



**Telecommunications
Industry
Ombudsman**

**Annual Report
2018-19**

Welcome

The Telecommunications Industry Ombudsman acknowledges the traditional owners of country throughout Australia and their continuing connection to land, culture and community.

We pay our respects to elders past, present and future.

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Chair's message

It is a great honour to become Chair of the Telecommunications Industry Ombudsman and I thank the Board for the opportunity. I come into the role after the outstanding leadership of Patricia Faulkner who led the organisation from 2014 to July 2019. It was under Patricia's stewardship that the Telecommunications Industry Ombudsman moved to a modern unitary governance structure which saw independent directors added to the Board to complement directors drawn from industry members and the consumer movement. The robust Telecommunications Industry Ombudsman funding model which provides stability and predictability to members and the scheme is also a significant legacy of Patricia's.

There are few sectors more dynamic than telecommunications and this makes for an exciting and challenging environment for all involved, including the Telecommunications Industry Ombudsman. Obviously the continued roll out of the National Broadband Network is a prominent (but not the sole) cause of recalibration within the sector. Consumers rightly consider telecommunications as an essential service that allows them to participate effectively in the economy and to enjoy the possibilities communication networks offer.

In its approach to providing consumers an avenue to raise their concerns and an independent mechanism to resolve disputes, the Telecommunications Industry Ombudsman needs to be nimble, cost effective, and responsive. Fairness needs to be the key

touchstone and in undertaking our work we should always be mindful of the value we can add for members and the sector more broadly. The Telecommunications Industry Ombudsman continues to reflect deeply on its role and performance, both in completing the implementation of the recommendations from the 2017 Independent Review of the scheme, and in responding to the recommendations of Part A of the Government's Consumer Safeguards Review.

The Telecommunications Industry Ombudsman has already implemented a significant renewal of its dispute resolution methodology and further important changes to the governance of the scheme are being considered and consulted upon. The recent Australian Competition and Consumer Commission



“ There are few sectors more dynamic than telecommunications and this makes for an exciting and challenging environment for all involved.”

Report on digital platforms recommended a role for the Telecommunications Industry Ombudsman as an ombudsman for consumers of these platforms and this possibility will be seriously explored with government, our members, consumers and the platforms. This could be an important improvement in the architecture of Australia's digital environment.

With so much change it is reassuring for residential consumers and small businesses that we are focused on our core responsibility – to deliver a fair, independent, and accessible dispute resolution service. As Chair, I'm pleased to see overall complaint numbers are decreasing. We are adding more value to escalated complaints including giving more focus to identifying and highlighting systemic issues. In the second half of the year, we became concerned about the emergence of lengthy queues in specific types of complaints, and work continues with the service providers to address these complaints more quickly.

In closing, I wish Patricia well for her future and thank the Ombudsman and her staff for their continued hard work.

Professor The Hon Michael Lavarch AO
Independent Chair

Ombudsman's message

Our purpose is simple and clear – to provide a fair, independent and accessible dispute resolution service for phone and internet complaints.

While there is still work to do, I am pleased to report complaints about phone and internet services in Australia have started to decline, but still remain higher than the 2015-16 reporting year. The downward trend is good news for residential consumers and small businesses, and for the telecommunications sector.

Our commitment extends beyond dealing with individual complaints. We also play an important role in dealing with systemic complaints, and providing information and analysis to community, government and members.

Improving our service

In November 2018, the Government released the recommendations from Part A of the Consumer Safeguards review. It was pleasing to see the strong endorsement of the role of our scheme and the support for our work from government, industry and consumer groups.

In responding to the report's recommendations, we are working with the Department of Communications and the Arts to strengthen the accessibility, effectiveness and fairness of our scheme.

Our Systemic Issues team worked closely with the regulators (the Australian Consumer and

Competition Commission and the Australian Communications and Media Authority), our members, and other stakeholders on systemic issues. From this work, we published three papers – number loss during NBN migration; sales practices driving consumer debt; and theft of mobile numbers by fraudsters. Our systemic publications highlight emerging issues and concerns, and support improvements to industry practices.

In early 2019, an internal reference group began working on a project to revise our Terms of Reference. The revision will ensure the document is relevant in the future and accommodate technological advances and changes in the telecommunications environment. As this work develops, we will be consulting with stakeholders with the aim of having revised Terms of Reference in place at the start of the next reporting year.



The complexity of complaints

The decline in overall complaints is only one part of the story. This year the complexity and volume of complaints remaining unresolved after the initial escalation to the providers resulted in longer than expected wait times.

We worked closely with phone and internet service providers to understand these issues. We introduced a fast track process for simpler complaints. This meant those cases could be dealt with immediately, reducing the queue for a case manager. Then we grouped similar complaints into batches and referred them in bulk to providers. We formed specialist teams to handle escalated complaints dealing with technical and small business issues, which are among the most difficult to resolve. These approaches helped reduce wait times.

The new funding model introduced at the start of this financial year and the changes to the complaint-handling processes sought to more effectively deliver on our purpose. We continue to monitor and refine the way we work.

Helping you find a clear way forward

This year we made the first significant change to our branding since the inception of the scheme. Our new brand is designed to bring together our diverse stakeholder community and represent all parties in the complaint resolution process. The theme of "Helping you find a clear way forward"

speaks to our purpose of providing a fair and independent dispute resolution service.

The logo embodies the sustainability and resilience of the organisation, now in its twenty-sixth year. The earthy colour palette reflects the grounded mindset required to successfully resolve complaints.

Our new website makes it easier for consumers and small businesses to make a complaint or update an existing one, understand what is involved, and what the next steps in the process are. And the updated Member Portal improves the way phone and internet providers access information on complaints and online training.

“ The earthy colour palette reflects the grounded mindset required to successfully resolve complaints.”

Along with the rebrand we launched a new set of values to guide our work: Together we DREAM — Dare to be great; Respect and inspire; Evolve and grow; Appreciate and celebrate; and Make it easy. I am pleased at the way I see these values reflected in our daily practice.

“ Change and complexity in our industry means our role remains a vital one — today and well into the future.”

Appreciate and celebrate

The stories this annual report tells demonstrate an unwavering commitment to what we stand for. Change and complexity in our industry means our role remains a vital one – today and well into the future. We are committed to delivering a best-practice complaint handling service for the Australian telecommunications industry and consumers.

Our work can only thrive with the help of those we work with. All stakeholders contribute to the success of the scheme as an external complaints handling body. I thank the providers for working with us to resolve complaints, and referral agencies for fielding initial enquiries about complaints and referring unresolved complaints to us. I thank the Board, particularly former chair Patricia Faulkner, for their support, and welcome new chair Michael Lavarch. And finally, thank you to my staff, the people who make it happen, for their commitment to making a difference to all involved with telecommunications.

Judi Jones
Ombudsman



Complaints

The operating landscape – a year of change

We operate in a continuously changing environment. Over the past year the telecommunications landscape has been shaped by government, regulatory, consumer and market forces. Each of these factors has played its part in trying to address growing community expectations of phone and internet services.

Consumer groups have called for internet services to be considered an essential service in Australia. They want it to be regulated in the same way as water, gas and electricity. Our society relies on affordable phone and internet services to stay connected with family and friends, access social services, and run businesses of all sizes from mum and dad corner stores to small start-ups to global companies.

Reliance on these services means consumer expectations, regulatory developments and technological advancements can influence the number and type of complaints we receive. These factors also impact waiting times for consumers and the types of complaints they make.

Last year we saw an increase in the complexity of complaints, difficulties in the supply of internet services to some consumers and supply-chain issues affecting continuity of service.

As an independent dispute resolution service, observing the knock-on effects of change for consumers helps us form a more granular view of our environment.

In 2018-19:

- **132,387** total **complaints** were received (a decrease of 21%)
- **14,153** complaints were **escalated** (a decrease of 18%)
- **Internet** replaced mobile as the dominant service type (**32.6%** of all complaints)
- **50.7%** of all complaints had a connection, changing provider or service quality issue
- **No or delayed action and service and equipment fees** were the top complaint issues¹
- **14.5%** of all complaints were received from **small businesses**
- **27.3%** of **small business** complaints were about a **landline service**

Regulatory developments

In November 2018 the Department of Communications and the Arts (the Department) released the Consumer Safeguards Review Part A: Consumer Redress and Complaints Handling. The report affirmed the need for improvement in handling consumer complaints and highlighted the important role we play

1. Complaints may include more than one issue.

as an independent dispute resolution service.

Over the last year other changes in regulation strengthened consumer safeguards and spoke about the actions of certain providers.

Speed of services

During the year, the Australian Competition and Consumer Commission (ACCC) published:

- [Broadband speed claims: Industry guidance¹ \(updated\)](#), and
- [Guidance for fixed wireless customers²](#).

The guidance provides consumers and industry with greater clarity around broadband speed claims.

The ACCC continued to enforce compliance with the Australian Consumer Law for providers of telecommunications services, including on claims about the speed of broadband. As part of its inquiry into the standards of wholesale service for the National Broadband Network (NBN), the ACCC accepted a court-enforceable undertaking and released a discussion paper seeking further input on matters raised by stakeholders in the inquiry³. This work continues.

Better consumer outcomes

With the support of the Department, the Australian Communications and Media Authority (the ACMA) released a suite of rules and standards to protect consumers during migration the NBN. The new rules increase the obligation of providers to deal more effectively with consumer complaints.

The ACMA is responsible for enforcing the new rules and standards, which include:

- [Telecommunications \(NBN Continuity of Service\) Industry Standard 2018⁴](#)
- [Telecommunications Service Provider \(NBN Service Migration\) Determination 2018⁵](#)
- [Telecommunications \(NBN Consumer Information\) Industry Standard 2018⁶](#)
- [Telecommunications \(Consumer Complaints Handling\) Industry Standard 2018, and Telecommunications \(Consumer Complaints\) Record-Keeping Rules 2018.⁷](#)

Last year the ACMA issued formal warnings to 27 providers and remedial directions to another four providers for failing to comply with the new rules and standards⁸.

1. www.accc.gov.au/publications/broadband-speed-claims-industry-guidance

2. www.accc.gov.au/consumers/internet-landline-services/broadband-speeds/using-nbn-fixed-wireless

3. www.accc.gov.au/media-release/nbn-wholesale-service-standards-inquiry-enters-next-phase

4. www.acma.gov.au/theACMA/service-continuity-standard-your-obligations

5. www.acma.gov.au/theACMA/service-migration-determination-your-obligations

6. www.acma.gov.au/theACMA/consumer-information-standard-your-obligations

7. www.acma.gov.au/Industry/Telco/Infrastructure/The-NBN-and-industry/new-complaints-handling-rules-1

8. www.acma.gov.au/Home/theACMA/telcos-directed-to-comply-with-complaints-handling-rules

Work continued on the revision of the Telecommunications Consumer Protections Code, which is aimed at enhancing consumer outcomes.

Movement in the market

The rollout of the NBN went on at a rapid pace. This year NBN Co activated nearly 1.5 million homes and businesses on the network, bringing the total number of premises activated to 5.53 million⁹.

With transition to the NBN, providers offered a range of new products and services. As a result, we saw a new range of complaints and enquiries from consumers navigating the changed environment. The increase in complaints about internet services is one example of this.

We saw more providers offer consumers bundled services across different industries, such as internet and electricity.

This year fifth-generation mobile networks, or 5G, arrived in Australia. We saw increased innovation in the market, with services and smart products that go beyond traditional telecommunications devices.

We anticipate parts B and C of the Consumer Safeguards Review will speak to new technology and further transform the environment.

9. www.nbnco.com.au/corporate-information/media-centre/media-statements/nbn-co-delivers-strong-FY19-financial-results

National complaints

132,387

total complaints received in 2018-19¹

112,895

complaints from residential consumers, 85.3% of all complaints

▼ 21.1%

decrease in complaints from 2017-18

19,165

complaints from small business, 14.5% of all complaints

Types of complaint categories

Enquiries are requests for general information or complaints we are unable to [help with](#)², including complaints where the consumer has yet to contact the provider. We give the consumer information, refer them to the most appropriate agency, or refer the complaint to the provider.

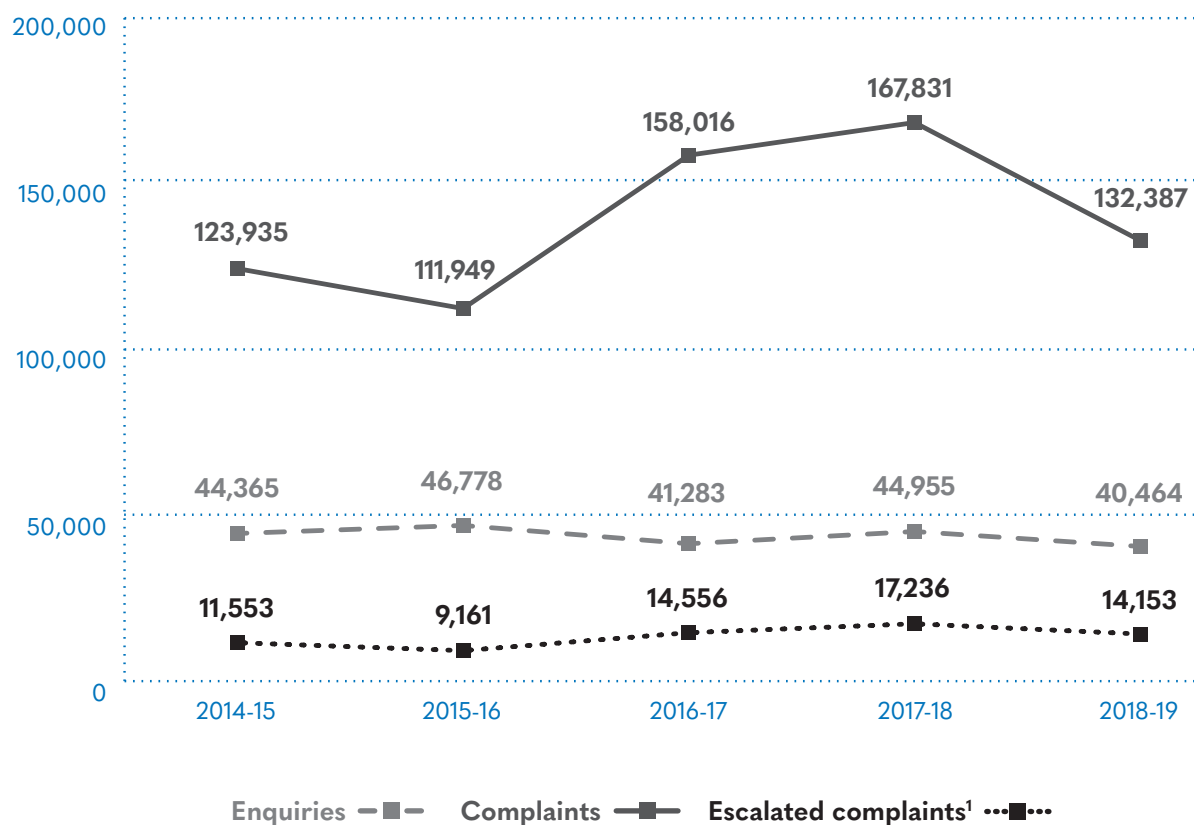
Complaints are expressions of dissatisfaction about a phone or internet provider where the consumer has already contacted the provider and been unable to resolve the complaint. We refer complaints to specialist teams within the provider for a further attempt at resolution. Most complaints are resolved by this process.

Escalated complaints are complaints that remain unresolved after being referred to specialist teams within the provider, and we work with the parties to resolve the complaint.

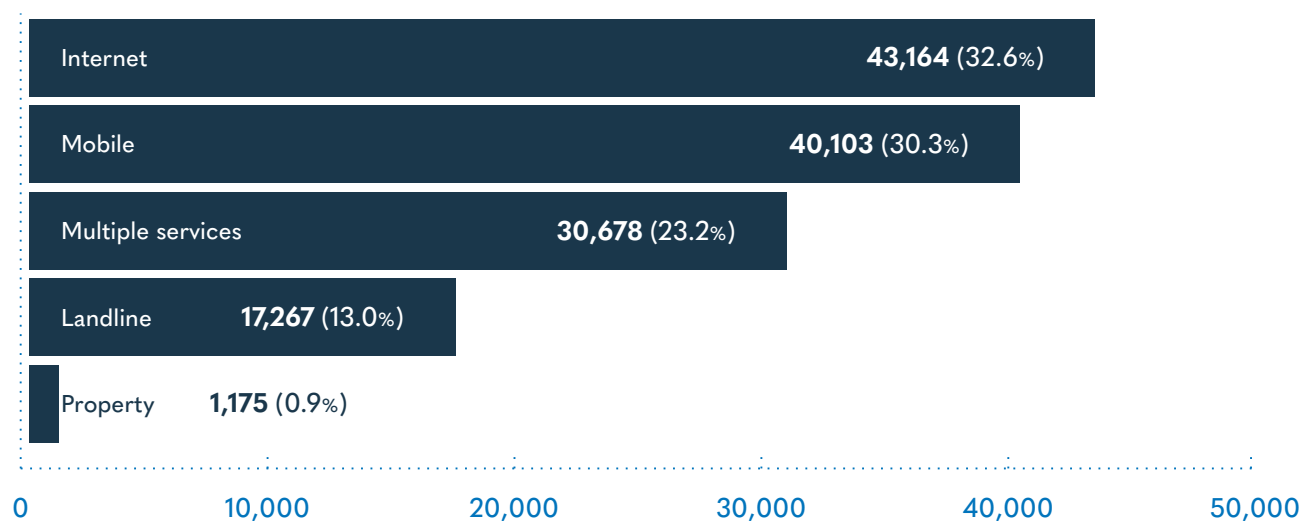
1. Complaints that have been cancelled within the financial year are not included in this report.

