

TIO Conciliation

From referral to conciliation

When the Telecommunications Industry Ombudsman (TIO) first receives a complaint, we refer it to the relevant service provider's nominated complaint handling area. If you return to us with information that suggests the complaint has not been resolved, the complaint may progress to conciliation.

What happens in conciliation?

We will give you and the provider our summary of the complaint, including the reasons why the complaint is still unresolved. We will also indicate [laws, industry regulations, good industry practice](#) and [TIO Position Statements](#) that could be relevant to your complaint and could point to appropriate outcomes.

The negotiation stage

After the conciliation starts, the provider will have 10 days to engage with you, so you can reach a mutually acceptable resolution.

To prepare for your discussions with the provider, we recommend you:

- Tell the provider if you have any support needs, e.g. an [interpreter](#) or the [National Relay Service](#). You can also [authorise a representative](#) to act on your behalf.
- Prepare questions in advance, e.g. are any things you don't understand that you would like the provider to explain?
- Have all your documents and notes with you so you can refer to them during discussions, e.g. bills, letters, records of previous conversations.
- Have a general idea of the resolution you are aiming for, but be ready to discuss alternative options and take into account the information you receive from the provider.
- If you and the provider agree on how to resolve the complaint together, write this down and do everything you have agreed to do as soon as possible.
- Keep paying bills (see next page).

TIO facilitation

If you cannot negotiate a resolution with the provider within 10 days, the TIO Officer who is handling the complaint will facilitate a dialogue between you.

The TIO Officer will guide conversations, but will always remain independent and impartial. They are not an advocate for any person.

In these discussions, the TIO Officer will:

- Listen to each party's side of the story and clarify what they think needs to be resolved.
- Share information so each party understands the other's point of view.
- Explain and discuss relevant laws or regulations, or complex technical information.
- Ask questions, request documentation, and consider all information provided to the TIO.
- Express some views on the strength and weaknesses of each party's arguments, based on the information provided so far, relevant law and regulation, good industry practice, and what is fair and reasonable.
- Help both parties to develop and evaluate options for resolving the complaint.
- Encourage you and the provider to move towards and agree on a mutually acceptable outcome.

CONSUMER FACTSHEET

TIO Conciliation

Tips for dealing with the TIO

- Talk with us, answer our questions and give us the information we ask for.
- Be open to what we say and information we give you.
- Consider the suggestions we make about what could be a reasonable resolution.

See more TIO complaint handling information on our website: www.tio.com.au

Outcomes of conciliation

If you and the provider are able to agree on a mutually acceptable resolution to a complaint, either by negotiating directly with each other or with our assistance, we will close your complaint.

If you and the provider cannot agree on a resolution, the TIO will consider the next steps:

- If it is not clear what resolution would be fair and reasonable, and you want to take the matter further, we may conduct an investigation to form a view about the merits of the complaint.
- If the provider's response to the complaint seems fair and reasonable, we will write to you to explain why we are not taking the complaint further. You may ask for a [review of our decision](#).

From conciliation to investigation

While a TIO Officer may express some views about the strength or weakness of arguments during conciliation, they will not make a formal decision about the merits of a complaint at the conciliation stage.

During an investigation, we ask questions, gather information, and assess material so we can form a view on the merits of the complaint. Conciliation processes may also continue during the investigation, and the complaint may be resolved through a negotiated settlement without the TIO needing to make a decision.

If the dispute is not resolved by negotiated settlement, a TIO Officer will issue a written decision based on the information provided to us, relevant law and regulation, good industry practice, and what is fair and reasonable in the circumstances.

Paying your bills and charges

It is important that you pay any unpaid charges that are not in dispute. This includes charges for ongoing use of services. The TIO can decide to stop handling this complaint if you do not do this.

If your complaint is about making a payment arrangement for a debt, we also recommend you start making repayments that you can afford.

While the TIO is handling a complaint, the provider must stop credit management action on specified disputed amounts or if a payment arrangement under a financial hardship policy is being discussed as part of the complaint. **Please contact us if credit management action of this type does not stop.**

Financial management information: MoneySmart website at www.moneysmart.gov.au/managing-your-money and National Financial Counselling Hotline on 1800 007 007.