

Member guide to conciliation



Telecommunications
Industry
Ombudsman

What is conciliation?

Conciliation is a process where everyone involved in a complaint talks about the problem and explores options to find a solution.

The role of the Telecommunications Industry Ombudsman is to facilitate a dialogue between you and the consumer or the occupier or owner of property (**occupier**). This may involve asking questions, collecting information and clarifying the issues. We may also give a view on the strengths and weaknesses of each party's position.

If we have asked you to send us information, make sure you send it to us by the due date or ask for an extension, if you need one.

Be active in solving the complaint

As well as sending us information, we suggest you contact the consumer or occupier and actively try to resolve the complaint.

Ask the consumer or occupier why they think their complaint was not resolved by your first offer. You can make any offer you think the consumer or occupier might accept. There is no need to stick by an offer the consumer or occupier rejected earlier.

Check the consumer or occupier understands any technical issues you have talked about. You might need to give this information in plain language.

Give the consumer or occupier information that supports your point of view. For example, you could tell them how much data they have used or show evidence you have arranged for someone to fix a fault.

Not all problems can be fixed immediately. If there will be a delay before a problem can be solved, tell the consumer or occupier how long it will take and why.

Tell the consumer or occupier why you think your offer is a fair solution. Be clear about what you think is reasonable and be flexible if they ask for something similar.

Conciliation conference

Sometimes we will invite you and the consumer or occupier to participate in a conciliation conference. This usually takes place over the phone but can be a video conference.

In a conciliation conference you have the chance to discuss the complaint with the consumer or occupier under the independent and expert guidance of one of our Officers.

The purpose of a conciliation conference is to:

- make sure all parties clearly understand the issues in dispute
- give each party a chance to explain their point of view, and hear what everyone else has to say
- identify areas of agreement
- identify and understand the strengths and weaknesses of each party's position
- agree on an appropriate, fair and reasonable resolution to the dispute.

The Officer facilitating the conciliation conference may:

- ask questions to help you and the consumer or occupier explore the complaint issues
- explain which laws, regulations and good industry practice are relevant to the circumstances of the complaint
- express their view on the strength and weaknesses of each party's argument
- help you and the consumer or occupier develop and evaluate options for resolving the complaint.

Ending a conciliation

If you and the consumer or occupier agree on a solution, tell us what you have agreed to do to resolve the complaint, and when you will do this.

If you cannot resolve the complaint by agreement, we may start an investigation or recommend an outcome.