2. www.tio.com.au/about-us/terms-of-reference-and-company-constitution/2-complaints-we-handle

Types of complaints by year

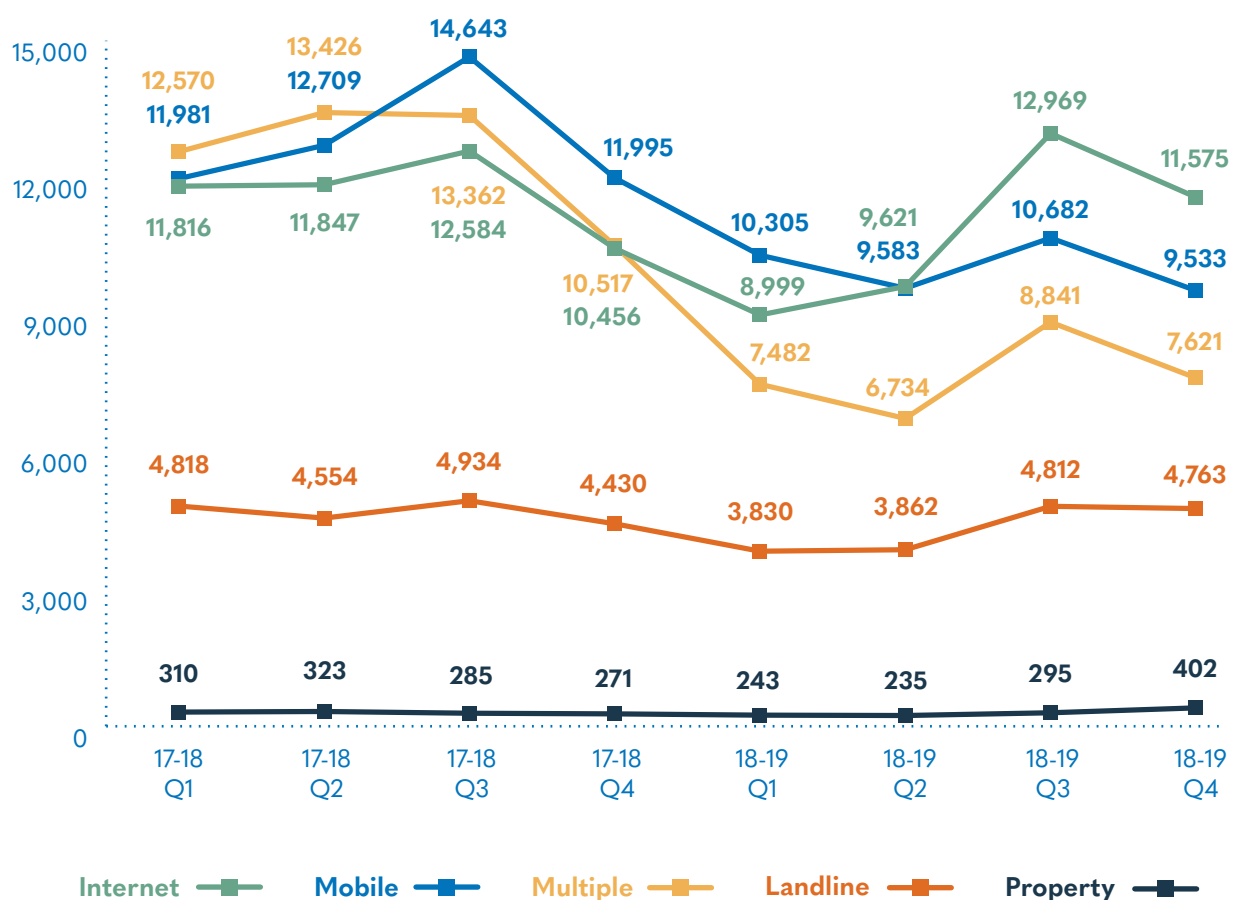


Complaints by service

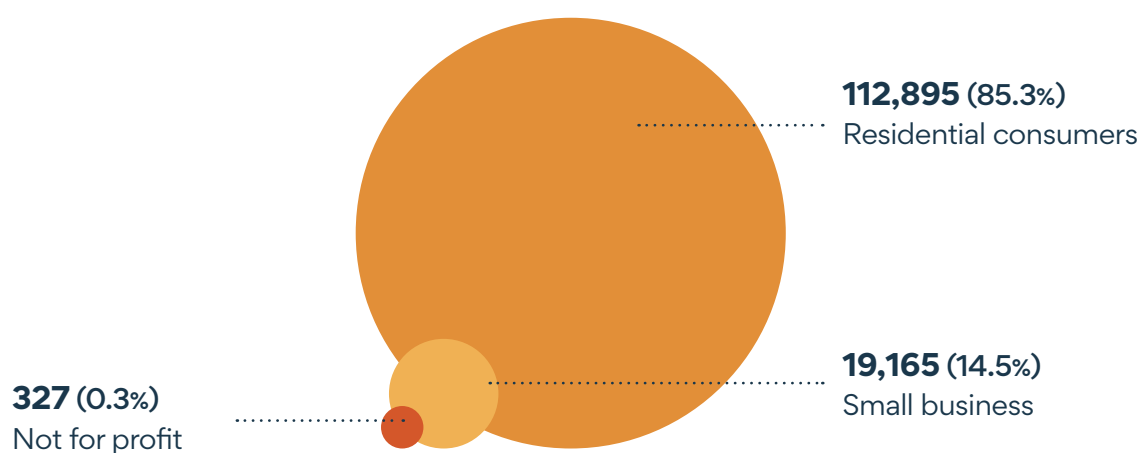


1. 'Escalated complaints' includes investigations and conciliations

Complaints by service 2017-18 to 2018-19



Who complained



Top five issues consumers complained about¹

Internet services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	13,976
Payment for a service	Service and equipment fees	13,509
Service delivery	Slow data speed	8,668
Service delivery	Intermittent service/drop outs	7,915
Establishing a service	Delay establishing a service	7,431

Landline services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	5,653
Service delivery	No phone or internet service	4,964
Payment for a service	Service and equipment fees	3,812
Establishing a service	Delay establishing a service	2,441
Establishing a service	Number problem due to connection or transfer	1,559

Mobile services

Category	Issue	Complaints ²
Payment for a service	Service and equipment fees	12,905
Customer service	No or delayed action by provider	11,675
Customer service	Resolution agreed but not met	4,263
Establishing a service	Misleading conduct when making a contract	3,656
Payment for a service	Termination fee	2,975

Multiple services

Category	Issue	Complaints ²
Payment for a service	Service and equipment fees	10,495
Customer service	No or delayed action by provider	10,229
Service delivery	No phone or internet service	6,469
Establishing a service	Delay establishing a service	5,931
Service delivery	Intermittent service/drop outs	3,865

1. See page 66 for how we record complaints.

2. Complaints may include more than one issue.

LineUp pressured 75-year-old Elizabeth to change her landline service

Elizabeth is an elderly pensioner who has a landline with Phoney.

LineUp, Phoney's competitor, cold-called Elizabeth and offered to provide her with a landline service over the National Broadband Network (NBN). Elizabeth said she wanted to discuss the offer with a family member before deciding. LineUp said it would register the service and send her paperwork, and she could cancel within a cooling-off period if she did not want to go through with the transfer. LineUp read its contract terms and asked Elizabeth if she understood them. Elizabeth said she did not agree to the transfer.

Elizabeth called Phoney, which told her she did not need to transfer to the NBN because of where she lived.

The next day LineUp called again. When Elizabeth said Phoney told her she didn't need to transfer to the NBN, LineUp said Phoney was getting as much money as it could from her before her service was disconnected. Elizabeth ended the call.

LineUp called a third time telling Elizabeth everyone had to transfer to the NBN. LineUp said it wanted to make sure her service was

not disconnected because reconnection would cost \$700. Elizabeth said she didn't want to transfer her service and ended the call.

Several days later Elizabeth received a letter and contract from LineUp. She tried to call LineUp during the cooling-off period but no one answered or responded to her messages.

Elizabeth called us to complain. She said she didn't want to transfer her landline service from Phoney or pay any money to LineUp. After we referred Elizabeth's complaint to LineUp, the complaint was resolved by LineUp cancelling Elizabeth's contract within the cooling-off period.

We found more than 40 consumers, many of them senior, complained about similar actions by LineUp. Our Systemic Issues team began investigating LineUp's sales conduct.

In response to the systemic investigation, LineUp said it completed a comprehensive review of its telemarketing sales system, process and practices, and made a number of changes.

Names of individuals, organisations and companies have been changed.

Connecting and using a service

50.7%

of complaints had a connection, changing provider or service quality issue¹

20,619

complaints about a connection or changing provider – this includes complaints about delays establishing a connection, unauthorised transfers, and problems with telephone numbers.²

48,440

complaints about service quality – this includes complaints about lack of service, intermittent service or drop outs, slow data speed, and poor mobile phone coverage.²

The consumer experience of an ongoing service, or changing their service, can be examined using our issue keywords, which are used for recording complaints.

The fact that we receive a complaint does not necessarily mean a provider or the network itself is at fault. It means that a complaint will begin our complaint resolution process.

When complaints include issues about connections or service quality, we identify the network over which the service is delivered. This might be the National Broadband Network (NBN), or other fixed or mobile networks.

The relative proportion of complaints about services over the three network types below does not necessarily reflect market share.

Network	Complaints about a connection or changing provider	% of all connection and changing provider complaints
Services delivered over the NBN	11,635	56.4%
Services delivered over other networks ³	6,303	30.6%
Services delivered over mobile networks ⁴	2,681	13.0%

1. Other issues include payment for a phone or internet service, customer service complaints and property complaints, such as access to land to install or maintain infrastructure. Complaints can have more than one issue.

2. 1,892 complaints had a connection and service quality issue and are represented in both figures.

3. Other networks include fixed line and wireless networks owned by carriers other than NBN Co.

4. Mobile complaints include all complaints about mobile services, except when they are combined with complaints about another service.

	Complaints about service quality	% of all complaints about service quality
Services delivered over the NBN	23,362	48.2%
Services delivered over other networks ³	19,582	40.4%
Services delivered over mobile networks ⁴	5,496	11.3%

The experience of residential consumers and small businesses connecting to or receiving a service delivered over the NBN is influenced by a range of factors. These can include the actions of the internet service provider, wholesalers, NBN Co as the company undertaking the rollout, and also factors within consumers' premises.

Apart from complaints in the Property service category, we register complaints against the party with whom the consumer has the contractual relationship, which is generally the retail service provider.

As an increasing number of services are delivered over the NBN, the number of complaints we received about services delivered over that network as a proportion of all internet and landline complaints will continue to increase. Once the rollout is completed, delivery of internet and landline services over the NBN will become the norm.

At the end of June 2019, 5,532,087 premises had been connected to the NBN – an increase of 37.1% on the last reporting year.

	Connection or changing provider complaints about services delivered over the NBN ⁵	Premises added to the network ⁶	Complaints per thousand premises added to the network
July – Dec 2018	4,213	631,096	6.7
Jan – June 2019	7,422	865,121	8.6

	Service quality complaints about services delivered over the NBN ⁵	Total premises on the network ⁶	Complaints per thousand premises on the network
July – Dec 2018	9,660	4,666,966	2.1
Jan – June 2019	13,702	5,532,087	2.5

3. Other networks include fixed line and wireless networks owned by carriers other than NBN Co.

4. Mobile complaints include all complaints about mobile services, except when they are combined with complaints about another service.

5. Complaints that have been cancelled within the financial year are not included in this report. If a complaint has been reassigned from NBN Co to another network within the financial year, it will no longer appear in NBN Co statistics. As a result, the first half numbers are slightly lower than those published in the Six Month Update.

6. The "Premises added to the Network" and "Total Premises on the Network" data was sourced from NBN Co 'Weekly Progress Report' dated 18/7/2019 and published on nbnco.com.au



After Aliya damaged a cable, WorkNet incorrectly charged her \$3,900

WorkNet provided Aliya with her landline and internet service.

In October 2018, while building a shed on her property, Aliya damaged a telecommunications cable. She was still able to use her services and did not tell WorkNet about the damage.

In December, Aliya's services stopped working and she called WorkNet to report a fault.

A technician from WorkNet completed temporary work on the damaged cable to reconnect Aliya's services. The technician said permanent repair of the cable would cost Aliya around \$500.

Later, another technician from WorkNet told Aliya repairing the damaged section would not fix her service problem because the whole cable was old and needed replacing.

After replacing the cable, WorkNet sent Aliya a bill for \$3,900. Aliya told WorkNet she would pay the repair costs for the damaged section of cable, not the cost of replacing the whole cable. WorkNet said it could reduce the bill to \$1,900, but withdrew its offer when Aliya said the amount was still too high. Aliya did not pay the bill and WorkNet sold the charges of \$3,900 to a debt collection agency.

Aliya called us and said she wanted WorkNet to reduce the charges to the cost of repairing the damage she had caused.

We asked WorkNet to show us the cost of repairing the damage Aliya caused. WorkNet offered to reduce the bill to \$800. Aliya accepted WorkNet's offer and we closed the complaint.

Names of individuals, organisations and companies have been changed.

Complaint outcomes

When we close escalated complaints, we record outcomes. These can have a financial or non-financial remedy for residential consumers, small businesses or service providers.

In 2018-19 we closed 13,415 escalated complaints, compared to 18,088 in 2017-18. This represented a 25.5% decrease in closed escalated complaints on the previous year.

The most common financial outcome was a billing adjustment, followed by a debt or fee reduction or waiver.

The median value in financial outcomes was \$405. The most common non-financial outcome for residential consumers or small businesses was an explanation or assistance, followed by cancellation or change to a contract, service or plan.

Days to close escalated complaints

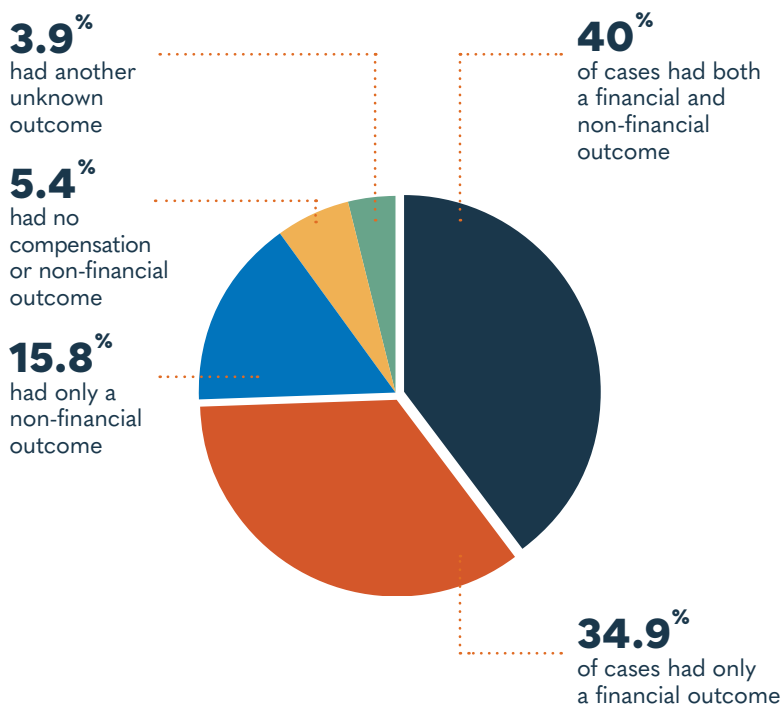
47%
closed within 60 days

Compared with
77% in 2017-18

85%
closed within 120 days

Compared with
94% in 2017-18

Distribution of escalated complaint outcomes 2018-19



A close-up photograph of a person's hand holding a silver smartphone. The phone's screen is black and unlit. The background is a blurred outdoor setting with a paved surface and some foliage.

GoPhone cut off Sarah's mobile after agreeing a payment plan

Sarah's income decreased unexpectedly, and she could no longer afford her mobile service bills with GoPhone.

She called GoPhone to explain her financial situation and change her plan so she could afford to pay the bills. She asked if she could pay \$20 each fortnight until her situation improved. GoPhone agreed to this.

Sarah's mobile service stopped working. She called GoPhone and was told her mobile phone was disconnected because she owed money. A debt collection agency began contacting her for payment.

In early 2019 Sarah authorised a financial counsellor to complain to us on her behalf.

The financial counsellor said the debt collection agency was asking Sarah to pay \$1,200 of which around \$400 was late payment fees. The counsellor said Sarah wanted the late payment fees removed given she had made an agreement with GoPhone to pay her bill.

