Fair Work Commission

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RO POD episode 52 – Our education resources

Speaker Key

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AN Welcome to RO pod: Talking about governance of registered organisations with the Registered Organisation Services branch at the Fair Work Commission, the official podcast about the regulation of unions and employer associations. In this 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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MI: Hello and welcome to RO pod. My name is Matt Indrigo and I'm a Senior Advisor in the Education and Advice team of the Fair Work Commission's Registered Organisations Branch. In today's episode we will be talking about our education tools and resources, and how they can assist you in complying with the requirements of the *Fair Work (Registered Organisations) Act 2009*, or the 'RO Act' as it's

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commonly referred to. We'll be looking at the vast suite of resources that are currently available, as well as materials that we will be releasing in the future.

The RO Act includes providing education, assistance and advice to organisations and their members as one of our functions. Here with me today to talk about how we deliver this function and to provide helpful hints and tips is Tina Waldron, who is an Adviser in the Education and Advice Team. Welcome Tina.

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TW: Hi Matt, thanks for having me on.

MI: One of the most crucial aspects of educating registered organisations and their members is ensuring that they are aware of the required timeframes for meeting their obligations. Tina, how can organisations who may not be sure or have forgotten when they need to lodge documents with us find out when their deadlines fall?

TW: The best place to go is always the RO Act itself, and depending on the type of document you are lodging, your organisation's rule book as well.

One of the services we provide to registered organisations is sending courtesy and reminder letters to let them know they have certain documents that need to be lodged with us.

That could be anything from a financial report to prescribed information for an election. We even send reminders about the requirement for reporting units to rotate their registered auditors. Our aim is to give as much warning as possible to enable registered organisations to begin turning their minds to it, and make sure it is on their radar.

Over the last 12 months we've sent out approximately 1650 of these letters, so while it's not a small task it's definitely worthwhile, and we have received a lot of feedback from registered organisations about how useful it is in helping them to comply in a timely manner.

MI: Of course, organisations shouldn't wait to receive a courtesy or reminder letter to begin actioning these items, and not receiving these letters doesn't waive the organisation's responsibility to meet their obligations under the RO Act.

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Relying on these reminders from us shouldn't be a substitute for having strong internal management processes. We always encourage these good practices within registered organisations, and these letters should complement rather than replace them. Tina, are the due dates for lodging documents the same for all registered organisations?

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TW: Great question Matt, and the answer is both yes and no, depending on the type of document that is being lodged.

For example, an annual return of information is due to be lodged with us by the 31st of March each year, so all organisations are in the same boat. On the other hand, for financial reports, statements of loans, grants and donations and officer and related party statements, the due dates are determined from the organisation's end of financial year, which is set by the organisation and can be at any time.

MI: Is that is why you mentioned earlier that you should look at your organisation's rule book?

TW: Yeah, exactly. Currently, across all registered organisations there are seven different end of financial years, but 30 June and 31 December are by far the most common.

It's not just financial reports that have different due dates though, as the requirement to lodge prescribed information for elections varies greatly because of each organisation's individual rules around the length of terms of office and when nominations open.

MI: So if we're looking at ways for organisations to take a more proactive approach to compliance and not just waiting for our reminder letters, what other tools do we have available that could help organisations in their planning?

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TW: One of the most popular tools we provide is our Compliance Calculator. It's a really handy resource that lets organisations enter their own relevant dates from their rule books, so it can be customised to their organisation.

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The great thing about the calculator is that it doesn't just give you the due date, it helps you keep track of what you should be doing through every step of the process. For example, with financial reports, it tells you when you need to provide your financial report to members, and even gives you the option of calculating when your second Committee of Management meeting needs to be held if you are a using your organisation's 5% rule.

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MI: Just a reminder to listeners who may not be familiar, the 5% rule is a rule that some but not all organisations have in their rule books which allows 5% or fewer members to call a meeting to consider the audited financial report. It means the full financial report is allowed to be presented to a second Committee of Management meeting, rather than at an Annual General Meeting of members.

