer this question. The question is, I'm not an accountant, but I am interested in understanding the financial statements on the ROC website of the organisation I belong to.
00:13:00		What are some of the things I can find out by reading a financial report?
	KM	That's a really good question, Sarah. A financial report can tell you a lot about an organisation, but of course, you need to know what to look for. As Kristina mentioned earlier, you can download financial reports from the ROC website. Reporting units need to lodge the financial report with the ROC every year, unless they hold an exemption. A financial report downloaded from the ROC is made up of three key documents.
00:13:31		Firstly, the full financial report, which includes the general purpose financial report or GPFR as it is often referred to, the auditor's report and the operating report. Secondly, the certificate by the prescribed designated officer, and finally, the ROC filing letter.
	SW	Thanks, Ken. Let's just start with the general purpose financial report or the GPFR.
00:14:01		It's made up of some statements. Those are the statement of comprehensive income, the statement of financial position, the statement of cash flows and the statement of changes in equity. We also have, I understand, notes required by the Australian Accounting Standards and also documents required by reporting guidelines.



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00:14:26		Just returning to the original question that's been asking, when you're looking at an organisation's financial statements, what matters should you be focusing on?
	KM	As a general rule, you should investigate anything that you find surprising or that you don't understand in your organisation's financial statements. A good starting point is the independent auditor's report. All financial reports lodged with the ROC are subject to an audit by a registered auditor.
00:14:57		The purpose of the audit is to provide members with a degree of confidence that the financial statements are a fair and accurate representation of the transactions of the reporting unit. The auditor will give an opinion on whether the financial report is prepared in all material respects, in accordance with the financial reporting framework and that the financial report as a whole is free from material misstatement, whether due to fraud or error. But sometimes the auditor may provide a qualified opinion about the financial statements of the reporting unit.
00:15:34		For example, there could be a line in the auditor's report that says, 'we were unable to obtain sufficient appropriate evidence to verify that the credit card expenses are solely for business purposes'. Another example is 'the financial report has not been prepared in accordance with Australian Accounting Standards'.
00:15:55		A qualified opinion says that the auditor has not been provided with enough appropriate evidence to support the figures being disclosed for an item or items in the financial statements. That might lead you to investigate further.
	SW	When you say investigate further, Ken, what do you mean by that? Let's say I'm a member of an organisation and I've read through the financial report and I have some questions, what can I do?
00:16:28	KM	How you approach this will depend on your organisation. They're all set up differently. You could start by addressing your question to the committee of management. They're responsible for approving the financial report. Questions about the report should be directed to the committee. In practice, the committee of management is likely to rely on the expertise of their accountant and registered auditor to provide answers.
00:16:55		The committee could organise for their accountant or auditor to prepare a document that highlights any potential concerns in the



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		financial statements. This type of professional analysis could preempt members questions and help the organisation address any concerns. You want to encourage members to engage with your organisation, but you need to realise that not everybody has the accounting skills to understand the financial report. It's about bridging that knowledge gap so everyone can participate.
00:17:28	SW	What if the members still have questions, Ken, what should they do?
	KM	The committee could ask the auditor to attend a general meeting of members to assist with answering questions that members have about the financial report. There are a few different things that the committee can do. But today, we're talking about the documents themselves. It could be that the answers to your questions are in the documents.
00:17:57		For instance, you might look at the reporting unit's financial position, does it have considerable savings? Does it have more assets than liabilities? Is the level of assets and liabilities staying about the same each year? You'll see last year's figures in the financial report right next to this year's figures. A key question is, have there been any significant changes in the balances being reported from last year to this year?
	SW	If balances are decreasing, would that be a bad thing, Ken?
00:18:32	KM	It may be a bad thing, Sarah. A large drop could indicate that there are problems. But it could also be that you've had a significant sale or purchase or a large pay-out during the financial year. It's not unreasonable for a reporting unit's results to go up and down, provided that the changes can be explained. If you wanted to, you could download a few years of reports from our website to see whether there are trends over time.
00:19:04		You might also look at the comprehensive income statement to determine whether the reporting unit is making a profit or if it is spending more than it earns. Also, where is the revenue coming from? Is it just from members' subscriptions or does the reporting unit have other sources of income?
	SW	Thanks, Ken. That's interesting.
00:19:30		So, I can see how my reporting unit earns revenue and I can see what it's spending it on each year?