The financial counsellor said once GoPhone confirmed if Sarah should make payments to GoPhone or the debt collection agency, she would start paying \$20 a fortnight.

GoPhone proposed Sarah pay \$122 each month because at \$20 a fortnight, it would take more than three years to pay the charges. GoPhone said the late payment fees were correct, but it would consider waiving them if Sarah applied for help with financial hardship.

The financial counsellor gave GoPhone information about Sarah's income, along with its view that Sarah should pay \$800 and could afford to make payments of \$20 each fortnight until this was paid off. GoPhone accepted the financial counsellor's view and reduced the charges.

With the help of a financial counsellor and our dispute resolution officer, Sarah was able to pay the charges she could afford.

Names of individuals, organisations and companies have been changed.

Systemic issues

53

possible systemic issues
were notified to providers

33

systemic issues resulted in the provider
agreeing to or making changes to its
system, process or practice

18

systemic issues were
referred to regulators

We continue to be active in identifying, investigating, resolving and reporting on issues that may negatively impact a wide number of residential consumers and small businesses. By working with the industry and raising awareness of these issues, we drive improvements and better outcomes in the delivery of telecommunications services.

As a high-volume complaint resolution service, we identify possible systemic issues through notifications from staff and trends from complaints data. This year the Systemic Issues team received and assessed 180 notifications from staff.

As a result, we notified telecommunications providers about 53 possible systemic issues. These issues covered a broad range of concerns about providers' systems, processes or regular practices, such as:

- poor sales practices resulting in consumers obtaining products and services they did not want or understand
- failing to provide consumers with all product and service usage information required under industry codes
- weaknesses in customer authentication or account security, allowing fraud to occur
- failing to adequately respond to and resolve complaints from customers.

In many cases, we worked with notified providers to understand the root causes of identified issues and explore improvement opportunities. This year, providers agreed to make improvements on 33 systemic issues. As part of resolution, we consider whether the changes have resulted in a reduction of complaints to our office.

We share information with industry regulators about systemic issues, where a systemic issue is unlikely to be resolved or may involve a serious breach of laws, standards or codes. We referred 18 systemic issues to regulators for consideration. Some of these issues have resulted in enforcement or direct compliance action.

This year we launched a series of systemic publications called Systemic Spotlights and Insights. These raised awareness of systemic issues affecting consumers and drove industry improvement to reduce complaints.

We have released three systemic publications covering number loss during NBN migration, sales practices driving consumer debt and theft of mobile numbers by fraudsters. Our recommendations and consumer guidance on these important systemic issues have been published widely. We continue to monitor progress on these recommendations.

When consumers bought a mobile device on a “no lock-in” plan, they found cancelling the plan meant they had to pay for the device in full

Forest Mobiles offered a new “no lock-in” mobile plan, which a consumer could cancel at any time without penalty. If the consumer wanted a mobile device as well, they could buy one from Forest Mobiles and pay it off over a 24-month period.

We received similar complaints from consumers who signed up for the plan with a mobile device. Consumers believed they could cancel the mobile service and continue paying off the device over the 24-month period.

However, when consumers cancelled the plan, Forest Mobiles told them they had to pay for the device in full. Consumers said they could not afford to pay the full cost at once as some devices were as much as \$1,400.

Our Systemic Issues team told Forest Mobiles there was an issue with communicating key contract terms for new products and began an investigation.

Forest Mobiles told us in some cases its sales agents failed to tell consumers they needed to pay for the device in full or told them

about it too quickly. Forest Mobiles’ website prominently advertised the mobile service plan as “no lock-in” but was unclear about when a consumer would need to pay for the device if they cancelled.

In response to the investigation, Forest Mobiles:

- updated its online and print advertisements to clearly say consumers needed to pay for the device in full if they cancelled the plan
- gave affected consumers time to pay off the mobile device
- let affected consumers cancel the contract if they returned the device
- contacted affected consumers and offered them the remedies above
- made sure sales agents improved their practice by complying.

Our systemic investigation showed how important it is for providers to clearly communicate key contract terms for new products.

Names of individuals, organisations and companies have been changed.

Residential consumers

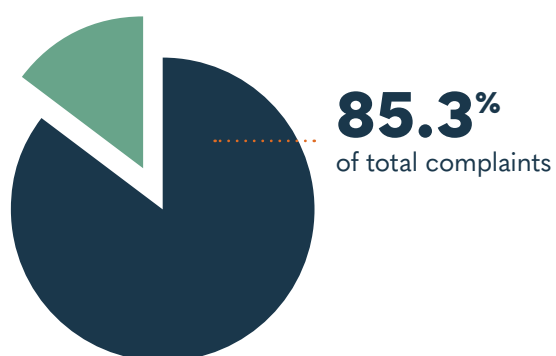
112,895

total complaints received in 2018-19

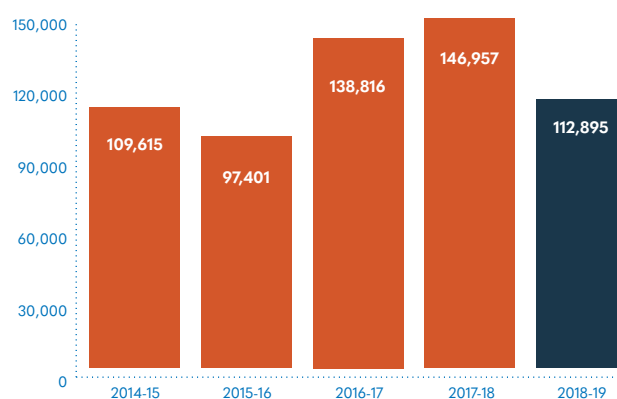
▼ 23.2%

decrease in complaints from 2017-18

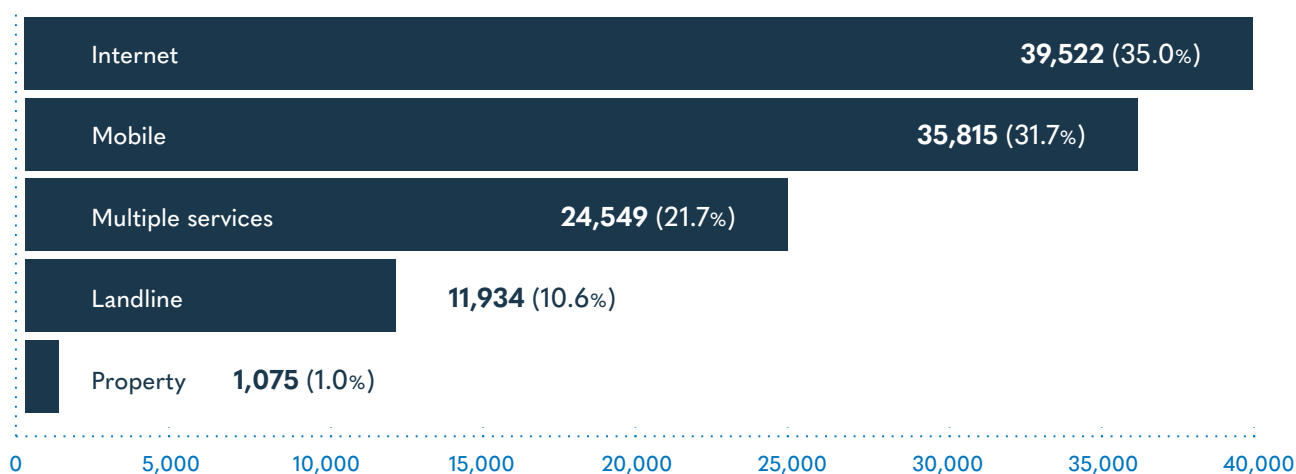
% of total complaints



Complaints by year



Complaints by service



Top five issues residential consumers complained about¹

Internet services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	12,741
Payment for a service	Service and equipment fees	12,513
Service delivery	Slow data speed	8,128
Service delivery	Intermittent service/drop outs	7,308
Establishing a service	Delay establishing a service	6,830

Landline services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	3,799
Service delivery	No phone or internet service	3,670
Payment for a service	Service and equipment fees	2,384
Establishing a service	Delay establishing a service	1,670
Customer service	Resolution agreed but not met	992

Mobile services

Category	Issue	Complaints ²
Payment for a service	Service and equipment fees	11,499
Customer service	No or delayed action by provider	10,273
Customer service	Resolution agreed but not met	3,771
Establishing a service	Misleading conduct when making a contract	3,245
Payment for a service	Termination fee	2,631

Multiple services

Category	Issue	Complaints ²
Payment for a service	Service and equipment fees	8,493
Customer service	No or delayed action by provider	8,038
Service delivery	No phone or internet service	5,038
Establishing a service	Delay establishing a service	4,617
Service delivery	Intermittent service/drop outs	3,145

1. See page 66 for how we record complaints.

2. Complaints may include more than one issue.



Terry's phone number went missing when he moved house

When Terry moved house he asked his service provider, TelcoA, to move his landline number to the new address. Soon after moving, Terry experienced drop-outs in his landline service and reported them to TelcoA. He said there were times when he could not use his landline for two days. After this happened several times, he called TelcoB and asked it to provide his service.

TelcoB told Terry there was a problem with transferring his landline number. It offered him a new number but Terry wanted to keep his existing one. TelcoB said it could not help with this and sent him back to TelcoA to look into the issue.

When Terry called TelcoA it told him TelcoB was responsible for the transfer.

Terry called TelcoB again. TelcoB said its system showed the phone number was disconnected and it could only transfer a connected number. Terry said the number was connected and he was using it for the call they were on, but TelcoB said its system needed to show this before it could transfer the number.

Later, Terry called TelcoA and they also stated the service should not be working because its system also showed the number was disconnected. When he said he was calling from the service, TelcoA could not explain how this was possible.

Terry complained to us, saying he wanted TelcoA and TelcoB to work together to fix the issue stopping the transfer. As it was unclear what was causing the problem, we referred Terry's complaint to both TelcoA and TelcoB.

When TelcoA investigated, it found and fixed an issue in its system. TelcoB then applied to transfer the number. Terry couldn't use his home phone for two days while the transfer went through so TelcoB credited Terry's account with \$30.

Terry wrote to thank us, saying he didn't think he would have been able to keep his landline number without our help.

Names of individuals, organisations and companies have been changed.



When Barbara applied for a loan, the bank rejected her due to a credit default listing by TelcoZ

Barbara had a landline service with TelcoZ. When Barbara moved house, she asked TelcoZ to transfer the landline service to her new address. However, TelcoZ said it couldn't provide service there. After she moved house, TelcoZ didn't send Barbara any bills so she called and TelcoZ said she did not owe it any money.

In 2018 Barbara applied for a loan. The bank rejected her application saying she failed its credit check. Barbara asked for a copy of her credit file and found TelcoZ had applied a credit default against her name for unpaid bills it sent to her old address. Barbara complained to TelcoZ and it agreed to remove the credit default. From this time, TelcoZ had 30 days to update Barbara's credit file.

Three months later Barbara applied for another loan and again the bank rejected her

application saying she failed its credit check.

Barbara called us to complain. She said each time the bank rejected her application she felt embarrassed and humiliated. Barbara said she wanted TelcoZ to remove the credit default listing and pay her \$3,000 in compensation.

We showed TelcoZ what other Ombudsman schemes had recently paid consumers for similar complaints. We said \$500 would sufficiently compensate Barbara for her non-financial loss.

TelcoZ offered to remove the credit default listing within 30 days and pay Barbara \$500. Barbara accepted the offer.

Names of individuals, organisations and companies have been changed.

Small business

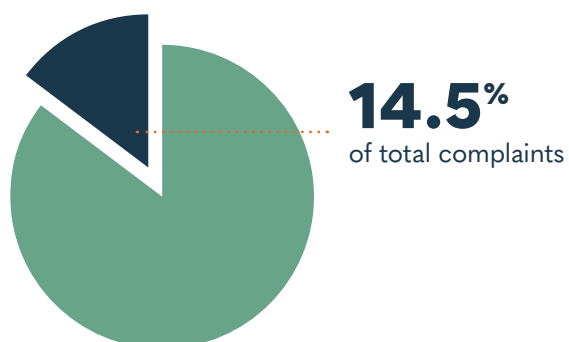
19,165

total complaints received in 2018-19

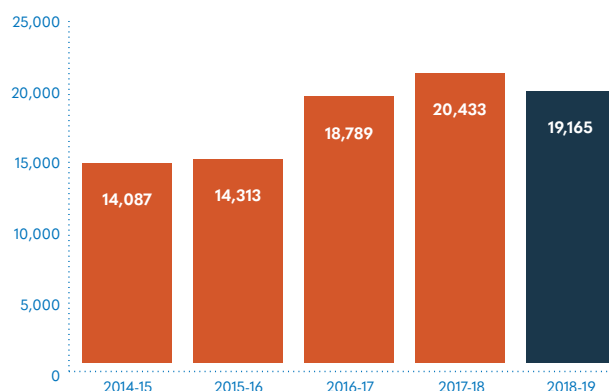
▼ 6.2%

decrease in complaints from 2017-18

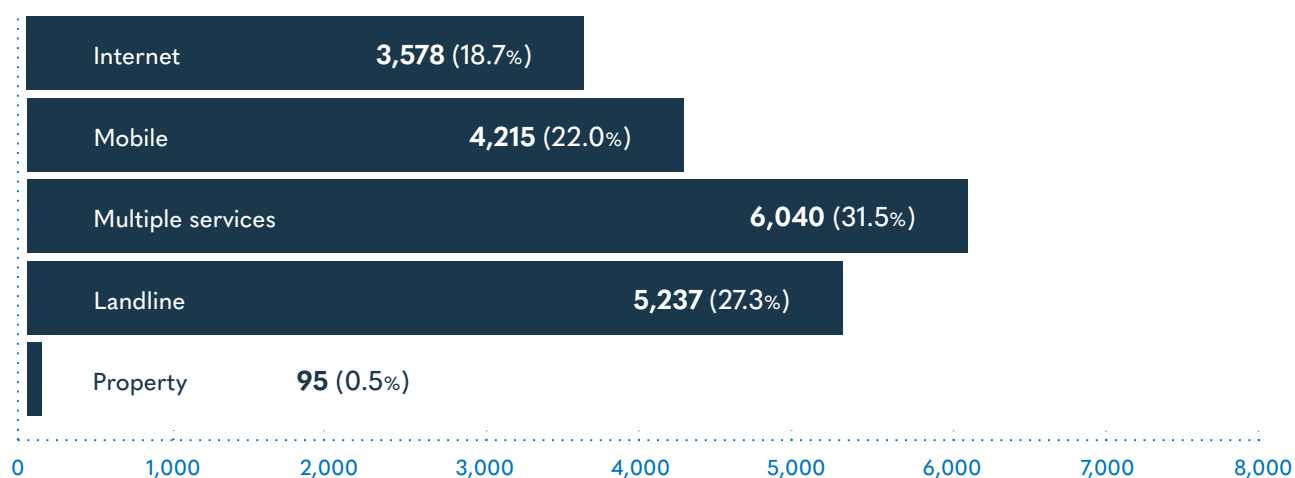
% of total complaints



Complaints by year



Complaints by service



Top five issues small businesses complained about¹

Internet services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	1,211
Payment for a service	Service and equipment fees	980
Service delivery	No phone or internet service	664
Service delivery	Intermittent service/drop outs	600
Establishing a service	Delay establishing a service	586

Landline services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	1,814
Payment for a service	Service and equipment fees	1,404
Service delivery	No phone or internet service	1,274
Establishing a service	Delay establishing a service	758
Establishing a service	Number problem due to connection or transfer	560

Mobile services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	1,378
Payment for a service	Service and equipment fees	1,375
Customer service	Resolution agreed but not met	485
Establishing a service	Misleading conduct when making a contract	407
Service delivery	Poor mobile coverage	349

Multiple services

Category	Issue	Complaints ²
Customer service	No or delayed action by provider	2,165
Payment for a service	Service and equipment fees	1,975
Service delivery	No phone or internet service	1,410
Establishing a service	Delay establishing a service	1,295
Service delivery	Intermittent service/drop outs	713

1. See page 66 for how we record complaints.

2. Complaints may include more than one issue.

Maisie's small business lost money when Pan Phones lost her number

Maisie had a landline and internet service with Pan Phones for her business, MSign.

Maisie moved MSign to new premises, and asked Pan Phones to transfer her business services to the new address.

Over the following four months, Pan Phones changed MSign's phone number three times without telling Maisie. Pan Phones then disconnected MSign's services and Maisie was unable to use her business number or internet service.

Maisie claimed \$42,975 in compensation from Pan Phones, which was made up of:

- \$975 for landline and internet services she did not receive
- \$10,000 in running costs for MSign over the four months, and
- \$32,000 for lost profit.

Pan Phones said while it could have prevented the problems, it did not agree with the amount claimed. Pan Phones offered Maisie compensation of \$3,000.

Maisie called us to complain, saying she wanted Pan Phones to pay her \$42,975

in compensation. We referred Maisie's complaint to Pan Phones and asked it to work with Maisie to resolve the complaint.

When Maisie called us to say they were unable to agree on a compensation amount, we asked her to show us MSign's loss caused by the service interruption. This included a profit-and-loss statement for two years. We asked Pan Phones to show us its fault records for the four-month period after Maisie asked it to transfer MSign's services to the new address.

