

TIO Engagement Charter

Table of Contents

The TIO	3
Our charter	3
About the TIO	3
Our vision	3
Our purpose	3
Our role	3
Our Engagement Principles	4
What you can expect from us	5
Our values	6
Expectations for consumers and other users of the TIO	7
What we expect from you	7
Telecommunication Providers	7
Challenging behaviour	8
Unreasonable behaviour	8
The result of unreasonable behaviour	8
Implications for telecommunication providers	9
Implications for consumers	9
Implications for representatives (paid or unpaid)	9
Engaging through social media	10
Moderating comments	10
We value your feedback	10

The TIO

We offer a free, independent, and accessible service for resolving complaints residential consumers and small businesses have about phone and internet services. When a problem occurs, we work with consumers and telco providers to solve it as efficiently and effectively as possible. We aim to stop a problem from escalating.

Our focus in providing dispute resolution services is to manage cases fairly and independently. We treat everyone with respect, honesty and courtesy and we ask that you do the same for us.

We do recognise that people accessing our services may be stressed, frustrated, or upset. We also recognise that people who contact us have diverse backgrounds and needs. However, we do not tolerate behaviour that is offensive, abusive, threatening or consumes disproportionate resources. If this happens, we may take steps to protect our staff.

This Engagement Charter outlines our commitment to users of our service, setting expectations and obligations that apply.

Our charter

This Engagement Charter outlines our commitment to users of our service, setting expectations and obligations that apply, specifically:

- What you can expect from our service
- What we expect from you
- How we manage your information
- How you can provide feedback about our service

This includes:

- **TIO** – in our capacity as the operator of the scheme.
- **Telecommunications providers** – members of the TIO whose conduct should reflect their role as commercial and professional telecommunications providers.
- Representatives of parties (including a fee charging representative) – reflecting their professional obligations and community expectations of their conduct.
- Individuals and small businesses and their informal representatives such as friends and family – being voluntary users of our free service.

About the TIO

Our vision

Our vision is for a fair and accessible communications market for Australia.

Our purpose

The purpose of the TIO is to resolve complaints fairly and drive improvement in a dynamic communications environment.

Our role

We deliver on our vision and purpose by assisting individual consumers, occupiers and owners of property, not for profits and small businesses who have been unable to resolve their complaint with a phone or internet service provider.

We perform our role by:

- Being independent of both parties – we don't act on either party's behalf
- Having fair processes – we use the most appropriate means to resolve a complaint, from referral to conciliation, investigation and determination
- Pursuing fair outcomes. If an agreement can't be reached, it is our role to decide what a fair and reasonable outcome is.

We also fulfil our statutory obligation to resolve objections to land access activities proposed by telecommunications carriers.

The TIO can handle complaints about:

- Landline, mobile and internet services equipment supplied by a telco (including repair, maintenance, and technical support) if it affects the consumers access to a service
- Payphones, phone cards, directory assistance, operator services, White/Yellow pages
- Land and property
 - carriers using your land
 - property damage (including disputes over liability for costs associated with repairing, restoring, or replacing property)
 - a bill or debt claimed by a telco against you in relation to your property
 - unsafe or non-compliant carrier infrastructure on your land
- Spam and telemarketing from your telco
- Compensation
 - some compensation claims for financial loss, including for loss of small business profits
 - some compensation claims for non-financial loss
- Privacy - a telco or its representative interfering with your privacy

Click [here](#) for more detailed information on what we can (and can't) help with.

Our services comply with the [Government Benchmarks for Industry-Based Customer Dispute Resolution](#) – accessibility, independence, fairness, accountability, efficiency, and effectiveness. We aim to continuously improve the effectiveness of our service.

An important aspect of our role is contributing to industry improvement and the evolution of the telecommunications regulatory framework. We do this through our systemic investigations, as well as our analysis and insights. We collect and review complaint data to inform and provide analysis to the community, regulators, government, and the telecommunications industry about matters impacting consumers.

We continue to work together with stakeholders, including regulators and government, to help support the ongoing evolution of Australia's dynamic telecommunications industry.

Our Engagement Principles

To ensure a fair outcome is achieved through the TIO complaints process, all parties must engage in a fair process. This occurs when parties co-operate reasonably and genuinely, and where every person is respected and treated with dignity. We expect our staff to be respectful, provide clear and reasoned information to the public.

Our engagement principles are designed to ensure that every interaction is:

- Meaningful – engagement is genuine.
- Inclusive – engagement is respectful, inclusive, and accessible.
- Transparent – engagement is clear and open.
- Informed – engagement provides relevant and timely information.
- Accountable – engagement is high quality and responsive.
- Valuable – engagement creates value for the community and government. This can include social, economic, and environmental value.

All parties are also expected to comply with [TIO's Privacy Policy](#) which can be found on our website.

We do recognise that people accessing our services may be stressed, frustrated or upset. We also recognise that people who contact us have diverse backgrounds and needs. However, we do not tolerate behaviour that is offensive, abusive, threatening or consumes disproportionate resources. If this happens, we may take steps to reduce any detrimental impact of such behaviour on our staff, productivity and resources.