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	KM	Yes, and that might help you to understand priorities and decision making. How entities spend their money shows what they consider to be important.
	SW	What if I'm unhappy with the way they're spending money, Ken? What if I disagree with the expenses, can I complain to the ROC?
00:20:00	KM	It's best to start with the organisation, Sarah. You may disagree with the spending priorities, but that's not the same as expenditure not being properly approved or being used for an improper purpose, which is where the ROC would get involved. Talk to your local representatives, contact your committee and your officers and start talking. Read the reports when they've provided you and ask questions.
00:20:29	SW	Thanks, Ken. Now just while I'm talking to you about financial reports, another question that we've got today is, why are some financial reports empty? They only have a few lines of numbers and lots of dashes. Why does it show no officer pay? Can you help with that one?
	KM	Yes, Sarah. There are requirements to put lots of information into financial reports, but sometimes that information is legitimately nil. That is, there has been no expenditure.
00:21:01		This could mean that the officers are volunteers, but it can happen even when you know that the officers are being paid or being reimbursed. It's about who is paying the expenses. It's important to remember that this is the report of the federal organisation or federally registered branch. Often there is a state organisation that looks exactly the same. In practice, they actually function with the same officers, members and website.
00:21:31		Sometimes all of the expenses and income go through the legal entity in the state system, so the financial transactions appear in the state financial reports, not the federal financial report. We don't see the state financial reports here. In fact, if all the transactions are in the state system, the federal branch might even get an exemption from the requirement to prepare a financial report under the RO Act.
00:22:01		If you're in this situation, reporting units should be very careful about how they report. Best practice would see the state and federal bodies holding separate meetings and keeping separate minutes for each entity. Be very clear about which hat you're wearing when you



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		authorise expenditure and apply for bank accounts or credit cards. And importantly, be aware of what your rules allow.
00:22:29		If you're uncertain what you should be reporting in the federal entities financial reports or the state entities financial report, we're happy to help you get that sorted. You should not, however, be reporting the same items in each set of financial accounts.
	SW	Thanks, Ken. Before we move on, is there anything else? Could you talk a little bit about what else members can see in financial reports?
00:22:59	KM	There's so much to see in financial reports. You can see, for example, if the reporting unit owns or partly owns another entity, you can see the money going between it and other reporting units, like capitation fees, for instance. You can see the remuneration of key management personnel, debts, loans and detailed notes explaining different items in the financial statements. As an accountant, I find the financial reports to be a helpful and informative window into an organisation.
00:23:32		With a bit of practice, so too can members and officers.
	SW	Thanks for taking us through financial reports, Ken. It's reassuring to know we can all access the information and we can also take steps to understand what it means. Another compliance requirement that supports transparency in organisations is the officer and related party disclosure statement. We call this the ORP statement.
00:24:00		Before we talk a little bit about the ORP statement, let's run a poll. I want to know how many people who have joined us today play any part in preparing their organisation or branches ORP statement. You could draft it, you could be responsible for signing off on it, you could be working in administration and be responsible for lodging it. Members are also obviously a key stakeholder in the ORP statement too.
00:24:28		You should all be able to see the poll that Catherine has just launched. I'd like you to please select the statements that apply to you. Just know that you can select more than one. I sign the ORP statement on behalf of my organisation or branch. I help prepare the ORP statement. I'm a member interested in what the ORP statement discloses. I play a different role.



