

## Minimising Complaint Escalation

The TIO uses a four-tier complaints classification system. The majority of complaints brought to the TIO are resolved at the lowest level, with minimal involvement by the TIO. However, where an unresolved complaint requires continuing involvement or investigation by the TIO, the TIO may escalate the classification of a complaint to reflect higher costs incurred. Accordingly, a higher classification results in a higher charge to the service provider regardless of which party is favoured by the outcome.

There are a number of ways the TIO suggests a service provider can avoid unnecessary complaint escalations:

1. Nominate one or two experienced staff members to be the contact point for TIO matters
2. Respond quickly to the complainant
3. Keep in touch with the TIO during the complaint resolution process
4. Provide thorough and well considered complaint resolution responses to the TIO
5. Don't leave the preparation of your responses to the last minute
6. Be forthcoming with information and assistance
7. Always keep an open mind (A complaint is likely to be settled more quickly if both the TIO member and the complainant can bear in mind that a compromise may be necessary).
8. If you need assistance or advice at any time, contact the Enquiries or Investigations Officer handling the complaint. The Member Communications Manager (contactable on Ph: 03 8600 8700) is also available to assist.

## Breaches of the Complaint Handling Code and the Role of the TIO

The TIO consistently reports a high number of breaches of the Complaint Handling Code by service providers. The TIO notes that this is largely due to service providers not informing dissatisfied customers about their right to escalate unresolved complaints to the TIO.

It is important to note that service providers are bound by the rules contained in registered ACIF\* codes, regardless of whether the service provider is signatory to the code/s.

Under the Complaint Handling Code customers have the right to:

- speak to a supervisor upon request
- escalate a complaint internally
- be told about the TIO by their provider if their complaint is not resolved.

This guide is not an exhaustive information source. Should you require any further information about the TIO, please go to the website at [www.tio.com.au](http://www.tio.com.au), or contact the TIO's Member Communications Adviser on:

Ph: 03 8600 8700      Fax: 03 8600 8797

Compliance with registered ACIF\* codes is mandatory.

For further information about Communications Alliance, becoming a member, or ACIF\* code compliance, please visit our website [www.commsalliance.com.au](http://www.commsalliance.com.au).

\* ACIF is a division of Communications Alliance Ltd  
† Copies of ACIF\* Codes are available at [www.commsalliance.com.au/ACIF\\_documents/codes](http://www.commsalliance.com.au/ACIF_documents/codes).

# The Telecommunications Industry Ombudsman

## Your obligations as a VoIP service provider



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## As you probably know, ethical and responsible businesses generate greater consumer confidence.

That's why Communications Alliance is committed to supporting the telecommunications industry by promoting best practice behaviour and increased customer satisfaction.

As part of that process, we are keen to promote compliance with ACIF\* codes of practice and the important role that the **Telecommunications Industry Ombudsman (TIO)** plays in handling breaches of those codes.

Communications Alliance has therefore developed this guide for VoIP service providers to help you understand your obligations in relation to the TIO.

By understanding your obligations you will be better equipped to gain and maintain consumer confidence.

**Please Note:** TIO membership is mandatory for carriers and eligible carriage service providers (including providers of VOIP standard telephone services) and there are distinct benefits that can be gained from being a TIO member.

## About the TIO

The TIO is authorised to investigate complaints about the provision or supply of telephone or Internet services, as well as potential breaches of ACIF\* codes.

Established in 1993 by the Australian Federal Government, the TIO provides a free and independent alternative dispute resolution scheme for small business and residential consumers in Australia who have a complaint about their telecommunications service.

The TIO is independent of industry, the government and consumer organisations.

## VoIP Providers Who Must Be a TIO member

Part 6 of the Telecommunications (Consumer Protection and Service Standards) Act requires carriage service providers to be members of the TIO scheme if they supply a Standard Telephone Service (STS) to small business and residential customers, or a public mobile telecommunications service, or a carriage service that enables the user to access the Internet. This includes providers of VOIP standard telephone services and providers of other VOIP services (such as peer-to-peer services) if they are provided by an ISP or by a carriage service provider that is otherwise required to be a member of the TIO scheme.

A report to Communications Minister Helen Coonan explains as follows: "The differences between VOIP services and PSTN services have the potential to cause confusion for consumers. There may, for example, be uncertainty about which of the legacy consumer protections will apply to VOIP services. Consumer confidence is essential for the take-up of VOIP services and, therefore, consumers need access to a robust and independent complaints body.

"The TIO scheme has provided a highly effective mechanism for complaint handling to residential and small business consumers. Where providers of VOIP services are currently required to be members of the TIO scheme, this should continue".

Some providers of VOIP services (such as peer-to-peer where the provider has no responsibility for the carriage of a standard telephone service or an internet connection) may not be required to join the TIO if they do not meet the definition of a carriage service provider referred to in the Telecommunications (Consumer Protection and Service Standards) Act.

For more information on the requirement to join the scheme, the Member Communications Team (contactable on 03 8600 8700) is also available to assist.

The TIO does not charge its members a joining or an annual fee. However, a TIO member can incur fees if the TIO receives complaints about its practices.

## The benefits of TIO membership

Whilst TIO membership is mandatory for carriers and eligible carriage service providers, there are a range of benefits that can be gained from being a TIO member.

- The TIO practices Alternative Dispute Resolution, which seeks to resolve consumer complaints outside the traditional legal process and is a less costly and more time-effective means of dealing with a customer complaint that may otherwise have gone to court.
- The TIO considers both sides of the dispute -- not just the complainant's -- and will assist the parties to find a fair resolution.
- If you encounter a particularly difficult customer, and in the process of attempting to resolve their complaint you reach an impasse, it might be useful to have the TIO review and finalise the dispute.
- Membership of the TIO can increase consumer confidence in your company because potential and existing customers know they can contact the TIO if they have a problem that cannot be resolved directly with you.
- The TIO attempts to foster cooperative relationships with its members and helps them implement strategies that avert the need for complaints to be escalated.
- The TIO regularly provides statistics to members on the number and nature of complaints received about them. This data can be useful in helping members to identify internal customer service issues.
- TIO members are welcome to include the TIO logo on their website or advertising material to indicate membership of the TIO. However, the TIO does not endorse any provider, product or service, and consequently the TIO logo must not be used for this purpose.