We assessed Pan Phones should pay Maisie \$16,165 in compensation because it could have prevented the service interruption and Maisie had taken reasonable action to mitigate MSign's loss. The compensation included advertising costs, business expenses, lost profit, and charges Maisie paid when MSign had no services.

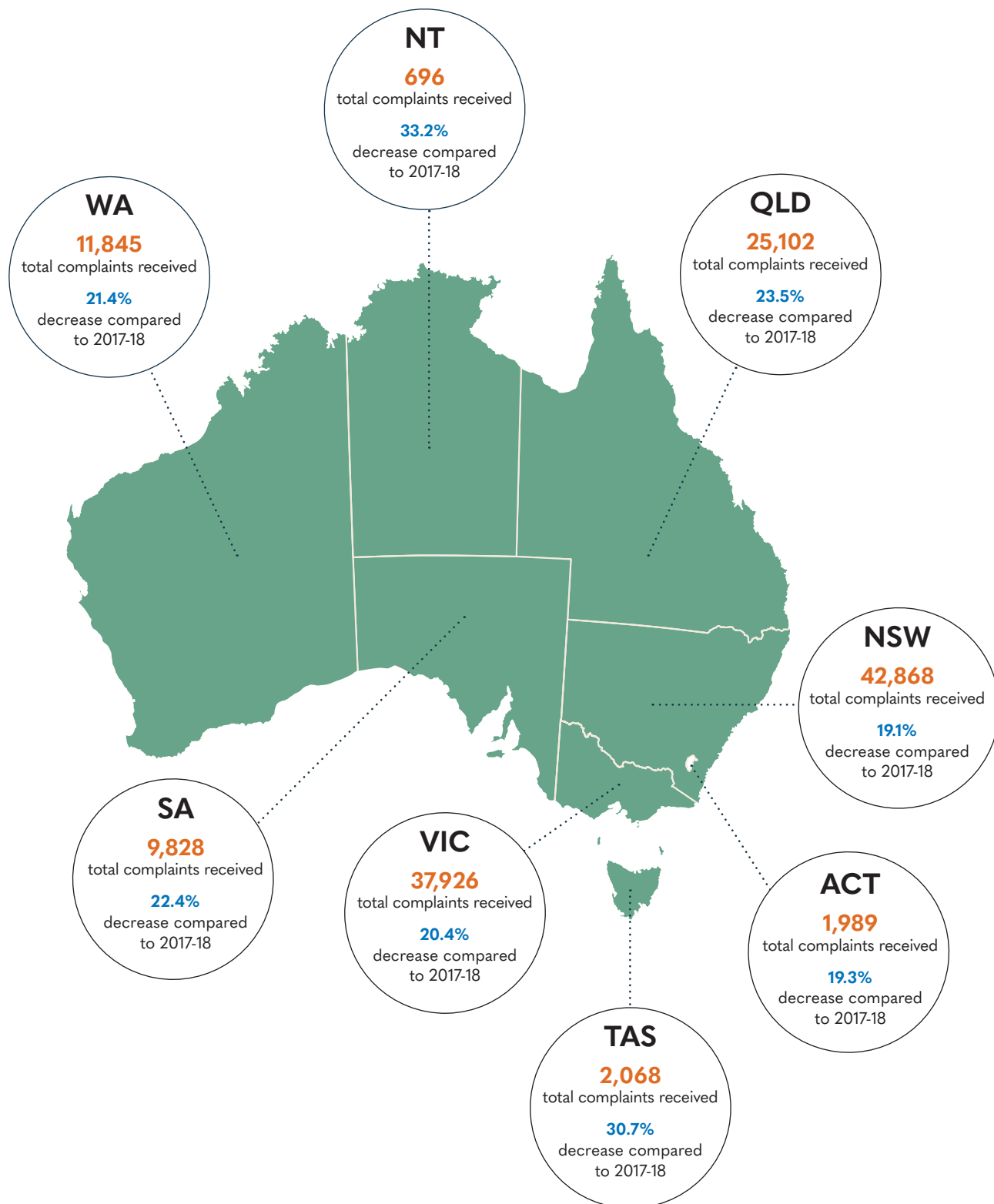
Maisie and Pan Phones accepted our assessment and we closed the complaint.

Names of individuals, organisations and companies have been changed.



Complaints by state

Complaint summary by state



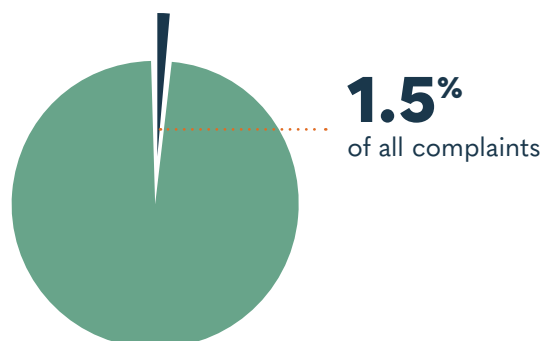
Australian Capital Territory

1,989*

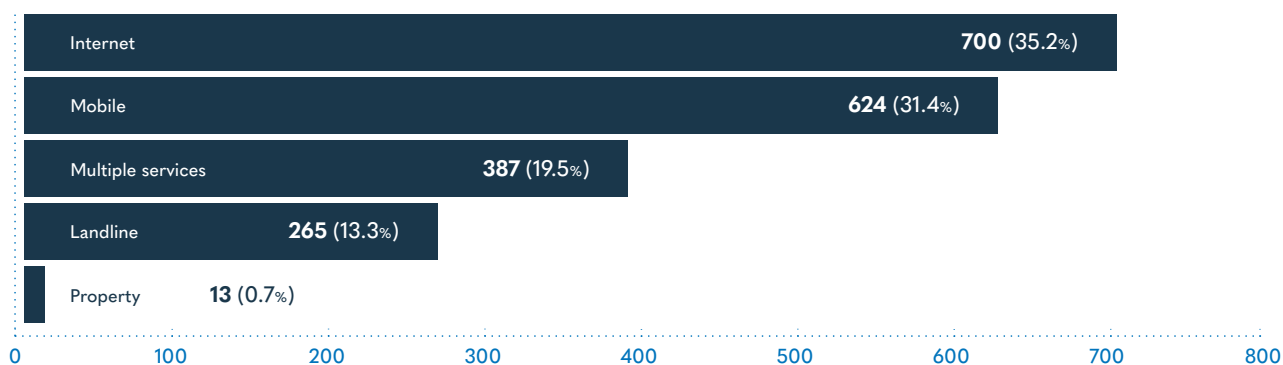
total complaints received in 2018-19

▼19.3%

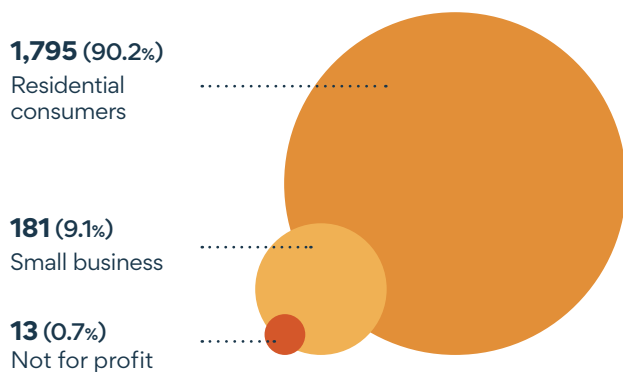
decrease in complaints from 2017-18



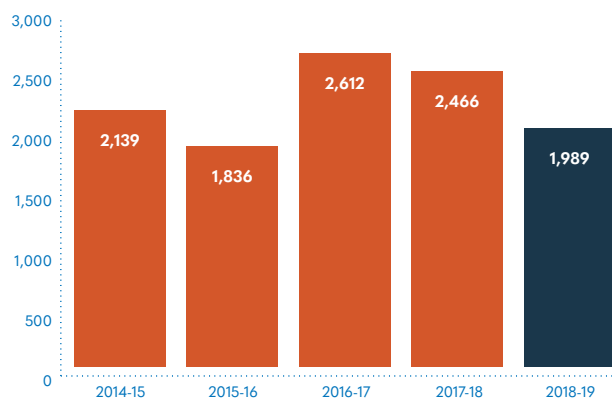
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

New South Wales

42,868*

total complaints received in 2018-19

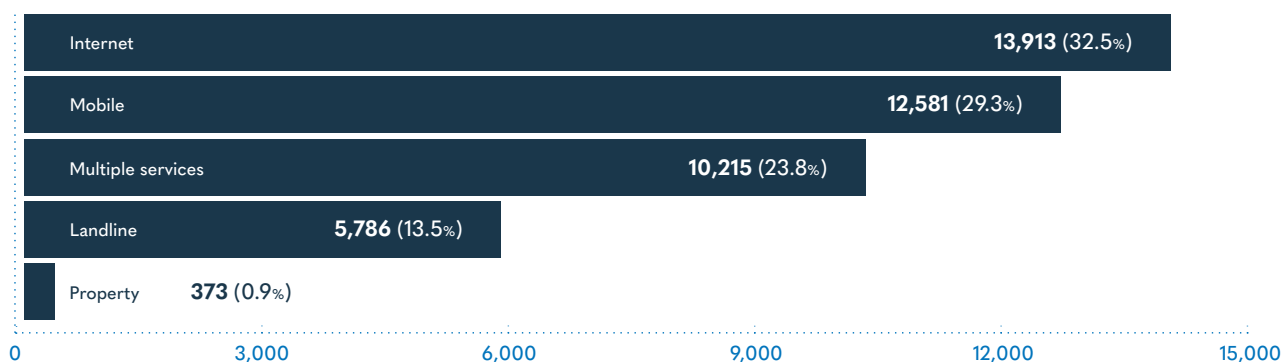
▼19.1%

decrease in complaints from 2017-18

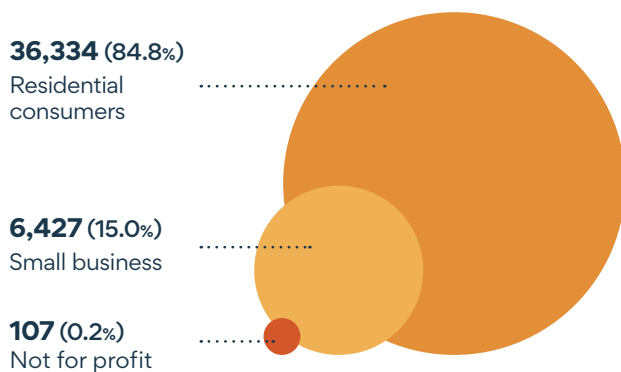


32.4%
of all complaints

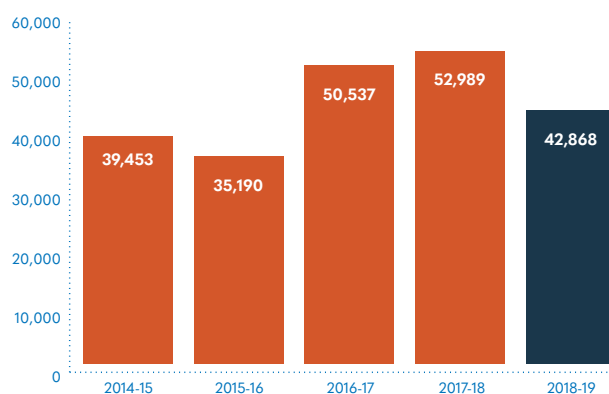
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

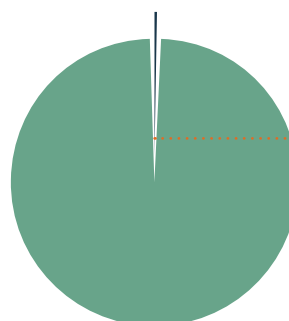
Northern Territory

696*

total complaints received in 2018-19

▼ 33.2%

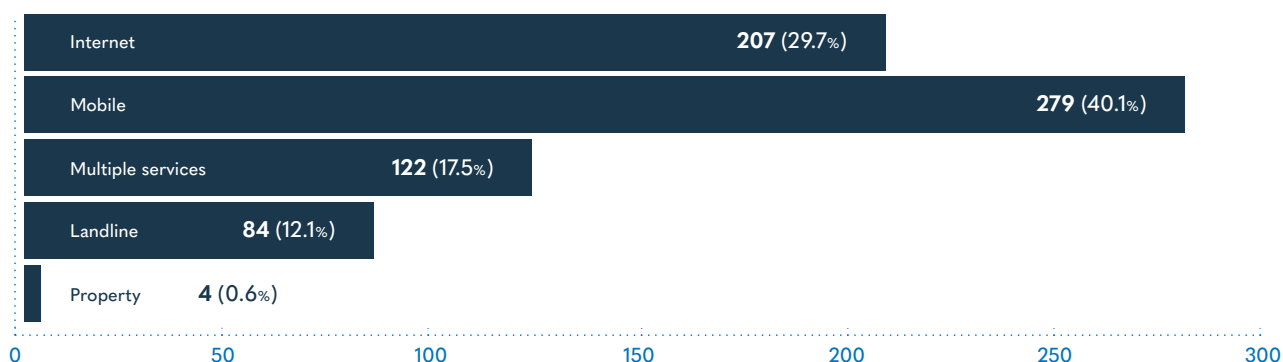
decrease in complaints from 2017-18



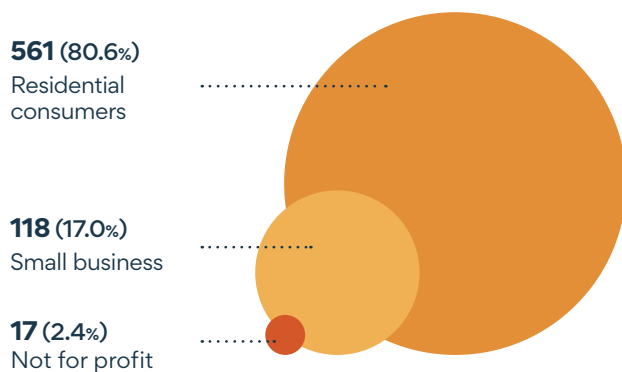
0.5%

of all complaints

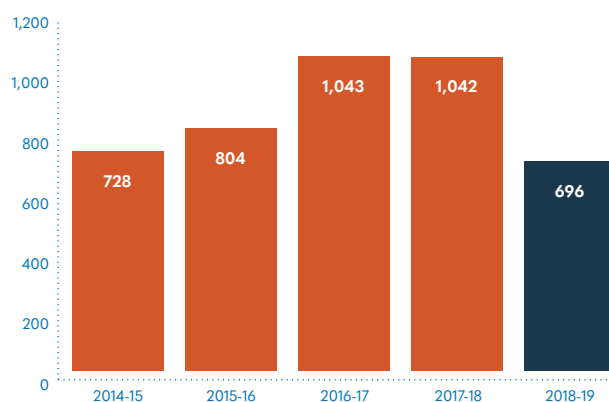
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

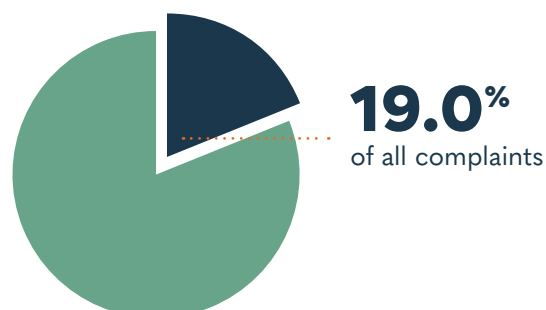
Queensland

25,102*

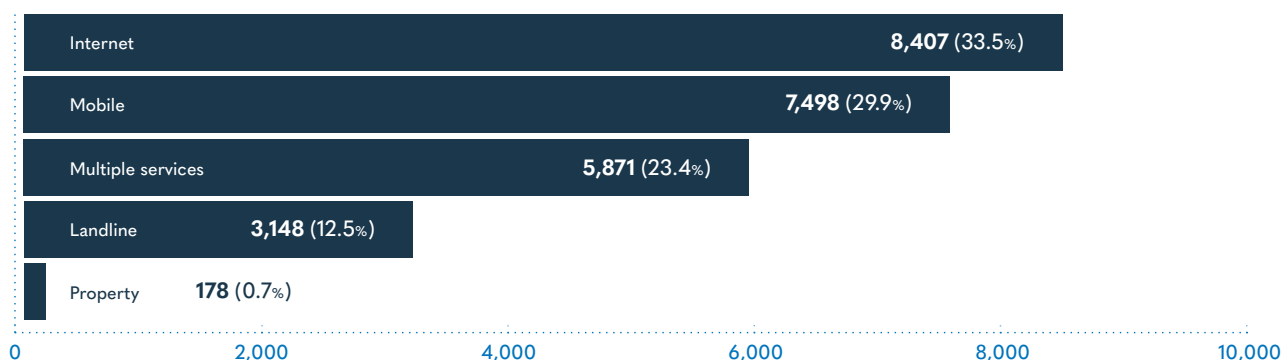
total complaints received in 2018-19

▼ 23.5%

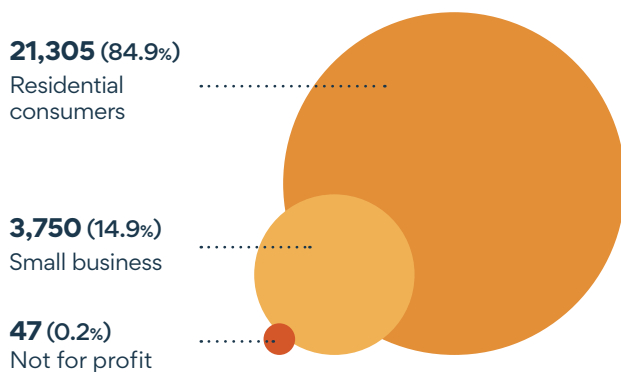
decrease in complaints from 2017-18



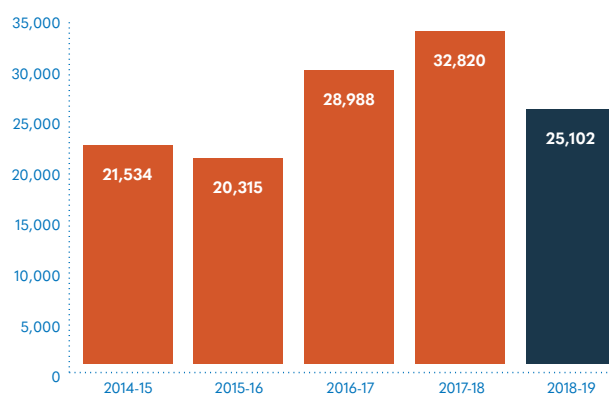
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