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00:24:59		Or I am not involved in this area of compliance at all. We're just going to give you a few seconds to select your response before I ask Catherine to please summarise the results for us.
	CB	Thanks, Sarah. The vast majority of people who are here today prepare their organisation or branches ORP statement, though we do have a couple of people who sign it. Some people here, about one in five are not involved in ORPs.
00:25:30	SW	Thanks, Catherine. I think it's clear that whatever role you do play in this space, there's no denying the significance of the ORP statement to promote transparency to members. Every registered organisation and every branch must lodge an ORP statement with the ROC. This must be done within six months of the end of the financial year. A copy must also be given to members.
00:25:57		What is usually done is that the ORP statement is published on the organisation's website. ORP statements promote financial transparency. They include payments made to the top five rankings of officers and also their non-cash benefits. They also report payments by the organisation or branch to related parties and also to declared persons or bodies. Michael, I know you assess ORP statements for compliance with the legislative requirements.
00:26:30		Today, I'm going to ask you to talk about this topic area. We're going to be talking about exactly what members can work out from an ORP statement. If we start with the first table on page one of our template, I just like to add here that almost all of our organisations do use the ROC template. When we've asked them, they have said it saves them time and money with complying, and it also improves your chances of supplying all the relevant information.
00:27:04		On page one of the template, members of organisations can see the table about officer payments. Michael, can you talk a little bit about what members are actually seeing in this table?
	MM	Yes, sure, Sarah. You'll see a table with names of officeholders. This is where the organisation will tell members about the five ranked officers by remuneration.
	SW	Are they going to see five names here, Michael?
00:27:31	MM	Not necessarily, Sarah. They may only see one or two if the organisation only has a couple of paid officers, or none if they're all volunteers. But they could also actually see more than five names if



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		lots of people are ranked at that same level. We see this often when committee of management get all the same honorarium payments.
00:27:58	SW	If I'm looking at names in the table, what does this tell me about those particular officers, then?
	MM	The table's going to include multiple sources of income. It's defined very broadly, so it will give members a good view of all the money that's going to the officers. For instance, it's going to include any salary they get paid, both as an officer and an employee, although people who are just employees won't appear on that table. It's also going to show income that they may have made because of external boards.
00:28:31	SW	External board, so could you clarify a bit what you mean by boards there, Michael?
	MM	Yes. For instance, if you're on a board because of the organisation nominating you or a body nominated them, or they hold the board seat because they're an officer. We see this generally in super boards. It's worth knowing that not all officers get to keep this money, however. Often they have to pay it back to the organisation.
00:28:59		Members should check the statement for any notes that explain this. Organisations and branches can include any notes that make the information more transparent to them on the ORP statements.
	SW	Thanks, Michael. Is there anything else that you can add to that?
	MM	Yes. The ORP statement also includes money paid to the officers by related parties because they're an officer. Theoretically, a member is going to get a full picture of all the monetary benefits of being that officer.
00:29:31		It also shows non-monetary benefits, like if the officer has a car or insurance. If it's very broad, members should be able to see the full package the officers are getting. This is really important and a powerful tool for transparency.
	SW	Thanks, Michael. We do publish ORP statements on the ROC website, don't we?
	MM	We do, and organisations also must provide them to their members directly.



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00:30:02		It's also worth noting that if you're an officer of a state branch and a national office, you might be listed on two separate statements, so you'll need to look at both statements to get the full picture.
	SW	Could you give us an example maybe, Michael? I think that sometimes it's best explained with a practical example.
	MM	Yes.
00:30:26		For example, let's say you're the president of your organisation and you've also been nominated by your organisation to sit on a superannuation board. You're paid a monthly fee of \$1,000 for your work on the board. You're also getting wages for being president of \$1,000 a fortnight and a car to drive to all the workplaces you need to attend. You also got paid out some annual leave during the year. A member will see all these amounts as one rounded up figure on the ORP statement if you're in the top five ranked offices.
00:30:58		The car, though, will be itemised separately as a non-cash benefit.
	SW	Thanks, Michael. I just noticed that you mentioned earlier that organisations can include extra notes in the ORP statement. Could you maybe explain a little bit about what you mean by that?
	MM	Yes, sure. Using the example before, let's say that you don't get to keep the super board money, you have to pay it back to the organisation. The organisation might have written on the ORP statement something to the effect of, 'Sarah was paid \$40,000 and has a car.
00:31:33		But note 12,000 is from board income and was paid by Sarah straight back to the organisation, so she only kept 28,000 for being president'. The legislation doesn't strictly require it to be written that way. The figures that I've used in my example show a big difference, and you might want your members to know that.
	SW	Thanks, Michael. Are there any other types of information that are on the ORP statement that you can talk a little bit about?
00:32:03	MM	Yes, there is. Officers need to also disclose, I should say, their material personal interest to the organisation if they have financial duties. These aren't listed on the form, but members can ask to see them. But what you do see attached to the statement are any payments made by the organisation to these people. But there's a



