

30 August 2024

Cynthia Gebert  
Telecommunications Industry Ombudsman  
**By email:** publicconsultation@tio.com.au

Dear Ms Gebert and team,

**RE: Proposed amendments to Terms of Reference 2024**

I am writing on behalf of Financial Counselling Victoria (FCVic), the peak body for financial counsellors in Victoria who collectively assist more than 23,000 of the most vulnerable Victorians every year. You already know the work of our sector well, with many of our members advocating for the consumer rights of their clients when liaising with telco providers and with the Telecommunications Industry Ombudsman (TIO).

I write today on your consultation on proposed amendments to the TIO's Terms of Reference. **We broadly support these proposed amendments as they provide greater clarity on the TIO's critical work in supporting consumer rights and promoting effective internal and external dispute resolution mechanisms.**

We do make four additional comments for your consideration, as follows:

- In point **1.4**, clarifying that 'fair and reasonable' is applicable not just to what the TIO deems to be 'fair and reasonable' but by a standard test similar to that used in relation to the Privacy Act.
- In point **2.17**, where the TIO 'may require the consumer or occupier to confirm they have authorised this representative', that this includes the following clarification - 'This confirmation may be in the form of a third party authorisation form standardised in certain professions such as that used by financial counsellors'.
- In point **2.39**, relating to compensation for non-financial loss, where the complaint has necessitated the action of a not-for-profit advocate such as a financial counsellor, recommending that a member be required to make a financial contribution to a relevant body such as the Financial Counselling Industry Fund or the Financial Counselling Foundation, in recognition that the member's actions have increased demand for the financial counselling service.
- In point **6.2**, providing a minimum standard of what is expected of members in informing consumers and occupiers about their complaint handling service and the TIO – for example, clarifying that "At a minimum, this should include the provision of complaints contact information on all paper and PDF bills, and as a footnote to any email or written correspondence".

Thank you for your consideration. To discuss this letter further or for any further queries, please contact FCVic's Advocacy Coordinator [REDACTED]

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Zyl Hovenga-Wauchope', with a stylized, flowing script.

Zyl Hovenga-Wauchope  
Executive Officer  
Financial Counselling Victoria