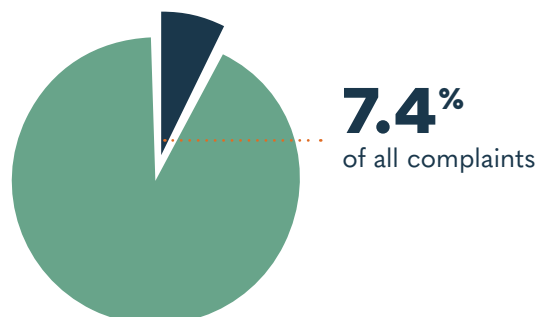
South Australia

9,828*

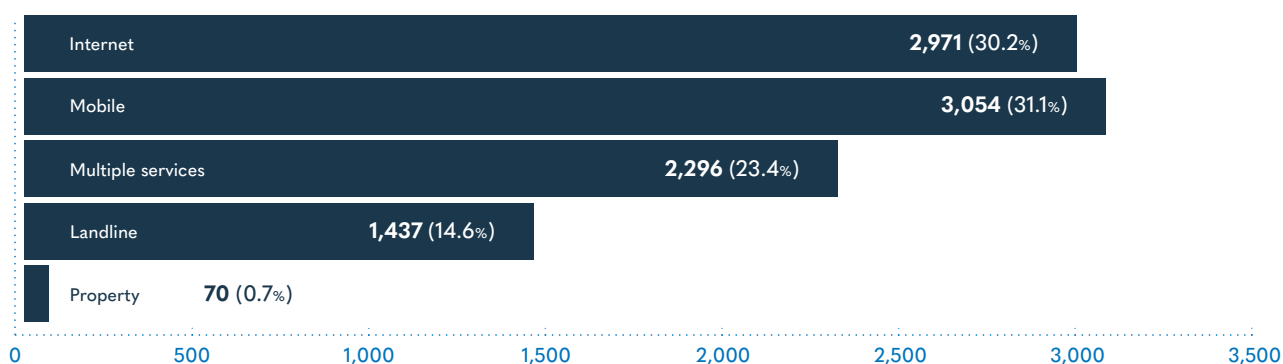
total complaints received in 2018-19

▼ 22.4%

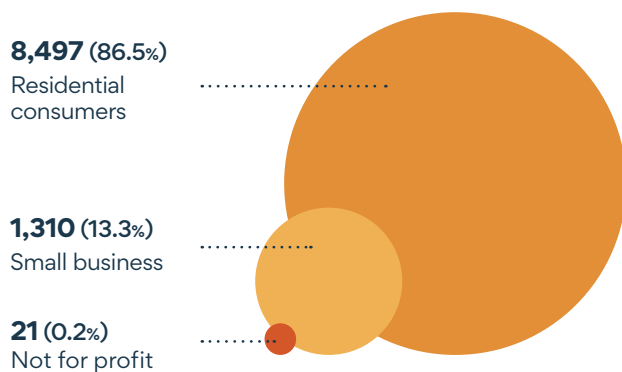
decrease in complaints from 2017-18



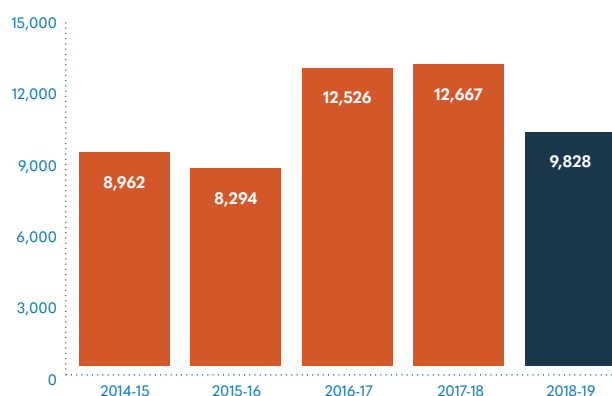
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

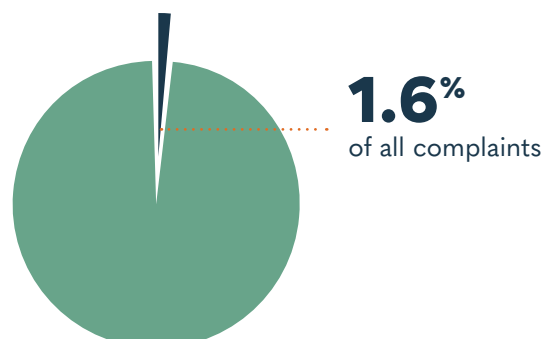
Tasmania

2,068*

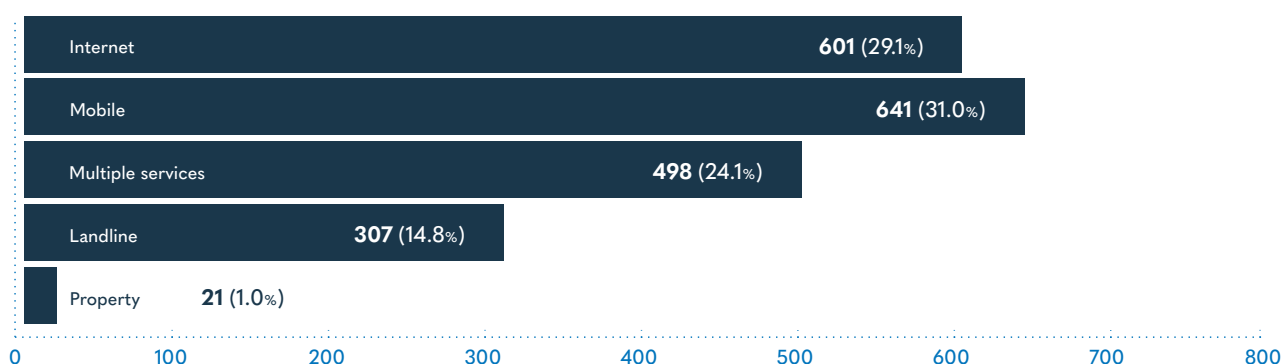
total complaints received in 2018-19

▼ 30.7%

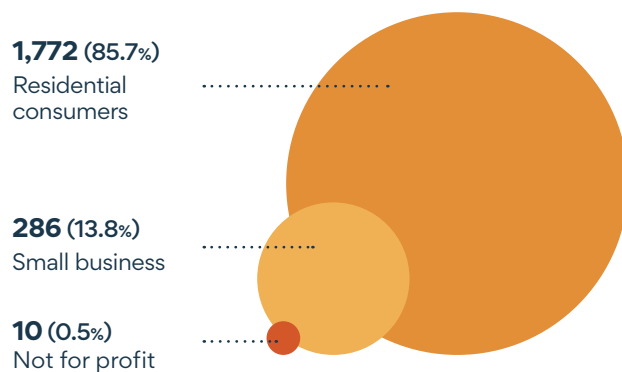
decrease in complaints from 2017-18



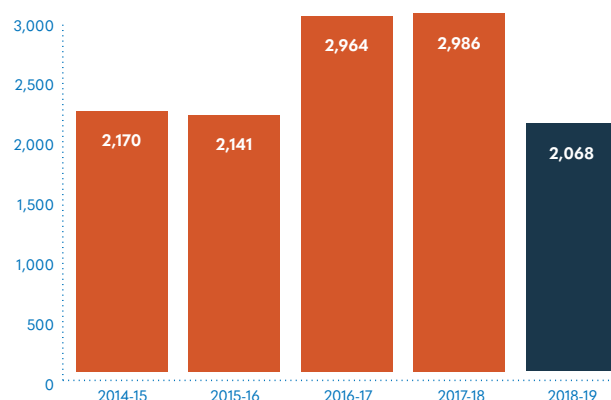
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

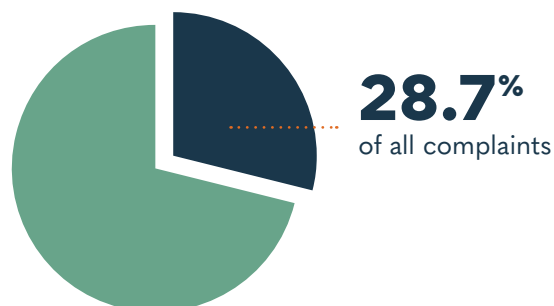
Victoria

37,926*

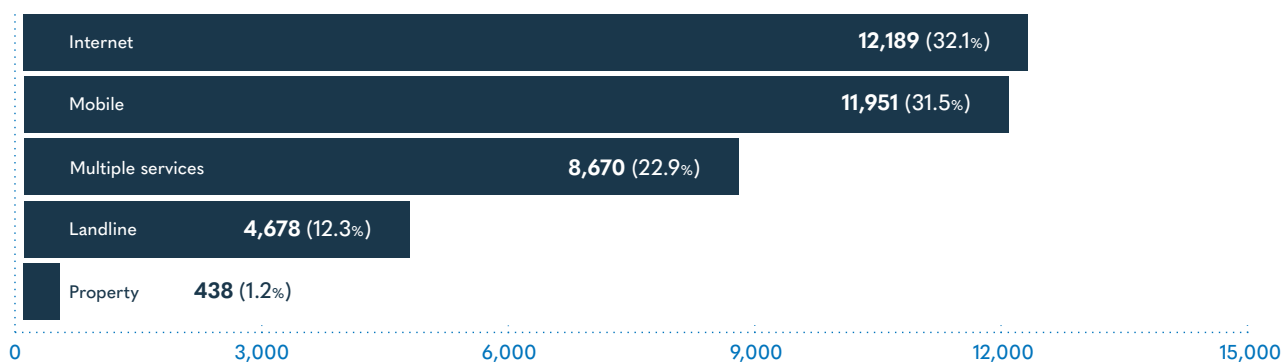
total complaints received in 2018-19

▼ 20.4%

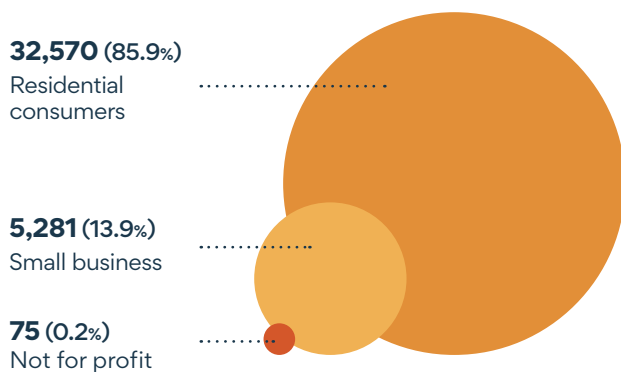
decrease in complaints from 2017-18



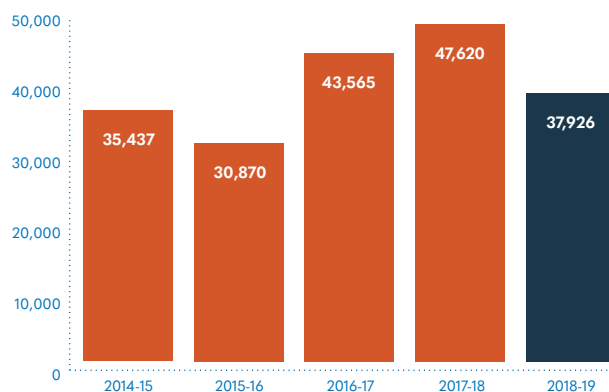
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

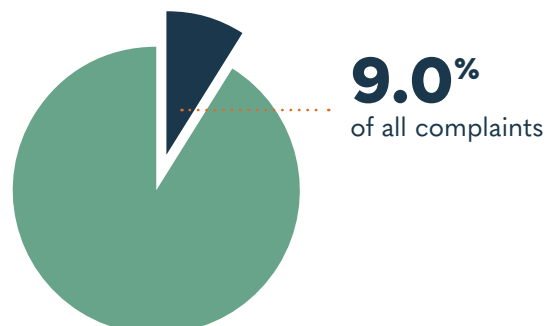
Western Australia

11,845*

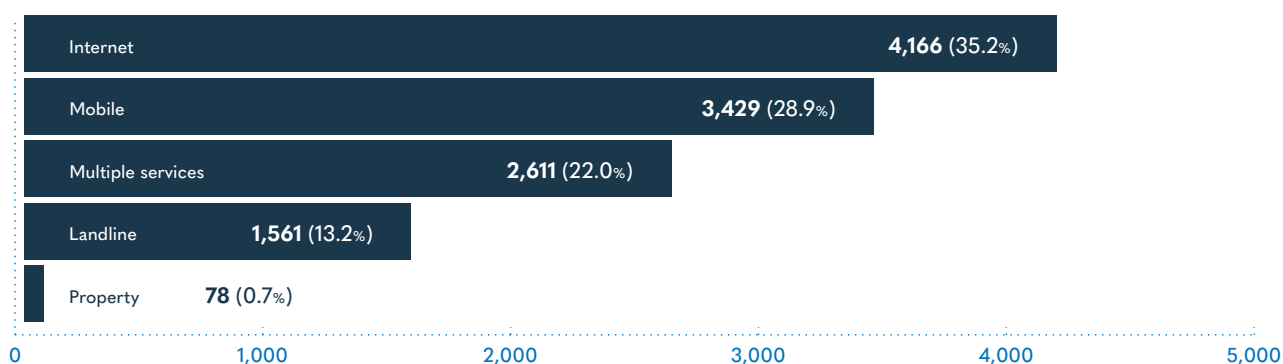
total complaints received in 2018-19

▼ 21.4%

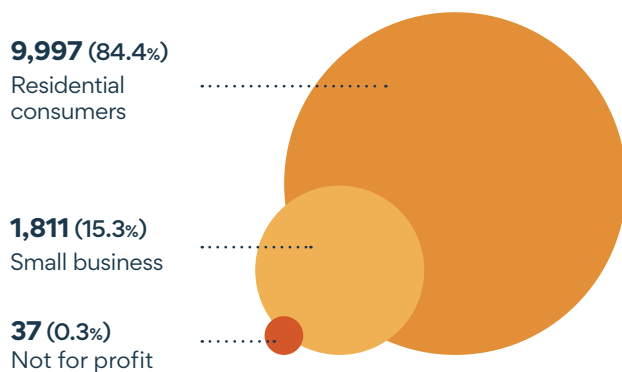
decrease in complaints from 2017-18



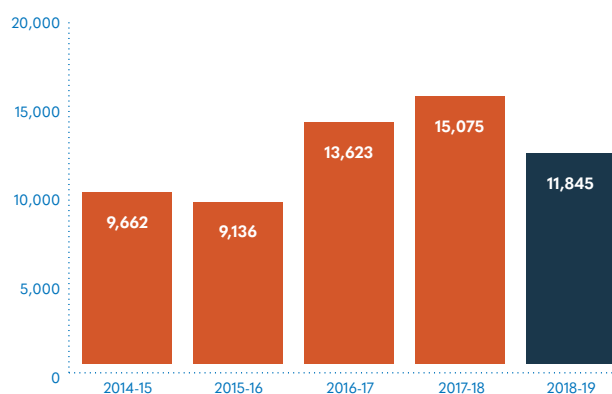
Complaints by service



Who complained



Complaints by year



*Total complaints that used a valid postcode

A decorative graphic consisting of a grid of small white dots on a blue background. The dots are arranged in a pattern that tapers off towards the right side of the image, creating a sense of depth and movement.

Complaints by provider

Complaints about phone and internet providers

As part of our commitment to transparency and independence, this report highlights the 10 phone and internet providers we received the most complaints about.

The data presented does not take into account the number of customers or services in operation by a provider during the reporting period.

The fact that we receive a complaint does not necessarily mean a provider is at fault.