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		lot of exemptions too, so not all payments may appear on the ORP statement.
00:32:31	SW	One of the questions we do get asked...
	CB	Sorry, Sarah. I might just jump in there. We've received a question from the audience. It says, in my branch, our secretary left halfway through the year. How do we report that income on the ORP statement? Could the original secretary and the new secretary both need to be on the statement? I just thought I'd ask Michael while he's talking about ORP statements.
00:33:00	SW	Michael?
	MM	Yes, sure, that's a really good question. It's the top five ranked officers in that financial year. The short answer is yes. If both those secretaries, and potentially you could have three secretaries on that statement. If all those officers within that financial year, were ranked in the top five, regardless of what actual office, they will be on that statement.
00:33:30	SW	Another question we do commonly get asked is to explain the difference between the ORP statement and the financial report, which Ken has discussed a little earlier. Michael, don't these, both the ORP statement and the financial report, cover payments to officers? Ken, are you able to answer this question?
	KM	Certainly, Sarah. They both cover payments to officers.
00:33:59		But there are some differences which make it hard to compare information. For instance, the financial report could include different officers if the branch is part of a bigger reporting unit. The financial report also covers all the officers, not just those ranked in the top five, and it does it collectively. You won't see it broken down by individual names. Also, the definition of related parties under the RO Act is different to that under the Australian Accounting Standards, so there could be some differences in the information being reported.
00:34:35		The two statements can both be helpful, but they often show different figures. This isn't unusual. It's just because they are disclosing different information.
	SW	Thank you, Ken. I just note that one of the questions we've had submitted to us is about how organisations can encourage officers to make disclosures.



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00:35:03		Today's session is about what members see in the lodged documents. But it's also important to ensure that the statement is as full and accurate as possible. We all know how important disclosures are to the good governance of registered organisations. Transparency around reporting disclosures ensures that decisions are made for the right reasons, those being in the best interest of the organisation and members.
00:35:29		We know that the ORP statement can't be prepared without full and frank disclosure from officers, and this also protects the organisation. When officers make disclosures for situations when they shouldn't participate in, decision making becomes clearer. Before I get to this question, I want to get an idea first of your familiarity with governance procedures that help with disclosures. I'm going to ask Catherine to please launch another poll for us.
00:35:59		Just in case you can't see that on your screen, I'm going to read it out. Does your organisation or branch have governance procedures that are designed to support the reporting of disclosures? The options are yes, no or I'm unsure. I'm just going to give you some time to make your selection before we close off the poll.
00:36:30	CB	Hi, Sarah. The vast majority of people who are here today believe that their organisation does have governance procedures designed to support the reporting of disclosures.
	SW	Thanks, Catherine. Kristina, you've been working on the ROC's good governance in practice series of podcasts.
00:36:57		In our podcast series, we've released a series of episodes about a number of topics, conflicts of interest, record-keeping, election and decision making, the ORP statement. Could you maybe share with us some of your best practice governance tips that organisations can implement to encourage disclosure?
	KR	Yes, sure, Sarah. You're right, full and complete disclosures are essential to the good governance of registered organisations.
00:37:30		Particularly, as you've pointed out, you can't complete the ORP statement properly and fully without those disclosures. While we'd like to think that officers will naturally make disclosures as they arise, I think the reality is, everybody's busy. People wear multiple hats, have different roles, and sometimes these things can be overlooked, so people do need reminders.



