



ROCpod episode 14 – The ROC toolbox

Speaker Key

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AN Welcome to ROCpod: Talking with the Registered Organisations Commission. The official podcast of the ROC about the regulation of unions and employer associations. And in this monthly podcast we'll share essential information, uncover handy hints and tips and reveal our best tools for proactive compliance with the complex legislative requirements.



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AN Don't forget to subscribe and see how ROCpod can help you and your organisation.

MI Welcome to ROCpod, Talking with the Registered Organisations Commission. My name is Matthew Indrigo and I am the ROC's Data and Systems Analyst. Much of the data that I collect and analyse helps the ROC to understand how people access our education services and engage with us.



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MI The ROC helps organisations to comply with their obligations under the Fair Work (Registered Organisations) Act, or the RO Act as we call it. Providing education is right there in the RO Act as one of our basic functions. And one way that we do this is by publishing education resources and tools to make compliance easier.

In this episode of ROCpod, we will discuss our tools and resources and identify how registered organisations can take full advantage of them to increase efficiency and reduce compliance costs. To help me today, I am joined by my colleagues, Christine Hibberd and Rebecca Ng.

Christine is an administration officer at the ROC. She is often the first point of contact for people who phone the ROC through our hotline number or contact us via email. Welcome, Christine.



CH Hi Matthew. Thanks for having me.

MI I also welcome Rebecca to this month's podcast. Rebecca is the ROC's digital communications expert and has applied her skills to most of our education resources, including our website, e-learning modules, newsletters, fact sheets and this very podcast! Welcome to ROCpod, Rebecca.



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RN Thanks Matthew. I'm happy to help.

MI So, let's start with time frames and the tools we have to help organisations to comply. The RO Act sets out a number of obligations for registered organisations, including record keeping, financial reporting and elections. There are different time frames for the various requirements, and sometimes these can change from organisation to organisation as well. At the ROC we know that keeping on top of what is due when requires some planning.

To give an example, while all registered organisations must lodge their annual return of information with the ROC by 31 of March each year, the organisations registered with us have 1 of 7 different financial years! Organisations with different financial years will have different time frames for the lodgement of their ORP statement, their Loans, Grants and Donations Statement and their Financial Report – all counted from when their financial year ends.

And because elections are conducted based on an organisation's own rules, they vary from rule book to rule book too. Knowing when your elections are due under your rule book is also essential, so that you lodge your prescribed information with the ROC on time.

Christine, can you explain why lodgement deadlines are important, and how the ROC assists registered organisations to meet their requirements on time?



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CH Sure. As you have mentioned, the RO Act requires organisations to lodge certain documents with the ROC within particular time frames. And the ROC encourages a culture of good governance and compliance with the RO Act. So, our general approach is to empower organisations to achieve voluntary compliance and we encourage organisations to put in place their own internal management systems. We understand that the overwhelming majority of people want to comply with the requirements.

There are many good reasons to lodge your documents on time. Firstly, many of the documents that you're required to lodge under the RO Act are about transparency to members and keeping organisations and their branches accountable to members. They also help officers to keep track of how their organisation is going and stay on



top of their own officer duties.

Another reason though is many of these requirements are supported by civil penalties. The penalty amount that a Court can impose for non-compliance can be quite significant, and it reflects the importance that is placed on the principles of the RO Act – to ensure that organisations are representative and accountable to their members, and have high standards of governance.

For obvious reasons, you want to avoid running the risk of a civil penalty. And to help organisations to meet their lodgement time frames and achieve optimal compliance, the ROC has a Compliance Calculator. You can find the Compliance Calculator on our website --- www.roc.gov.au.

You can use the calculator to identify the specific relevant timeframes for your organisation or branch's compliance activities. Some timeframes are determined by your financial year or your rules, and you can type into the calculator specific information about your organisation to identify the deadline that applies to your organisation.



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RN Yes, Christine, the Compliance Calculator is especially helpful for identifying financial reporting timeframes. Before financial reports are lodged with the ROC, there are some steps that need to be undertaken, and the legislation requires those steps to be taken at particular times and in a particular order – like holding an Annual General Meeting and providing the report to members. The Compliance Calculator can help you organise your work so that you can properly meet your lodgement timeframes under the RO Act.

It can be a useful planning tool for many of your compliance activities, including financial reporting, elections, annual return and notifications of change, and the lodgement of ORP statements.