TW: Yeah, but don't worry if your organisation doesn't have a 5% rule, as you can still use the calculator to determine when your Annual General Meeting is to be held, and the timeframe to lodge the financial report with the Commission.

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MI: And that calculator is available in the 'Tools and templates' section on our website which you can find by navigating to the registered organisations page, and then under the heading called 'running a registered organisation'. We have a lot of materials available, and we are always coming up with new ways to help registered organisations in any way that we can, but how do we determine what we should be producing and the topics they relate to?

TW: Timing is a big factor. We always want to make sure that organisations are not just notified with what they need, but also when they need it. That's why we produce and release our materials around things like annual returns towards the end of the year, so organisations can begin gathering the information they require, before lodging by the end of March.

MI: And for those larger organisations that may need to liaise with their branches to collect information and then collate it, it can take significant time.

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TW: It can indeed. We are constantly reviewing what is currently available and looking for gaps in our materials to see where there may be a need for more or updated information.

We also continuously seek feedback from registered organisations, their peak bodies and subscribers about the resources we offer and get their views about what they want to see more of, or what could be improved.

All of this is then used to inform our Education and Engagement Strategy, which sets out our planned education activities. We released our 2024-25 Education and Engagement Strategy in December following stakeholder engagement, and published a calendar of items that are to be delivered throughout 2024, so organisations can see what is forthcoming and plan accordingly.

MI: In addition to the tools and materials we provide on our website, we also want to ensure registered organisations know that if they can’t find what they are looking for, we have other options available for registered organisations where they can seek individual and tailored assistance.

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TW: That’s right Matt, we always encourage speaking to one of our staff directly. This can be done by simply calling our number on 1300 341 665, or emailing us at regorgs@fwc.gov.au. But we do have other avenues which involve face-to-face education opportunities. Our Governance to You program is a fantastic way of engaging with subject matter experts on areas you would like some more information on. Not only will we provide you with an information pack on requested topics, but you have the option of receiving an information session from one of our staff.

MI: Yes, and these sessions can be delivered either electronically, such as through Microsoft Teams, or we can present it in-person depending on your location. The other great thing about these sessions is that they can be delivered to one or a couple of people, or a whole group such as a committee of management, so we can really cater to your organisations’ learning needs.

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TW: The General Manager has also recently launched his own 'Listen and Learn' program where he visits compliance officers and employees of registered organisations to discuss and provide feedback about the way we regulate and any other issues they wish to discuss. We've already had a wonderful uptake from organisations requesting a Listen and Learn session, and the General Manager has visited multiple states to meet with people who work with us on a regular basis.

MI: We've also recently launched our Registered Organisations Education and Support Program events. These are half-day information sessions where registered organisations can attend and hear from some of our staff and learn about topics such as financial reporting, governance, rules and other developments. We'll also have some guest speakers to share their experiences and provide helpful tips.

TW: The first of these program events was held in Melbourne earlier this month. It went really well and we received a lot of positive feedback from attendees who found it extremely valuable. Our next session is in Parramatta on the 6th of May, with events to follow in other capital cities by the end of the year. Matt, we've spoken about the Compliance Calculator, but what other interactive tools do we have available on our website?

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MI: Well, we have our E-Learning Centre, which is a resource created to teach registered organisations and their officers about governance and compliance. It contains eight separate modules which are presented in the form of narrated slideshows, and cover topics such as elections, notifications of change and financial reports. You can go through and learn about all the topics at your own pace in an easy-to-follow format, or when it comes time for you to lodge a certain document, you can just listen to the topic you want and refresh your knowledge.

TW: And roughly how long do they take to complete?

MI: They range in duration depending on the topic, but most take around 20-30 minutes to finish, which includes a self-assessment quiz at the end so you can test your knowledge. We also have the Good

Governance Guide which has practical steps to assist officers in implementing good governance in their organisation. You can use the guide to learn about topics such as ‘Managing conflicts of interest’ and ‘Developing a speak up culture’ and receive tips for adopting contemporary governance practices. Because they are broken down into a number of modules, you can choose the subject you want to view and be directed to further information without having to navigate through content that you may already be across or may not be relevant to you.