What you can expect from us

Our people are here to support individual consumers and small businesses who cannot resolve a problem with their phone or internet provider. We work to ensure people can connect with us easily and seamlessly.

We aim to be accessible to everyone in Australia no matter where they live, what means they have, what their needs are, or what language they speak. Our service is free for consumers.

Our 'no wrong door' approach with other ombudsman schemes ensures those having telecommunications problems can connect with us, no matter where their complaint journey began.

You can expect us to be:

- Free
- Independent
- Accessible
- Fair
- Efficient
- Effective
- Accountable

When you use our service, we will

- Treat you with courtesy and respect
- Explain our processes to you
- Listen to your side and the provider's side
- Follow through on what we say we will do
- Update you on the progress of your complaint
- Give reasons for any decisions we make about your complaint.

Our values

We are guided by our core values.



We demonstrate our values by:

- discussing the merits of your case openly and clearly
- being calm, courteous, professional and respectful
- giving both parties an opportunity to present their side and considering them neutrally
- guiding you through the complaints process by explaining the next steps
- sharing relevant information with you
- helping the parties reach an agreement
- making fair and balanced decisions
- explaining the reasons for our actions
- valuing feedback.

It is also part of our purpose to drive improvements in the communications industry. To do this, we will share information including data, case studies and previous decisions, undertake systemic investigations and participate in government and regulatory processes.

The TIO will adopt the values outlined above when engaging with users of our service, regulatory or government bodies and other stakeholders.

Expectations for consumers and other users of the TIO

What we expect from you

When you use our service, we expect you to:

- Treat us with courtesy and respect
- Listen to or read carefully the information we give you
- Give us the information we ask for, promptly and as accurately as possible
- Cooperate with us and your provider
- Let us know if your contact details change
- Tell us about any changes that affect the issues in your case

We understand that many people will be unfamiliar with how we operate – individuals and small businesses can work with us effectively by telling us if they:

- have specific communication needs, like the National Relay Service or an interpreter, including Auslan
- would like to authorise someone to help them, such as a friend or family member
- would like us to explain each step of the process
- need more time to provide information.

If you are helping someone make a complaint to the TIO, you are also required to meet the expectations outlined in this Engagement Charter. This includes:

- acting in the best interests of the party you are representing and avoid conflicts of interest
- acting fairly and professionally towards TIO and telecommunications providers
- providing all relevant documentation that could reasonably be expected, including confirmation you are authorised to lodge a complaint with the TIO on behalf of someone else
- cooperating with our investigation including facilitating provision and exchange of information and evidence
- actively participating in the complaint resolution process and avoid unnecessary delays, including supporting the reasonable negotiation of the complaint.

We may need to contact the complainant directly if we need to verify important information about their complaint.

Sometimes behaviour can be inappropriate and put our people at risk. In these cases, we must take into account the balance between the right of our people to work in an environment that is safe and free from abuse against the right of individuals to access our services.

Telecommunication Providers

Most providers are required by legislation to be members of the TIO scheme. All TIO members must comply with our [Terms of Reference](#).

If a provider's representative (such as their lawyer or debt collector) is not a member of TIO, we expect providers to make their agents aware of (and to comply with) this Charter.

In their engagement with TIO and complainants, we expect Members (and their representatives) to meet their TIO membership obligations and:

- deal with complaints fairly and promptly, and
- pay legitimate claims without the need for external dispute resolution, including where there is clear liability and wrongdoing
- provide all information to TIO relevant to the complaint within set timeframes
- proactively participate in the complaint resolution process
- where appropriate, consider a broad range of possible remedies including providing explanations and apologies
- carry out any settlement reached and implement Determinations promptly

- reasonably co-operate with TIO
- comply with a decision made by the TIO
- pay TIO fees and charges in full and on time.

Challenging behaviour

We acknowledge that sometimes emotions can heighten. The concerns of all parties involved in a complaint are important and we will work with you to find a fair and reasonable outcome. However, we expect that you will be respectful and courteous to our people.

TIO has a zero-tolerance policy on aggression and violence towards its employees. Our people work hard to support you and have the right to a safe workplace free from abuse, aggression, and violence.

Challenging behaviour', in the context of service delivery, is any behaviour that a TIO employee finds to be challenging to deal with or respond to. Different behaviour by individuals will affect TIO employees in different ways.

Unreasonable behaviour

Unreasonable consumer conduct is behaviour that results in a disproportionate and unreasonable use of services, time, and resources.