The compliance calculator is a dynamic tool, and you can customise it to the circumstances of your organisation. So, your organisation might have a 5% rule in its rulebook, for its financial reporting obligation. This won't apply to all organisations, but some have a rule that allow 5% or fewer members to call a meeting to consider the audited financial report. This rule allows the full report to be presented to a second Committee of Management meeting instead of an AGM. If you have this rule, you can select this option in the Compliance Calculator to determine when to hold your second committee of management meeting, when the report should be provided to members and finally, the timeframe for lodging the report to the ROC. If you don't have the 5% rule, you choose a different option in the calculator and away it goes working out your legislative time frames.

At the moment we're seeing organisations not quite get these financial reporting time frames right, so if you sit down with the calculator and put your dates into it, it will



give you exact windows to hold your meetings, send documents and lodge your financial report. All personalised to you and with a view to optimal compliance.

The Compliance Calculator is really simple to use and it can be an effective tool for assisting organisations to meet their lodgement timeframes.



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MI That's right. But the Compliance Calculator is just one resource in the tool box. The ROC has also developed a system where we issue courtesy letter reminders in advance of due dates. This is another way that we encourage voluntary compliance. These letters are sent by email to the main contact of organisations and branches. So that's also a reminder to let us know if contact details change.

We don't recommend that you wait for the courtesy letter before you actively take steps to comply with the RO Act. Hopefully you already have internal processes in place to make sure that appropriate action is being taken. But our courtesy letters are a useful reminder to help organisations to stay on top of their obligations. One of the courtesy letters we send is for elections. Rebecca, did you want to explain how our Elections Alert Program works?

RN Certainly, Matthew.

So, for scheduled elections, organisations are required to lodge their prescribed information with the ROC at least two months before nominations open. To help organisations achieve voluntary compliance with their elections, we have developed a system which sends out a reminder letter to organisations and branches about 3 months before their scheduled election. We have written these reminder letters, and designed them, so that they are easy to read and understand.

Again, we encourage organisations to have their own systems in place to take responsibility for ensuring compliance. However, in many cases, the elections alert program is a helpful reminder to keep organisations on track with the lodgement of their prescribed information.



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MI Thanks, Rebecca. From a data analyst I can tell you that the programming involved in the election alert program is quite complex, with our new case management system keeping track of scheduled elections and officer terms. It also generates files in advance of elections.

But rules are constantly and sometimes it takes a little time to get the new data into the system, so as Rebecca's just said, if you know you have an election coming up, again, don't wait for the courtesy letter. But if you do get the election courtesy letter, it's likely to be time to start putting together your prescribed information.



But elections aren't our only courtesy letters. What about other types of matters Christine?

CH We have courtesy letters for other types of matters too, Matthew. For instance, one of my many roles is getting the courtesy letters for ORPs and Annual Returns out on time. And the Financial Reporting team sends hundreds of courtesy letters for financial reports and loans, grants and donations statements. Matthew, in the last financial year, the ROC sent about 1400 courtesy letters to our organisations for upcoming lodgements.

The courtesy letters are carefully drafted to provide relevant information, links to tools and plain English instructions on how to comply with the requirements. This is something Rebecca works with the Education Team quite closely on.



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RN I do! We use lots of colour, headings and images to help people focus on the important parts of the letter and we try to move away from our letters, and our education resources generally, being large blocks of complicated text. We work very hard to try and make sure everyone can open our letter and know exactly what the legislation needs them to do and by what date.

We know the legislation can be complex, and that not everyone trying to comply with it is a lawyer, so we try to use language and instructions that are accessible to everyone. But courtesy letters and the compliance calculator are two excellent tools to help you anticipate and comply with the timeframes.

MI Okay, we've spoken about timeframes, why it's important to meet deadlines, and how the ROC can help organisations to do this. However, there's more to compliance than making sure you lodge your documents on time. It's also important that you include all of the information that is needed by the RO Act and the RO regulations.

There are currently more than 100 federally registered organisations, and they are all set up differently in structure and size. So, amongst the organisations, some have a really large membership base and have paid employees who perform many of the compliance functions of the organisation. Some registered organisations are run by unpaid office-holders and operate on a smaller scale. There are officers and employees who have been involved in this work for years, while others are building on their knowledge.

So, we have a diverse group of stakeholders, but every organisation has basically the same compliance obligations under the RO Act – to do certain things in preparation for an election, to lodge financial reports, to keep their records and lodge copies of them with the ROC, just to name a few.

In recognition of the diversity of people who interact with us, we put in a lot of effort to provide clear guidance and support. One way we do this is by publishing templates.