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TW: It really is a helpful resource, especially the chapter on ‘Officer inductions’, which from an operational perspective is such a pivotal process for registered organisations who can have a large turnover.

MI: That’s right, and to your point about ensuring a smooth transition and educating new officers, we have developed an Officer Induction Kit that has been exceptionally well received. It’s essentially a beginner’s guide for new officers, and while not exhaustive in its list of officers’ requirements and responsibilities, it sets a solid foundation and base of knowledge to build upon.

Well, we’ve discussed a variety of different resources so far, but is there anywhere our listeners can go to view all our available materials at once if they might not be sure how to navigate through our resources?

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MI: Yeah, absolutely, our RO Flower is one of our most used tools. It’s a graphical presentation which consists of all our current resources and is especially fantastic for those who are visual learners. It may be difficult for our listeners to envisage, but when you view it you will see that it’s broken down by topic, represented in coloured circles, and each petal attached to the circle is a hyperlink to a resource for that particular topic. These include fact sheets, templates, checklists, links to the relevant e-learning module or even to previous podcasts that we’ve produced on that subject.

TW: So essentially it’s a one-stop-shop for all your needs.

MI: That’s a good way of putting it. Another advantage of using it is that because it’s regularly updated, the hyperlinks are always to our most current resources, so you can be sure you aren’t using a previous version of a template. We are also planning on re-launching the RO Flower by the end of the year.

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TW: I'm glad you mentioned templates because they are one of our most important resources, but can you tell us a bit more about them?

MI: Sure. A lot of work that goes into our templates to keep them current, and the aim is to save registered organisations as much time as possible in preparing and lodging documents. Using our templates substantially decreases instances of non-compliance and it also expedites the assessment process as it reduces the likelihood of our action officers having to contact the organisation and ask for more information or even to re-lodge the document. One instance we see quite a bit is where a declaration in a document requires specific wording under the RO Act. Organisations who don't use our templates are at greater risk of getting these declarations wrong. While we've seen a large increase in use of our templates over the years, there are still some organisations who don't use our templates, or are using outdated ones.

TW: Definitely, and we have templates for all document types, and strongly encourage all organisations to use them. For financial reports, we have just released the 2023–24 model financial statements.

We've had a look at what's currently available, and some of our new and upcoming in-person programs, but in terms of future materials, what can organisations be on the lookout for?

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MI: One of the recommendations from the Registered Organisations Governance and Compliance External Review last year was to create an induction pack for organisations' compliance staff. While we have plenty of materials available for officers of organisations, this was identified as an area that we could provide more support in, so we will be publishing this in the coming months. Another major resource we are working on in consultation with stakeholders is our Model Rules project. This involves drafting a set of annotated Model Rules which provides best practice examples that comply with the RO Act, recognise practical requirements, embed good governance and provide flexibility to suit your particular organisation.

TW: That sounds like it's going to be a really helpful resource for organisations. Before we go, is there anything further else you would like for our listeners to know?

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MI: I'd like to remind everyone that you can stay up-to-date with our most recent tools and resources by signing up to our subscription service. You can select what you want to receive information about by using the tick boxes. One of the options that you can tick and an easy way to keep on top of all our latest news is our quarterly newsletter, which summarizes our recent releases, including education materials and upcoming events.

TW: Thanks Matt. I'll just add that we're always open to receiving feedback and finding ways to improve. We are committed to helping organisations increase efficiency, transparency, governance, reduce compliance costs and other barriers to compliance, and will support you to achieve this. So, if you have any ideas on what we can do or resources we can produce, please let us know.

MI: Thanks for your time today Tina and for sharing your knowledge with us.

TW: It's been my pleasure, Matt.

MI: Please tune in to our next episode of RO pod, which will be released in June.

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