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00:37:58		There are certainly steps that organisations can put in place to remind their people to make disclosures. Perhaps you already have, like you just mentioned the poll results there, and most people said that they have governance procedures. It'd be interesting to hear what those are. Making disclosures needs to be an ongoing conversation. I think that's the best practice, it needs to be an ongoing conversation.
00:38:27		A good starting point, I think, is to have a disclosures policy, and perhaps you already have one. Or you might have a conflicts of interest policy which includes procedures around when officers need to disclose interests and how they report it internally. A policy might also describe other things, like, for example, consequences for failing to make those disclosures.
00:38:59		But aside from what's to be included in the policy, I think, like all policies, you need to make sure that your officers know about the procedures and how they apply to them. I know we have a podcast episode on this one, in fact, around officer induction. It's important to include training about things like disclosures, policies, if you have one, as part of an induction program for your new officers.
00:39:33		For example, if you've run an election, and you've got new officers. Let them know about these important policies that you have. I'm also aware of an organisation that begins each meeting with disclosures as a standing agenda item, which is a great practice because it encourages disclosures to be made then and there.
00:40:00		It helps to also establish which decision that officers might need to exclude themselves from as part of that meeting.
	SW	Thanks, Kristina. I know you mentioned a policy can describe how conflict of interest is recorded. Could you maybe share with us some of the ways that registered organisations report disclosures that are made by officers?
00:40:30	KR	Yes, sure. I think Michael mentioned earlier material personal interest disclosures, and those can be disclosed at a committee of management meeting. If they're made at a meeting, something that would be relevant in terms of reporting those disclosures is your minutes. The minutes of the meeting should detail enough information about the disclosures that are made.
00:40:59		We do often get questions around how to manage meetings, how they report it, how to distribute them. Minutes are absolutely





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		essential to the governance of organisations. If you include enough information about the decision making process and about disclosures in your minutes, then they can protect individual officers. And importantly, they can also protect the organisation later down the track if a certain decision is questioned.
00:41:31		We've certainly seen that play out in whistleblower disclosures, for example. That level of detail is really important. Something else to think about is having a disclosures register. That can help organisations and branches keep track of the disclosures that are made. Taking you back to the poll results, most of you said that you do have governance procedures, perhaps you do already have a register.
00:42:01		You could have somebody responsible for maintaining the register. Perhaps you have simple processes to help encourage people to make disclosures, like you could have a form or some sort of process that just constantly reminds people and makes it a really simple process. As I said, it needs to be a constant conversation.
00:42:28		One benefit of having these processes is that when the financial year ends, it's time to put together the ORP statement. I know a lot of you said that that's your role in your organisation, you do that. Having a register means that all of these disclosures are in one centralised place. I've been that new person in an organisation, you might have been that too, where you've had to follow the paper trail over a year. That can be hard work.
00:43:04		If you have it all in one register, somebody knows where it's saved. It's easy to pull it out and at the end of the financial year and you can put it together quite simply. I know that in my own assessment of ORP statements, that that can make a huge impact on the compliance at the end of the day for the organisation as well. That's a really good tip, I think.
00:43:30	SW	Absolutely. Thanks, Kristina. I think that information is really useful. Thank you for that. We're going to finish today's discussion with elections. Just to everyone participating, you'll, again, find documents in the file section of our website about elections that are coming up or have been run. Back to Michael, where do we start with elections?
00:43:56		For example, say, I'm interested in getting involved in my organisation as an officeholder, so what do I do? Where do I find out what positions or offices are up for election?



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	MM	The starting point, Sarah, should be that information about officeholders should be your rules. You can download a copy of your rules from the Fair Work Commission website. But if you're talking about documents on the ROC website, you can start with the organisation's annual return.
00:44:27		This will tell you what elections are scheduled for this year, including the branch elections as well.
	SW	But not all of them, like the annual return won't include all the elections expected for that year, will it?
	MM	Yes, that's right. For example, if an officer resigns and there's a casual vacancy that requires an election, this election won't be on the annual return. You'll also need to refer to the election documents in the file section of our website.
00:44:58		When an organisation lodges prescribed information with us or report a PI, we publish it online. This will tell us the officers relevant to that election and also the reason for the election. Like, for example, if it's a scheduled election or another type of election, casual vacancy, etc. You can also find this information in the delegates decision to arrange an election and we publish that decision on your file online as well.
00:45:26		We'll update the file on our website to include the post-election report. This will include the declarations of results and tell anyone looking at that document who was successfully elected to that office.
	SW	Thanks, Michael. I noticed one thing you mentioned was the AEC's post-election report. This is a report that summarises what has happened throughout the election.
00:46:02		It also includes if there were any issues with that election. One thing about that report is it is essential to the integrity of the election results, and again, that being important for democracy. Kristina, can you tell us a little bit more about the post-election report? Specifically, when we're reading it, what should we be looking for?
	KR	Sure, Sarah.
00:46:30		As you said, the post-election report will include information about any issues that have occurred during the election, like whether the AEC found any of your election rules difficult to interpret or to apply. Ambiguity in rules can potentially lead to a challenge in the election