It simply means that a complaint will begin the Ombudsman's complaint resolution process.

The 10 service providers whose data is published in this report accounted for 92.7% of all complaints.

There were complaints against 417 members in 2018-19, compared to 441 in 2017-18.

Organisation/Group	2016-17	2017-18	2018-19	Change from 2017-18
	Volume Proportion	Volume Proportion	Volume Proportion	
Telstra Corporation	76,650 (48.5%)	82,528 (49.2%)	66,402 (50.2%)	-19.5%
Optus Group	30,120 (19.1%)	40,665 (24.2%)	31,629 (23.9%)	-22.2%
Vodafone Australia Limited	10,684 (6.8%)	9,752 (5.8%)	6,784 (5.1%)	-30.4%
iiNet Ltd	10,170 (6.4%)	7,719 (4.6%)	5,663 (4.3%)	-26.6%
TPG Internet Pty Ltd	6,995 (4.4%)	6,248 (3.7%)	5,380 (4.1%)	-13.9%
Dodo Services Pty Ltd	3,309 (2.1%)	3,120 (1.9%)	1,863 (1.4%)	-40.3%
Southern Phone Company Ltd	2,068 (1.3%)	1,484 (0.9%)	1,366 (1.0%)	-8.0%
MyRepublic Pty Ltd	901 (0.6%)	1,816 (1.1%)	1,286 (1.0%)	-29.2%
Primus Telecommunications Pty Ltd	1,917 (1.2%)	1,918 (1.1%)	1,267 (1.0%)	-33.9%
M2 Commander Pty Ltd	1,704 (1.1%)	1,565 (0.9%)	1,096 (0.8%)	-30.0%

Telstra

66,402

complaints received
about Telstra

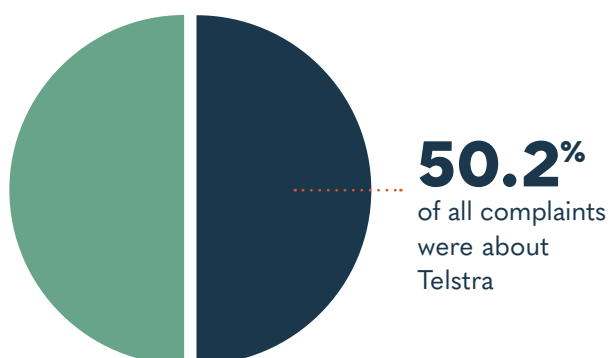
▼ 19.5%

decrease in complaints
from 2017-18

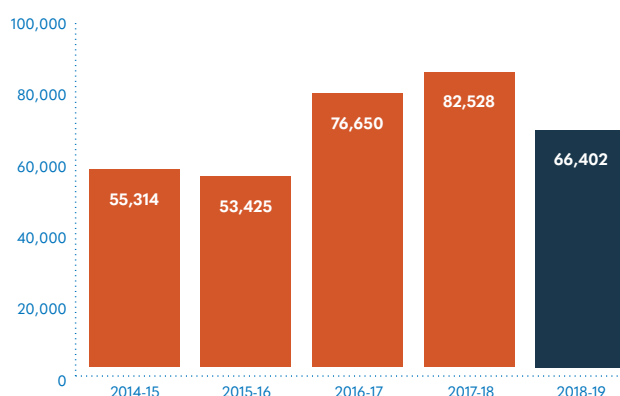
17,381

complaints about services
delivered over the NBN*

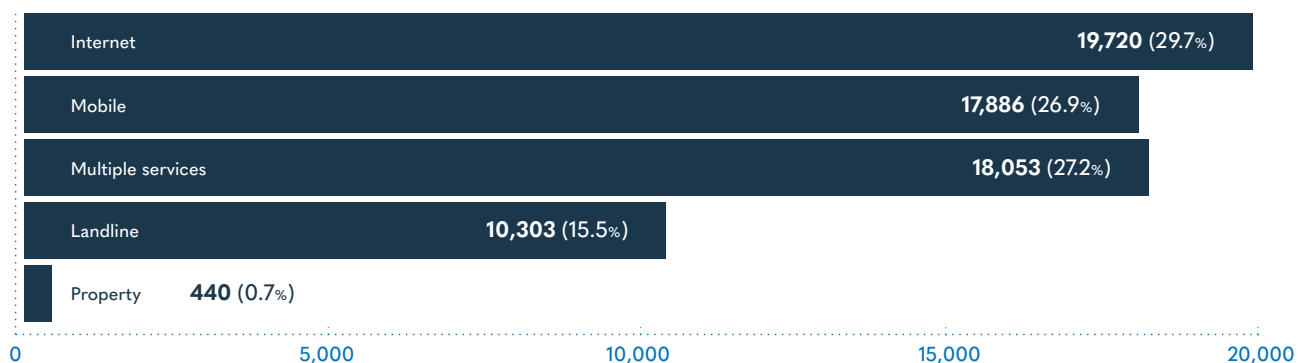
% of all complaints



Complaints by year



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

Optus Group*

31,629

complaints received
about Optus Group

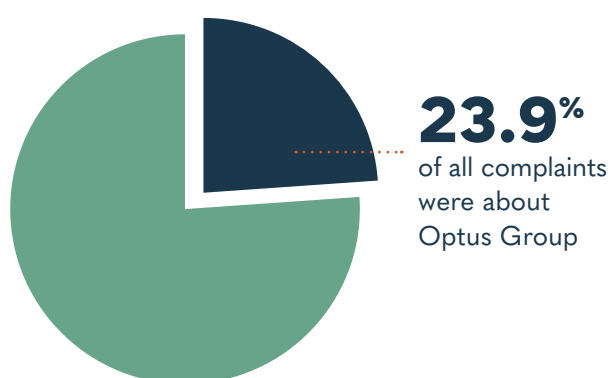
▼ 22.2%

decrease in complaints
from 2017-18

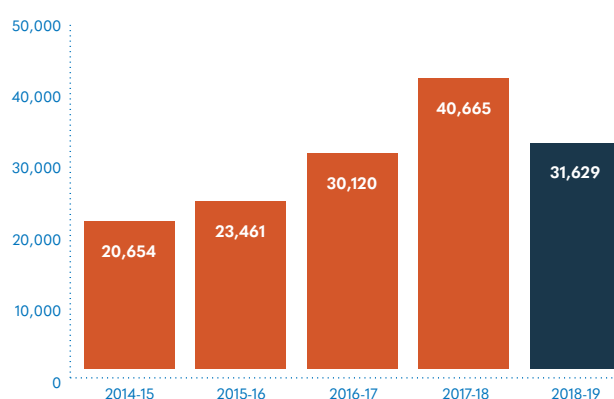
7,329

complaints about services
delivered over the NBN**

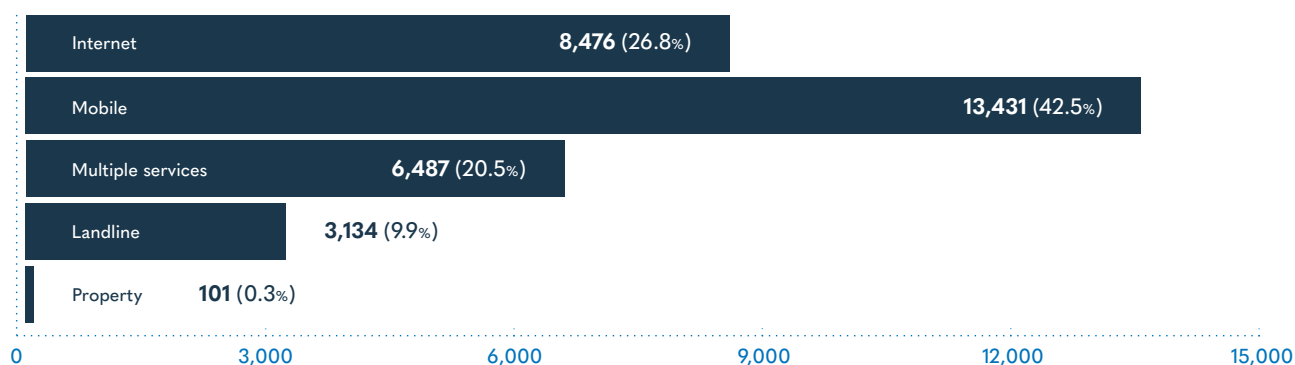
% of all complaints



Complaints by year



Complaints by service



*The Optus Group includes the Virgin brand.