Christine, did you want to talk about why organisations should use our templates?



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CH Sure, to put it simply, our templates can save organisations time and money.

Let's use elections as an example. Registered organisations must lodge their prescribed information with the ROC, before the ROC can issue a decision for an election to be arranged. The RO regulations are very detailed about what organisations need to lodge with the ROC in their prescribed information. So organisations must include in their document – the name and number of offices, the reason for the election, the type of voting system ... just to name a few.

To help you lodge your prescribed information in full, and to help the ROC to readily understand it and issue a decision promptly, we have published prescribed information templates. The templates provide clear instructions about how to prepare prescribed information that is compliant with the legislation. I cannot say it enough how much we encourage organisations and branches to use our prescribed information templates.

RN That's right Christine. We encourage organisations to use **all** of our templates in their compliance work – like our ORP statement template, annual return template, notification of change template...

For your financial reporting we have published model financial statements and a sample document for Loans, Grants and Donations statements.

We have a template to assist you with many of your compliance obligations, and they are carefully designed to help organisations to efficiently comply with the RO Act. We regularly update them to take on the feedback we receive about how they can be improved. You can find our templates on our website, under the relevant topic heading.



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MI That's a good point, Rebecca. Our colleagues who assess compliance have told us that non-compliance can be significantly reduced, and even avoided in many cases, by using a ROC template. A clear example of this is where the RO Act requires the lodgement of a particular declaration. Our templates include the declarations that must be made with all the proper wording. This is an area where organisations who do not use our templates can make errors.

So we highly recommend that organisations and branches use our templates.

And the data backs this up. When we ask our organisations what they think of templates, 93 percent of those who responded to our surveys say that they agree that they save time and money using the templates. 89 percent say that they think



they help with compliance. Templates are some of our best and most used tools. Based on our website statistics, they were downloaded over 2,800 times last financial year.

So now we've discussed templates, the calculator and courtesy letters. And of course we have guidance notes, fact sheets, checklists and other documents on our website. How do you find the one you want if you're not sure which one you're after?

RN This is where our ROC Flower comes in. The flower is one of our most important tools.

MI I'll agree with that – did you know the ROC flower was downloaded more than 730 times last financial year?

RN No I didn't, but I'm not surprised. People give us positive feedback about it. It gives our clients a visual map of the tools that are currently available to them and it's all hyperlinked so you always get the most up to date version of the document you're looking for. The flower sounds like a strange name but you'll understand once you open it – it's essentially a series of colourful circles that are broken down by topic and each topic has petals that tell you all the resources you can use. We're currently in the process of reimagining our flower, so if you have any feedback please let us know.



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CH Yes, it's not like our other fact sheets at all. For instance, you open it up and look for the 'annual returns' flower and then you can see the various petals attached to that that have the fact sheet, or the template, or the webinar and all of the resources have their own petal. It's very useful to sort what you need from all of the resources available to you. It helps you stay up to date with what's available and the newest version of it.

MI There are ways you can stay up to date with changes and new tools. One of the tools we have to help this is the newsletter. Rebecca, did you want to talk about the ROC's quarterly newsletter?

RN Sure Matthew. Particularly if you're short of time, one way to get a quick summary of our latest news is through our quarterly newsletter. The newsletters include hyperlinks to our latest education materials, and upcoming events. You can access them from our News and Media page on our website.

You can also sign up to receive email updates from the ROC, so our newsletter and other education releases are sent directly to your inbox. You can customise your subscription so you can either receive everything, or only information about particular compliance topics. You can join our mailing list from the bottom of the ROC website.

CH That's right Rebecca! We currently have hundreds of subscribers and they are sent our latest updates straight into their inbox which means they always know about the



newest tools, our latest newsletter, upcoming events and changes to our policies amongst other things. Even this podcast goes out through the subscriber service.

The other way to know what to expect from the education team throughout the year is our Education Strategy. It helps you, as an organisation or branch, plan your own training and compliance around our information, live events and updates. The strategy is available from our website and explains, month by month, what fact sheets, podcasts, guidance notes, online panels and e-learning modules we'll release.

Rebecca you've had a big hand in the e-learning modules.



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RN Yes, and I want to give our e-learning modules a plug. They are a new education resource we have created, and will develop over the next financial year. I want to firstly encourage people to access the modules, and also to give us feedback about them.