We will not tolerate conduct or behaviour that puts our people or parties at risk of physical or mental harm, including behaviour that is:

- threatening
- intimidating
- abusive
- bullying
- discriminatory
- unreasonable -. this can include unreasonable:
 - Behaviour - if it includes acts of aggression, verbal abuse or remarks that are derogatory, racist, discriminatory, or defamatory.
 - Persistence - if a consumer will not accept reasonable and logical explanations or decisions that have been comprehensively considered and explained.
 - Demands - if a consumer issues instructions and make demands about how we have or should handle their complaint, the priority it was or should be given, or the outcome that should be achieved.
 - Lack of cooperation - if a consumer sends excessive, irrelevant, or disorganised information without clearly defining any issues of complaint or explaining how the information relates to the core issues being complained about.
 - Arguments - when a consumer doesn't provide evidence to support their arguments, or their arguments are based on conspiracy theories. Consumers whose arguments are unreasonable may reject all other valid and contrary arguments.

We also ask that parties communicate with staff through TIO's formal communication channels and comply with TIO's confidentiality requirement.

The result of unreasonable behaviour

Our expectations focus on a fair process to achieve a fair outcome. This means parties must engage genuinely and respectfully with our service and each other to help us to resolve a complaint.

We expect parties to engage with our complaint resolution process and do what is requested and required of them to facilitate a timely and fair outcome.

TIO will use all of the tools available to us under our Terms of Reference to ensure that complaints are dealt with efficiently and effectively. If, for example, you fail to provide information when we request it, we may draw an adverse inference.

We may stop engaging with a party in exceptional circumstances. This includes if a party refuses to engage with our process or displays conduct that is not in accordance with this Charter.

If we think you are not meeting the standards set out in this Charter, we will raise that with you.

We may limit or adapt how consumers interact with us

We recognise that restrictions must consider a consumer's personal circumstances.

We will generally limit or adapt how consumers interact with us by restricting:

- Who they have contact with
- What they can contact us about.
- When they can have contact with us
- How they can contact us, or
- We will take steps that may lead us to stop handling the case if the consumer's conduct remains unreasonable and impacts the health and wellbeing of our officers (they can elect a representative to act for them); or in extreme cases, allowing the consumer to register cases with us. If that happens, the consumer can elect a representative to act on their behalf. They may also ask us to review our decision after a nominated period (that is likely to be 12 months) before they use our service again. A representative will be subject to the same expectations.

Implications for telecommunication providers

A TIO member's failure to comply with our Terms of Reference or this Charter may constitute non-compliance with our scheme. All TIO members are required to comply with the TIO scheme and we may refer non-compliance to the Australian Communications and Media Authority, or take any other action available to us.

Implications for consumers

Where a consumer behaves inappropriately or fails to provide information, we may:

- restrict how and when they communicate with us, for example only via phone or at set times
- require them to appoint a representative with whom we can communicate
- continue looking at a complaint subject to further criteria (for example, providing more information or meeting the conduct expectations in this Charter)
- close (or otherwise exclude) the complaint.

Implications for representatives (paid or unpaid)

Where a representative behaves inappropriately, we may:

- communicate with the representative only by phone or in writing
- deal only with the consumer directly or ask the consumer to appoint a different representative.
- close (or otherwise exclude) the complaint.

If you have any queries about this Charter, please raise it with your complaint handler.

Engaging through social media

We encourage open discussion, communication, and feedback from the community. You are welcome to share your comments or opinions, as long as you treat us and others with courtesy and respect.

Moderating comments

On channels where we can actively moderate comments and posts, we will delete any that are:

- Indecent, offensive, violent or that contain rude language, links or images
- Threatening or include abusive language or defamatory statements
- Inappropriate or that contain illegal content
- Hateful or has derogatory opinions on race, colour, gender, sexual orientation, ethnicity, age, religion, disability, employment or political orientation
- Targeted at any individual in a harassing, aggressive or antisocial manner
- Off-topic or inappropriate
- Unsolicited advertising, repeated posts/ comments or spam
- Using the platform to criticise or abuse individuals, organisations or other parties

At our moderator's discretion, your comment may be hidden, deleted or you may be issued a warning or banned from continuing to contribute to the platform, with no warning.

We are committed to considering all feedback, comments, compliments or complaints to improve our practices. We value your privacy and treat personal information confidentially. See our [privacy policy](#) for more details.

We may also take the discussion offline if we think the issue is of a private nature, to protect your privacy.

Comments posted on our social media channels should also comply with the following, as any comments that contravene these may be removed:

- [Facebook's terms of use](#), [community standards](#) and [privacy policy](#)
- [LinkedIn's terms of use, and privacy policy](#)

We value your feedback

Please let us know if you think we have provided you with a good service, or if you have any suggestions about how our service may be improved.

The person you speak to about your complaint will almost always be able to answer your questions or take the appropriate steps in your complaint. If they are unsure, they will seek advice from a senior officer and confirm with you, but we do not transfer the call.

If you have feedback or concerns you want to bring to the attention of a senior officer, you can let us know by using the online feedback form on our website. If you do not have access to the internet, we can write it out and send it for you.

We welcome feedback and use it to review and improve our services. We have a policy and procedure for dealing with compliments and complaints about our service, including the way we handle personal information. You can find it [here](#). You can enter your feedback on our [feedback form](#) on our website and we will direct it to a compliments and complaints manager. If we need to investigate the issue you raise, we will record your complaint in our database and will respond within 20 business days.