**Complaints about establishing a connection, service quality, missed appointments or property damage

Vodafone

6,784

complaints received
about Vodafone

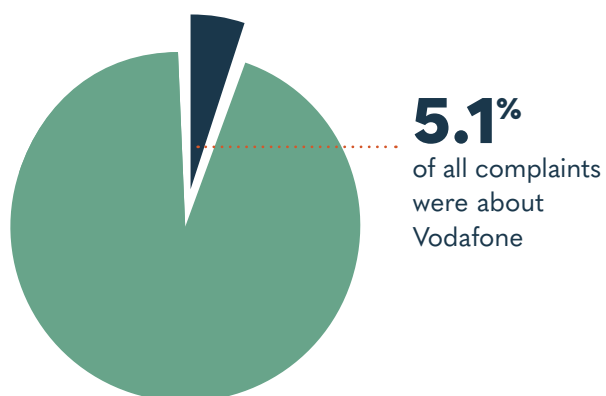
▼ 30.4%

decrease in complaints
from 2017-18

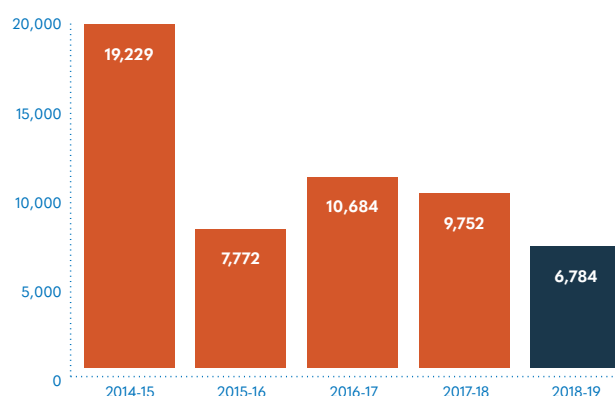
203

complaints about services
delivered over the NBN*

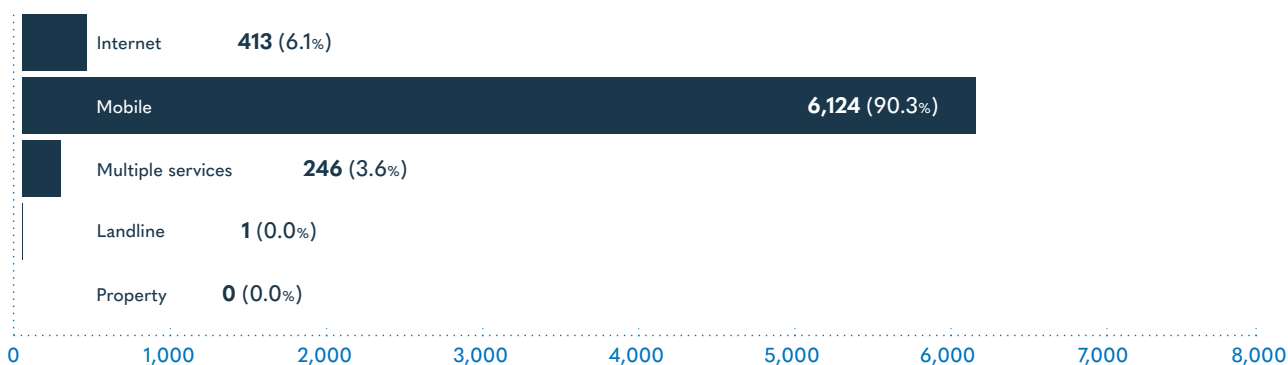
% of all complaints



Complaints by year



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

iiNet

5,663

complaints received
about iiNet

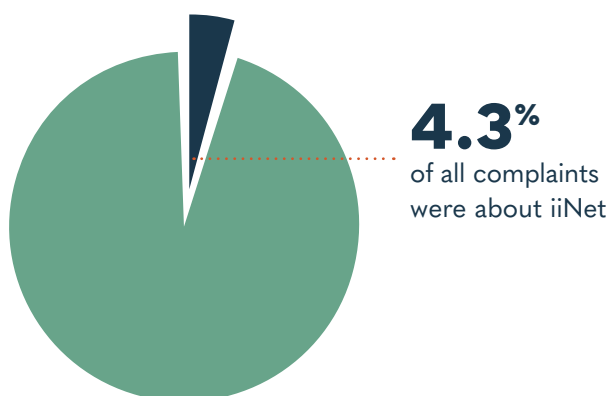
▼ 26.6%

decrease in complaints
from 2017-18

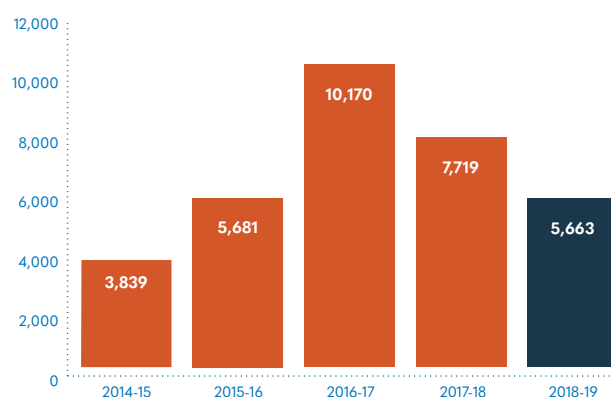
2,310

complaints about services
delivered over the NBN*

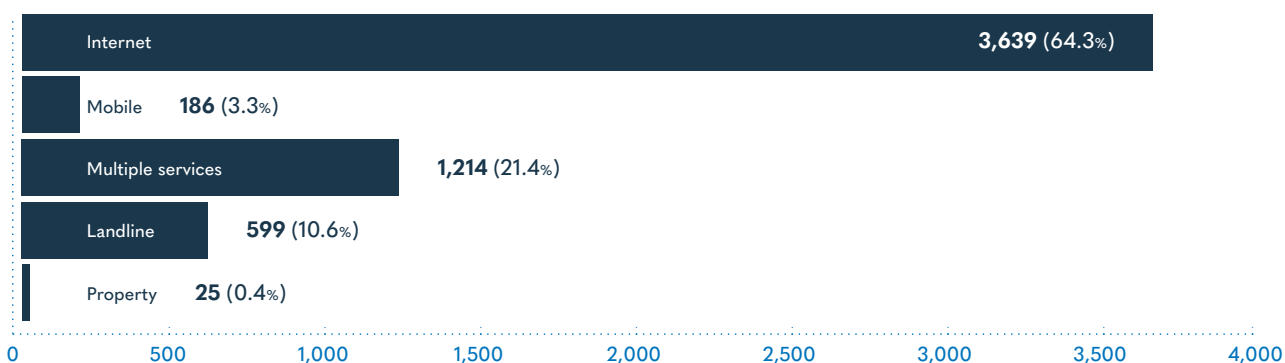
% of all complaints



Complaints by year



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

TPG

5,380

complaints received
about TPG

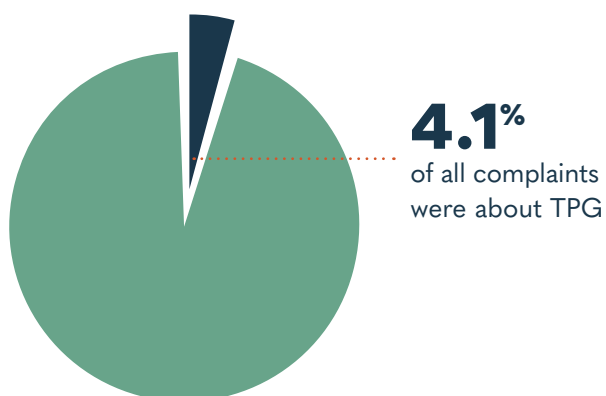
▼ 13.9%

decrease in complaints
from 2017-18

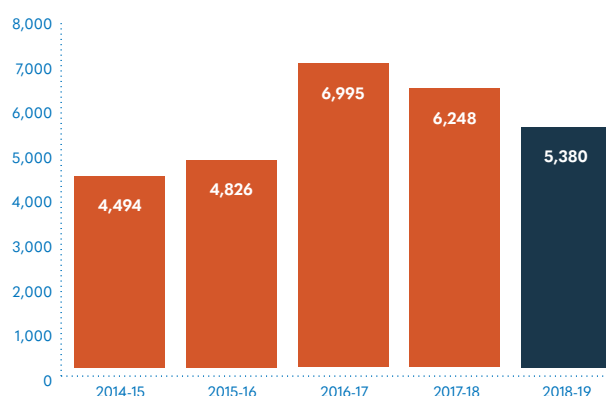
1,977

complaints about services
delivered over the NBN*

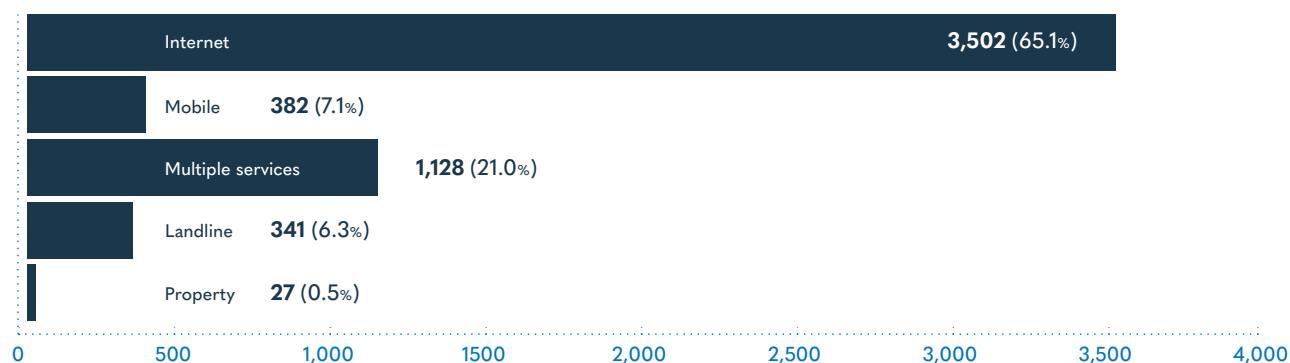
% of all complaints



Complaints by year



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

Dodo

1,863

complaints received
about Dodo

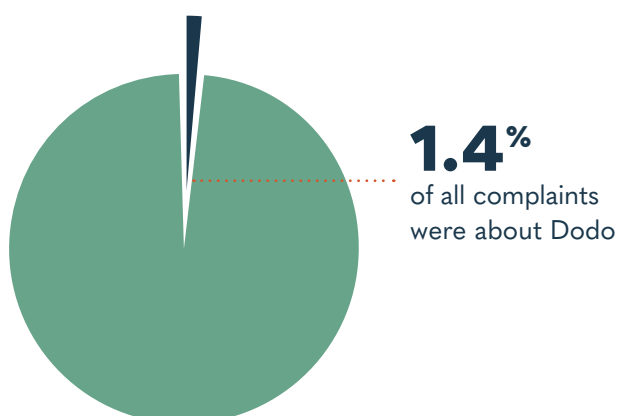
▼ 40.3%

decrease in complaints
from 2017-18

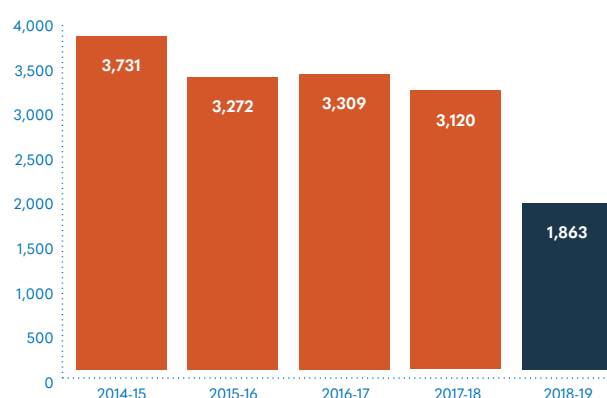
710

complaints about services
delivered over the NBN*

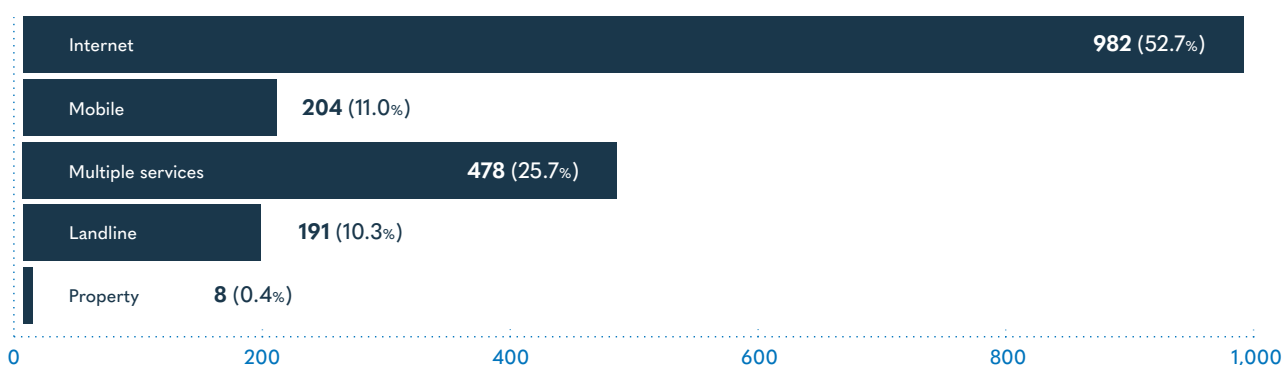
% of all complaints



Complaints by year



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

Southern Phone Company

1,366

complaints received about
Southern Phone Company

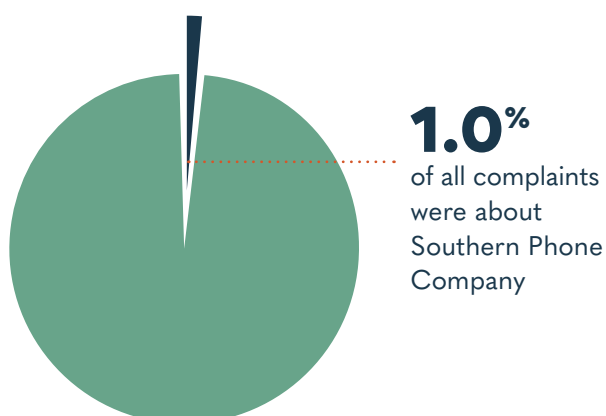
▼ 8.0%

decrease in complaints
from 2017-18

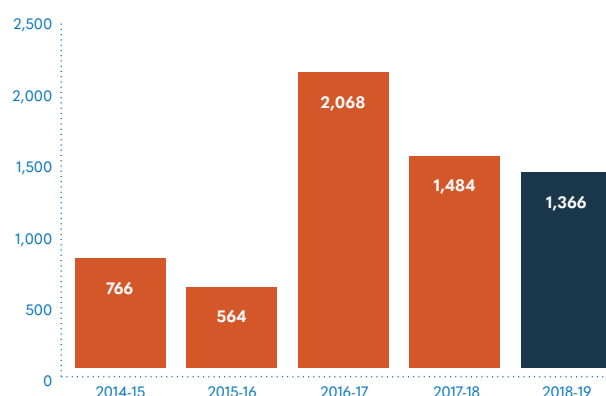
551

complaints about services
delivered over the NBN*

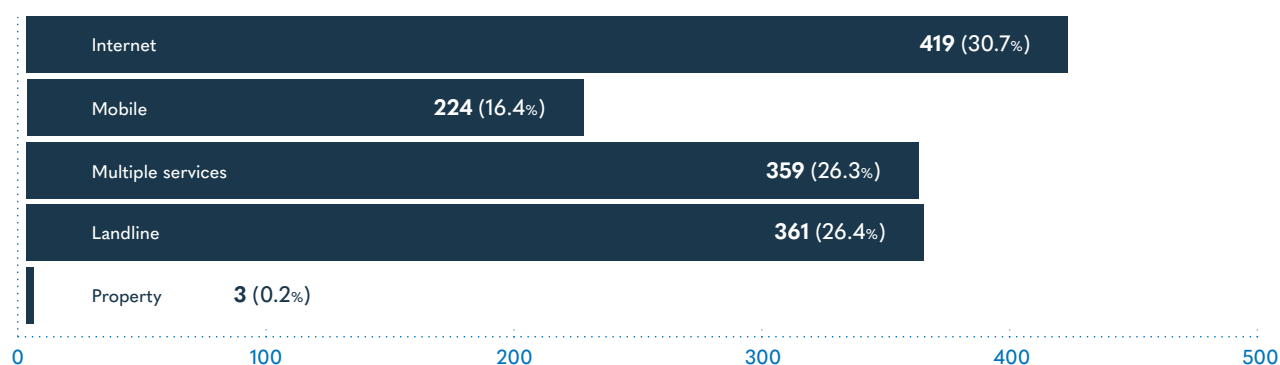
% of all complaints



Complaints by year



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

MyRepublic

1,286

complaints received
about MyRepublic

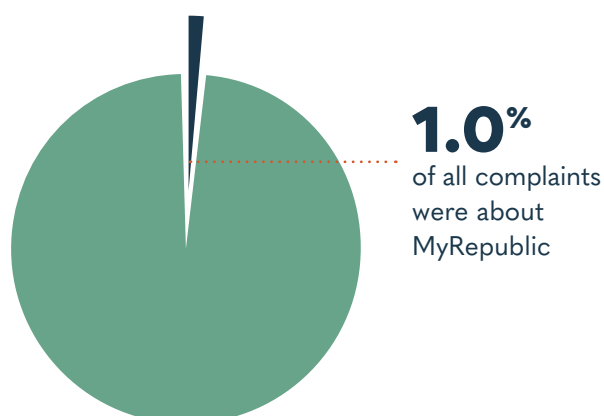
▼ 29.2%

decrease in complaints
from 2017-18

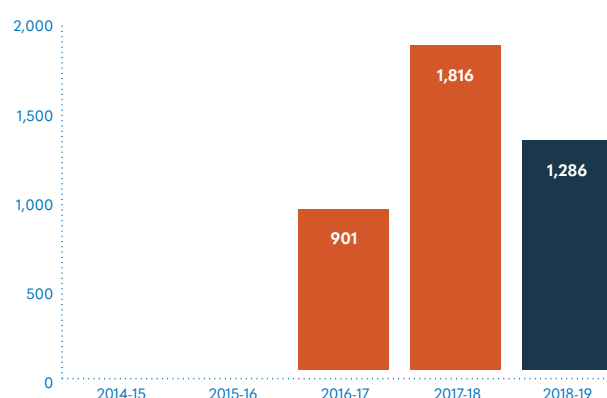
634

complaints about services
delivered over the NBN*

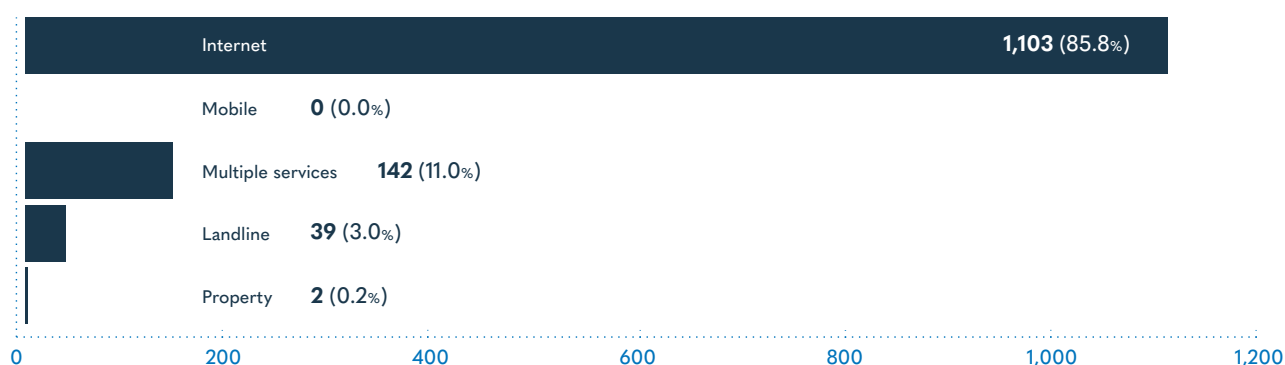
% of all complaints



Complaints by year**



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

** No complaints for MyRepublic prior to 2016-17

Primus Telecommunications

1,267

complaints received about
Primus Telecommunications

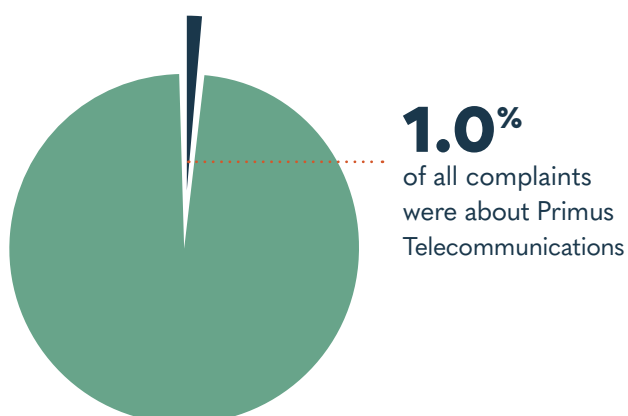
▼ 33.9%

decrease in complaints
from 2017-18

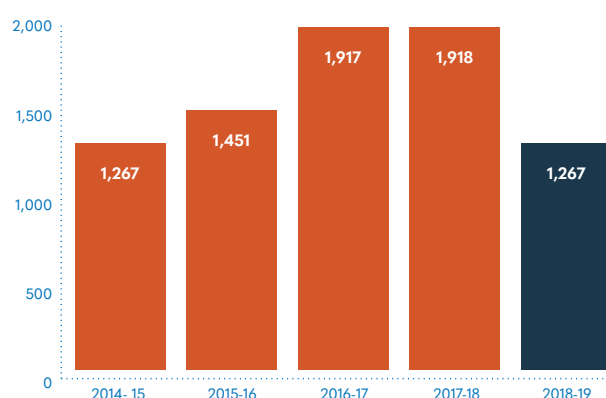
362

complaints about services
delivered over the NBN*

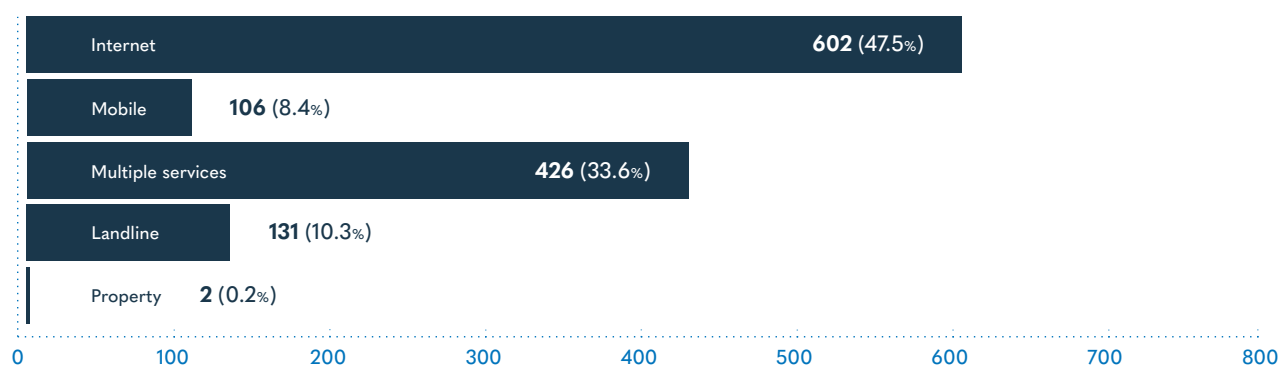
% of all complaints



Complaints by year



Complaints by service



*Complaints about establishing a connection, service quality, missed appointments or property damage