Our latest module, which we released in July, is an interactive learning package about notifications of change, or NOCs. People can jump online and complete the 20 minute learning program in their own time. It takes you through the legislative requirements and includes practical examples about how to lodge a notification of change with the ROC. There is also a short self-assessment quiz so administrators and officers can test their knowledge and decide whether they need to explore further education in this area. We don't keep records on the quiz results, so don't worry, it's all anonymous. And like all of the materials we produce, we are responsive and open to hearing feedback about our e-learning modules.

We only create tools and resources which serve a purpose for registered organisations. At the end of each e-learning module there is an opportunity to complete a short survey, and I certainly encourage people to provide feedback on what we can do more of, less of, or differently.

MI Thanks, Rebecca. Our staff put in a lot of effort to deliver the ROC's education program. And I agree, it is important that the tools and resources are user-friendly and help organisations to comply.

So we've spoken about how organisations can download written materials and tools from our website. But what if people have a question about how to run their registered organisation? Christine, how can people get some tailored guidance from the ROC?



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CH There are many ways that you can get in touch with the ROC for assistance. As an Administration Officer, I regularly take calls from people in registered organisations,



who have all sorts of questions about the operation of their organisation. For example, how to fill out the ORP statement, when to lodge a notification of change, where to find a document on our website ...

I can often provide help on the spot, but if specialised knowledge is required, callers are transferred to subject matter experts, like our finance team for example.

We also get requests for advice and assistance via email, and in many cases we can provide written guidance to assist people to achieve best practice compliance.

The ROC is a small agency, and an advantage of this is that our service is personalised. Our small team of people work within specialised areas, but we also pitch in to assist our colleagues where the need requires. So many of our education experts are also trained in assessing compliance matters, and this gives our people well-rounded knowledge to provide assistance. It also means that the designers of our resources know how they are used in practice, so they know how to make effective tools for compliance. But nothing beats genuine feedback, so please if you think there is a resource we could create, or need to tweak to make better, let us know – we always listen.

RN Another opportunity we have created for our organisations to engage with us is our workshops and online discussion panels. Since 2018, the ROC has hosted workshops around Australia to provide the opportunity for face-to-face education and engagement. The feedback from our workshops have been really positive, so we continued to deliver them until the pandemic occurred. They have now been postponed until it is again safe to gather and travel.

However, this has encouraged us to think about how we continue to engage and educate our stakeholders, even during times where we cannot physically meet in a room. So when we drafted our Education Strategy for the financial year, we scheduled online panel discussions instead of face-to-face workshops for at least the remainder of 2020.

Our discussion panels are a live event that are broadcast online, and designed to focus on a particular area of compliance. Before the session, we encourage registrants to send us their questions (you can do this anonymously too if you want), and during the event the panel answers them and any further questions received during the session. After the event we also publish the recording of the discussion on our website so that people who are unable to attend live, can listen at their convenience. Overall, we have been encouraged by the level of interest in our online panels.



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MI Our recent panel about ORP statements had over 60 attendees join us for the live event, and more have since listened to the recording online. And we are scheduling other panels, as well as a podcast each month.



RN That's right. And our follow up surveys tell us that people have enjoyed the discussions and have benefited from engaging with us this way.

MI Thanks Rebecca. Surveys are a big part of how we get information on what type of resources we can develop for our clients. So I might just mention our biggest survey of them all – the Annual Education Survey! The annual education survey opens near the beginning of the calendar year and it goes out to people through our subscriber service that Rebecca was telling you about earlier.

It doesn't take long to complete and I can't say it enough – please take the time to fill in the survey. We want to create practical resources that you use and that you think will help you to meet your obligations. Listening to your feedback through these surveys is one of the best ways to tailor our tools.

I think we've pretty much covered it. Essentially, the ROC helps organisations to comply with the RO Act by providing education services to registered organisations and their members. This includes practical resources such as factsheets and templates, this monthly podcast, and tools like the Compliance Calculator and E-learning modules. The ROC also engages with stakeholders via requests for advice and assistance, and events like our workshops and online panels.

Thank you, Rebecca and Christine for joining me for today's podcast.



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CH Thanks for having me, Matthew.

RN Thank you, Matthew.

MI Please join us for next month's episode of ROCpod, where we will discuss best practice for the induction of new officers in registered organisations.

AN The opinions expressed in ROCpod are the opinions of the particular speaker and not necessarily the opinions of the Registered Organisations Commission.

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AN The ROC is not able to provide legal or accounting advice.

For further information please see the materials on our website www.roc.gov.au or contact us at regorgs@roc.gov.au.