



11 September 2017

Telecommunications Industry Ombudsman

Via email: StakeholderEngagement@tio.com.au

Re: Changes to the Telecommunications Industry Ombudsman Terms of Reference

ACCAN and Consumer Action Law Centre (CALC) thank the Telecommunications Industry Ombudsman (TIO) for the opportunity to comment on the proposed changes to its Terms of Reference (ToR).

ACCAN and CALC are pleased that the TIO is proactively addressing the increasing complexity of the telecommunications supply chain resulting from the rollout of the NBN. We believe that the proposed amendments to the ToR are in the best interests of consumers as they will increase the efficiency and effectiveness of the complaints resolution process.

Through our work, ACCAN, CALC, and member organisations are well aware of the difficulties that can arise in relation to complaints relating to connecting to the NBN, particularly where retail service providers attribute blame to intermediaries and aggregators, or state that they have no power over NBN. In many cases this leads to a long and frustrating process for consumers, who may be without a service.

The proposed changes will allow the TIO to require action and information from all TIO members, increasing the speed at which complaints can be resolved, and drive better complaint outcomes for consumers.

Telecommunications is not the only industry with a variety of different businesses in the supply chain. This occurs in utilities and even finance, and it is important for there to be mechanisms to ensure any business that receives a customer complaint takes responsibility for resolving it, rather than pushing responsibilities on to others. Where the latter occurs, consumers can suffer from 'complaint exhaustion' and give up, thereby potentially allowing consumer detriment to go un-remedied.

We particularly endorse the approach taken in the credit-reporting system. Legislation was amended in 2013 to overcome the complaint 'merry-go-round,' where credit providers and credit reporting bureaus would push complaints on to each other. This framework now places

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Australia's peak body representing communications consumers*

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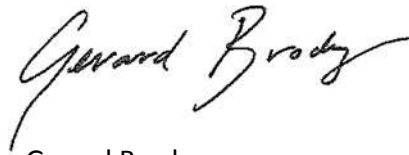
the onus to resolve the dispute on whichever entity receives the consumer's initial complaint.ⁱ
This contributes to efficient and timely complaint resolution.

Thank you again for the opportunity to comment on the proposed amendments to the TIO ToR.
Should you have any questions please do not hesitate to get in contact.

Sincerely,

A handwritten signature in black ink, appearing to read 'Una Lawrence'.

Una Lawrence
Director of Policy, ACCAN

A handwritten signature in black ink, appearing to read 'Gerard Brody'.

Gerard Brody
CEO, Consumer Action Law Centre

ⁱ See ss 23A and 23B of the Privacy Act 1988 (Cth).