M2 Commander

1,096

complaints received about
M2 Commander

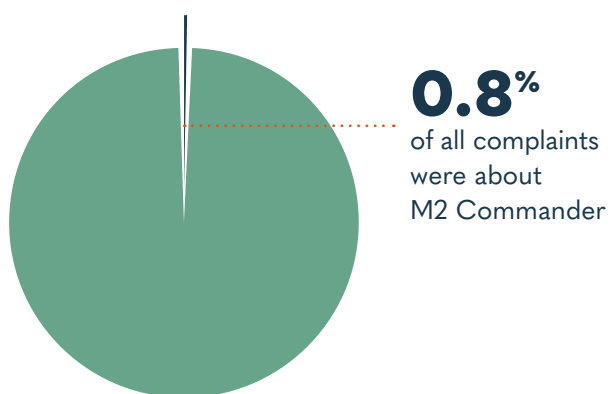
▼ 30.0%

decrease in complaints
from 2017-18

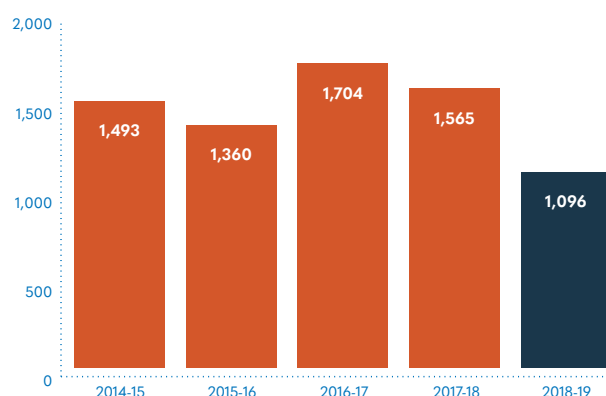
287

complaints about services
delivered over the NBN*

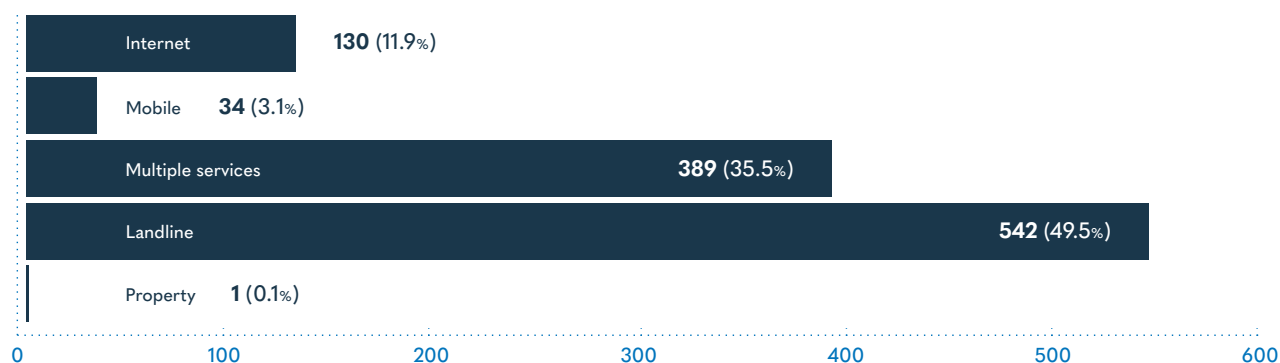
% of all complaints



Complaints by year



Complaints by service

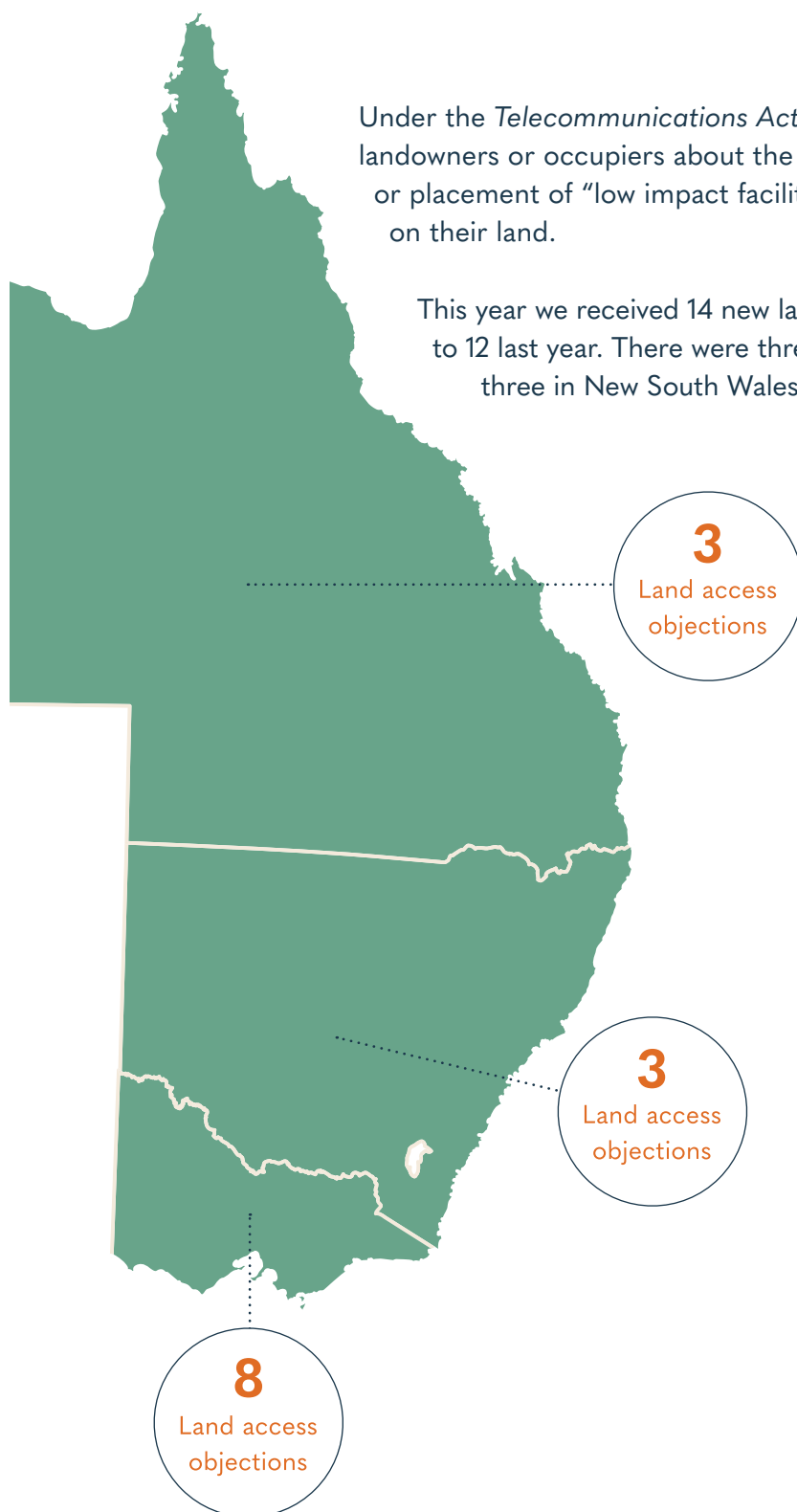


*Complaints about establishing a connection, service quality, missed appointments or property damage

Land access objections

Under the *Telecommunications Act 1997* we deal with objections from landowners or occupiers about the proposed inspection, maintenance or placement of “low impact facilities” such as antennas or cabling on their land.

This year we received 14 new land access objections compared to 12 last year. There were three objections in Queensland, three in New South Wales, and eight in Victoria.





Strategy and strategic goals

Our purpose

Our purpose is to provide a fair, independent and accessible dispute resolution service for consumers and the telecommunications industry. Our service must comply with the Government's Benchmarks for Industry-based Customer Dispute Resolution.

The Government's Benchmarks are:

- Accessibility
- Accountability
- Independence
- Efficiency
- Fairness
- Effectiveness

We are committed to best practice and excellence in dispute resolution and complaint handling. We have four goals to help us achieve this.

Our goals



Contribute to sector improvement

Collaborating, informing and educating stakeholders



Sustainable organisation

Building a resilient and sustainable organisation and infrastructure



Efficient and effective dispute resolution

Providing efficient and effective services without compromising integrity



Strong reputation

Being known, respected and accessible



Contribute to sector improvement

We regularly report complaint issues to phone and internet providers so they can improve their services. We give the government and regulators information and analysis to highlight systemic issues and help develop policy. Our contribution benefits consumers and providers in the telecommunications sector.

Improving the industry

In 2018-19 we referred 53 possible systemic issues to providers. In response to 33 of these referrals, providers made changes to their systems, processes or practices. This helps to restore confidence between providers and consumers.

Providers generally respond positively to our feedback because they want to give their customers good service.

We share information with regulators about systemic issues when a systemic issue is unlikely to be resolved or may involve a serious breach of laws, standards or codes.

In 2018-19 we referred 18 systemic issues to regulators for consideration and possible action. We refer to the regulators because they have the power of enforcement.

Contributing to policy

Our reporting and submissions are influencing change. In 2018-19 we contributed 20 written submissions to a range of consultation processes including legislative inquiries, policy development and regulatory reforms.

We made submissions to four major reviews:

- Consumer Safeguards Review: Part A Redress and Complaints Handling
- Consumer Safeguards Review: Part B Reliability of Services
- Triennial Regional Telecommunications Review
- Communications Alliance's review of the Telecommunications Consumer Protections Code.

Our participation in policy work went beyond the telecommunications sector. We participated in reform processes run jointly by a Senate Committee Inquiry, Treasury, and the Australian Competition and Consumer Commission (ACCC) to introduce an economy-wide Consumer Data Right.

The aim of the new Consumer Data Right is to help consumers select which provider can give them the best deal through porting or direct receipt of their usage data. While the new Consumer Data Right will first apply to banking, it will eventually extend to energy and telecommunications. Our submissions

focused on the possible implications of the new Consumer Data Right for complaints handling in the telecommunications sector.

We also contributed:

- two submissions to the Australian Communications and Media Authority (ACMA) on the Review of the International Roaming Standard (pointing out the omission of tablets from the standard) and the Scams Technology Project
- three submissions to the ACCC on NBN Wholesale Service Standards Inquiry (Part 2), the Digital Platforms Inquiry and further enhancement to the Broadband Speed Claims Guidance
- two submissions to Treasury on the Review of Unfair Contract Term Protections for Small Business, and reforms to combat the illegal re-creation of companies that have declared themselves bankrupt in order to avoid debt
- three submissions to Communications Alliance on revisions to the Mobile Premium Services Code and Review of the NBN Access Transfer Code.



Sustainable organisation

We are focused on building a sustainable organisation. We strive for higher productivity

and stronger employee engagement and retention.

The backbone of our business is a resilient workforce: people who feel safe voicing their opinions, who take ownership of their work, and go the extra mile for the organisation. When we have knowledgeable, competent staff who take pride in their work, we believe they will stay longer.

Recognising the diversity of staff is the cornerstone of an inclusive workplace. Last year we shared cultural meals, heard guest speakers and displayed information on our intranet to acknowledge 11 cultural events and traditions. This included Diversity Week, Harmony Day, Reconciliation Action Week, Ramadan and NAIDOC Week. The cross-organisation Aboriginal and Torres Strait Islander Leadership Group drafted the organisation's first Reconciliation Action Plan, which will be launched in the new financial year.



Efficient and effective dispute resolution

In 2018-19 we referred 21 complaints to the ACMA for not complying with an Ombudsman decision. We referred a further 12 providers for non-compliance to join the scheme. Of the 12 providers referred to the ACMA, four became members, seven were not required to join, and one is still under investigation.

Learning and development is an ongoing priority. We are working with Box Hill Institute

on reaccreditation to deliver the Graduate Certificate in Dispute Resolution (Industry) to our Dispute Resolution and Early Resolution teams. The Certificate educates our people in codes of practice and regulatory guidelines, negotiation and conciliation, and contracts in the telecommunications sector. That means our people have industry-specific knowledge and the necessary skills to resolve complaints.

We constantly assess and improve our operational processes and systems for efficiency and responsiveness to change in the sector. We believe the services we provide can always be improved.

Member Services

In 2018-19 we worked with our members, the phone and internet providers, to help reduce complaints about customer service and complaint handling. Our Member Services team explains our services and processes to members. We have more than 1,400 members, and last year 286 service providers left and 161 joined.

Member Services sends MNews, an eNewsletter, to members every month. MNews spreads the word on changes to process, sector updates, and membership information.

In February 2019 we launched a new online Member Portal, and a further update to functionality in June. The Portal gives members access to a full suite of reports and invoicing.

Other features include an event calendar, training and webinars, information about our processes, and frequently asked questions.

Member Services and dispute resolution staff went live with a webinar series, giving members greater insight into the dispute resolution process and how they can navigate it.

We held five member forums in Melbourne, Perth, Adelaide, Sydney and Brisbane. At these events Board members and our staff highlight topics such as the Government Benchmarks for Industry-based Customer Dispute Resolution, our experience of complaint handling and the trends we'd observed. Member forums provide a great opportunity for providers to meet their peers, discuss common concerns and catch up on industry trends.



Strong reputation

We continue to build constructive relationships with our external stakeholders. These include residential consumers and small businesses, phone and internet providers, professional and consumer advocacy groups, community support agencies, regulators, and government.

Our reputation as a trusted and independent dispute resolution service stems from the data we collect and the work we do. We regularly share trends in complaints, systemic issues and compliance matters with the Department

of Communications and the Arts, the ACCC, and the ACMA.

We regularly speak with the Minister for Communications, Cyber Safety and the Arts, the Australian Communications Consumer Action Network, Communications Alliance, and the Australian Small Business and Family Enterprise Ombudsman. These networks provide opportunities to learn and share information about challenges facing the telecommunications industry and dispute resolution. They also give us a broader view of the sector we operate in.

Judi Jones, the Telecommunications Industry Ombudsman, is a member and current chair of the Australia and New Zealand Ombudsman Association (ANZOA). Through the Ombudsman's membership, staff participate in ANZOA interest groups, sharing best practice and opportunities to improve complaint handling.



About us

Organisation overview

We provide a fair, independent and accessible external dispute resolution service for residential consumers and small businesses who have an unresolved complaint about their phone or internet service in Australia.

The service is free and complies with the Government Benchmarks for Industry-based Customer Dispute Resolution.

About us

The Telecommunications Industry Ombudsman Ltd was established in 1993, and is a company limited by guarantee. The Telecommunications (Consumer Protection and Service Standards) Act 1999 requires telecommunications providers to be members of the Telecommunications Industry Ombudsman and to comply with the decisions of the Ombudsman.

Scope of service

Dispute resolution services include:

- dealing with individual and systemic complaints
- promoting fair and effective resolution of complaints
- providing information and analysis to community, government and members.

Telecommunications service providers

Telecommunications service providers are businesses or individuals who are a **carrier** or **carriage service provider**.

Carrier

A business or individual who owns a telecommunications network unit to supply carriage services to the public. The carrier must be licensed through the Australian Communications and Media Authority.

Carriage service provider

A business or individual who supplies standard telephone services, public mobile telecommunications services, or carriage services that enable end-users to access the internet, including carriage service intermediaries who arrange for the supply of such services.

Board of Directors

To ensure our independence, the Board is chaired by an independent Director and contains a balanced mix of Directors with industry and consumer experience, and two additional independent Directors.

The Board governs the business affairs and property of Telecommunications Industry Ombudsman Ltd in accordance with the Company Constitution, Terms of Reference, and corporate law.

Independent Chair

Professor The Hon Michael Lavarch AO, LLB

Directors with consumer experience

Dr Paul Harrison PhD, GAICD, MAM

Catriona Lowe LLB

Gordon Renouf BA, LLB

Directors with industry experience

Mr John Lindsay GAICD, MACS

Andrew Sheridan

Jane van Beelen BEc, LLB

Independent Director with commercial governance experience

Geoff Nicholson BEc, MBA, FCA, GAICD, CSEP

Director with not-for-profit governance experience

Vacant

Board activities in 2018-19

During this period the Board met nine times, and also oversaw implementation of the new funding model, and monitored progress on the three-year strategy through to 2019-20.

The future landscape of the telecommunications industry and the role of an Ombudsman in the 21st century also formed part of the Board's strategic discussions.

Together with the Ombudsman, the Board responded to Part A of the Department of Communication and the Arts' Consumer Safeguards Review and the Board continues to work with members and the government on the recommendations contained in this Review.

Further, the Board supported the launch of a refreshed brand, the first since its inception 26 years ago.

Governance responsibilities continued, including approval of the budget, filling Board vacancies, and amending the Board and Committee Charters.

Directors also considered Board succession planning which saw the appointment of Professor The Hon Michael Lavarch AO as the new Chair of the Board in early July 2019, replacing Patricia Faulkner AO who served as Chair over the last six years.

The telecommunications sector

Department of Communications and the Arts

The Department of Communications and the Arts (DOCA) advises government on issues relating to communications and the arts. It supports government to promote economic growth and social benefits by helping all Australians realise the opportunities of digital technologies and communications services.

www.communications.gov.au

Australian Competition and Consumer Commission

The Australian Competition and Consumer Commission (ACCC) is an independent Commonwealth statutory authority whose role is to enforce the Competition and Consumer Act 2010 and a range of additional legislation, promote competition and fair trading, and regulate national infrastructure for the benefit of all Australians.

www.accc.gov.au

Australian Communications and Media Authority

The Australian Communications and Media Authority (ACMA) is a statutory authority within the federal government portfolio of Communications and the Arts. The ACMA is Australia's regulator for broadcasting, the internet, radio communications and telecommunications.

www.acma.gov.au

Communications Alliance

Communications Alliance is the peak body for the Australian communications industry.

www.commsalliance.com.au

Australian Communications Consumer Action Network

The Australian Communications Consumer Action Network (ACCAN) is Australia's peak communications consumer organisation representing individuals, small businesses and not-for-profit groups who are consumers of communications products and services.

www.accan.org.au

The complaints process



How we record complaints

From 1 July 2017, we changed the categorisation of service types and issues about complaints received from residential consumers and small businesses. The new categorisation has provided opportunities for better analysis of complaints, and improved reporting to the telecommunications industry, government, consumer groups, and the public.

Service types

We record complaints in one of five service types. These are:

1. Landline phone service
2. Mobile phone service
3. Internet service
4. Multiple services
5. Property

The multiple services category was introduced to record a complaint which involves more than one type of service. For example, a complaint about a delay connecting both a landline and internet service.

We introduced property to record complaints from a land owner or occupier about damage to a property, or a telecommunications carrier wanting access to inspect land or to install or maintain infrastructure.

Recording complaint issues

We record complaints based on six broad categories that follow the lifecycle of a residential consumer or small businesses' relationship with their phone or internet provider. These categories are:

1. Establishing a phone or internet service
2. Delivery of phone or internet services
3. Payment for a phone or internet service
4. Customer service
5. Property damage, cabling and infrastructure
6. Schedule 3 of the *Telecommunications Act* 1997 – land access matters

Financial Report for the year ending 30 June 2019

The Telecommunications Industry Ombudsman financial report will be available to download at www.tio.com.au following the 2019 Annual General Meeting to be held in November.



Telecommunications
Industry
Ombudsman