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		result. It is in everybody's best interest to fix any of those issues that the AEC are identifying for you.
00:46:59		You must consider these issues that are raised in the report and whether or not they are of significance for you to take any action, like if you need to go through the process to change your rules, for example. To bring it back to transparency, a copy of your response to the adverse post-election report must be made available to your members as well.
00:47:27	SW	We do frequently see the issue of elections and what happens during them in some of the whistleblower disclosures that we receive here at the ROC. Just another reason for organisations to make sure the correct procedures are followed, as candidates or members can dispute those results. In some circumstances, they could even ask a court to conduct an inquiry into election irregularities.
00:47:58		Kristina, could you talk a little bit about what election irregularities are? They will be described in that post-election report we've been talking about too. Can you tell us what they are?
	KR	Yes. Election irregularities can be a number of issues and they can also be pretty serious allegations. An election irregularity can mean that there's been a breach of the rules of your organisation.
00:48:26		Something may have taken place during the election to stop the free and full reporting of all votes by people who were entitled to vote. An irregularity can also mean that something's happened to prevent or hinder the correct declaration of results. The post-election report will summarise those kinds of issues, those irregularities, and whether the AEC has taken any action during the election to fix them.
	SW	Thank you, Kristina.
00:48:59		I think that we've now answered all the questions that were submitted before today's session. I'm just going to ask Catherine to check the chat box to see if any further questions have been asked during today's discussion.
	CB	We do have one question on elections. We've been asked, is it worth providing additional information in the prescribed information, if you think that is more transparent?
00:49:30	KR	Can I just jump in there? I would say yes. It's very important to communicate in your prescribed information. It's communicating to



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		us as well as anybody who's reading it on our website. That can assist us in processing your prescribed information and issuing an election decision in a really timely manner.
00:50:01		At the moment, I understand that organisations might be experiencing perhaps backlog with COVID-related elections interruptions. I'm not sure about the original questions that's been asked, what sort of information? But, for example, if you had an election that was due last year that's been postponed. If you have anything that you need to tell us about that, please let us know through that process.
00:50:29		That will help us communicate with the AEC as well, which will assist the entire process. You might have, for example, our rule changes that are pending with the Fair Work Commission, we need to know about that. We have a template that prompts you to tell us about that. Please let us know about that.
00:50:55		If the rule changes impact on the election that's being run, then we will need to know that in terms of when we make our decision. Absolutely, if you have any information that you think will assist in that process, please let us know. If you're unsure about whether or not something should be included in a PI, give us a call, and we're happy to talk you through that process as well.
	SW	Alternatively, you can always try and contact us with any queries through the regorg inbox. That's also important.
00:51:31		We are here to help. If you do have any questions, I think contacting us as early as possible is really recommended. Does anyone else have anything to say on that issue? We don't have any other questions that have been raised, Catherine, that's all we have for today?
	CB	No.
00:51:57		There were a couple of questions as Kristina identified relating to the COVID shortening of elections and the election cycles, but it sounds like Kristina has just answered those.
	SW	That's probably all we have time for. I would like to thank everyone who submitted questions, and also all of you who have joined us for today's discussion. Before we finish, can I please just remind you to complete our survey.



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00:52:28		It's really important that we hear feedback about our live events and any ideas you have about how we can improve them. We have dropped a hyperlink to the survey in the chat box, and we'll also send you an email later today. Now, we have taken you through quite a bit of information in this session on what the documents on our website will show your members, and also provided a few tips on how you can complete them with an eye to being transparent to your members.
00:52:58		I just like to thank the panel today for sharing their insights and expertise. Thank you, Ken, Michael and Kristina, and also to Catherine behind the scenes there for all her assistance. Once again, thank you all for joining us and have a great day.