

Draft Amendments - Telecommunications (Consumer Complaints Handling) Industry Standard 2018

SUBMISSION TO BE READ IN CONJUNCTION WITH SUBMISSION ON

Proposed amendments to the Telecommunications (Customer Communications for Outages) Industry Standard 2024.

My submission on Customer complaints handling is attached to this submission and has been submitted separately on that consultation.

In that I address issues associated with the definition's major outage, significant local outage and distinct location.

The issues I raise in that submission are likely to, if there is no modification of the proposal, result in an increase in the number of complaints lodged in relation to network outages, major outages and significant local outages, due to the failure of the proposed standard to ensure notification of outages to all carriage service providers, by all carriers and carriage service providers, and to end users.

network outage means a major outage or a significant local outage

major outage has the same meaning as in section 5 of the CCO Standard

significant local outage means any unplanned adverse impact to a telecommunications network in a distinct location in regional or remote Australia used to supply carriage services to end-users, that:

- (a) results in an end-user being unable to establish and maintain a carriage service.
- (b) affects, or is likely to affect 1,000 or more services in operation.
- (c) is expected to be, or is, of a duration longer than 6 hours; and
- (d) is not a major outage.

WORKING DAY, CALENDAR DAY AND HOURS OF CONTACT

working day means:

- (a) in Part 2 to Part 5, a day that is not a Saturday, Sunday or gazetted public holiday in the location of the consumer's premises or principal place of business; and

in Part 6, a day that is not a Saturday, Sunday or gazetted public holiday in the location of the principal place of business of the relevant carrier, first carriage service provider or retail carriage service provider.

Throughout the standard there is reference to working days and calendar days.

There is no reference to the hours of contact that a carrier or carriage service provider must be able to be contacted to lodge faults, complaints or seek updates on faults or complaints.

Currently it is not possible to lodge landline faults (PTSN) after hours with Telstra, even for priority assistance which Telstra states can be reported 24 hours a day.

It is also not possible to lodge faults during working hours from WA during daylight saving, which affects restoration timeframes based on end of business day for reports.

PRIORITY ASSISTANCE TIMEFRAMES DO NOT RELATE TO WORKING DAYS

Priority assistance timeframes are 24 hours from report (up to 48 hours which Telstra incorrectly claims for regional and rural customers who are entitled to 24 hours under the code.

Working days, weekends and public holidays are not relevant for priority assistance repair and restoration timeframes.

17 Attempt to make contact

If, in the course of meeting its obligations under this **instrument**, a carriage service provider is unable to contact a consumer to discuss their complaint or to advise them of the proposed resolution of their complaint after at least 5 separate attempts, with each attempt on a separate calendar day, over a total period of not more than 10 calendar days, the carriage service provider must write to the consumer:

(a) advising that they were unable to contact them.

(b) provide details of its contact attempts; and

provide an invitation to contact the carriage service provider to discuss the complaint within a specific timeframe of not less than 10 working days from the date of that invitation

We experience ongoing issues, with the contact from providers, particularly where despite not giving a mobile number, this is used as the contact.

In the first instance, the customer shall be permitted to nominate a contact method, i.e. landline, mobile, email, SMS.

The customer shall be permitted to nominate a contact method for work and home, if applicable.

A customer shall be permitted to advise they are not to be contacted via a method, for example if they have no mobile coverage, then they shall not be required to mandatorily provide a mobile number as a contact.

A carriage service provide may use an alternative method, for example email, if the preferred contact is by phone, however, the “five separate attempts” shall be on the nominated method.

I note that they can contact on calendar days however, the definition and all clauses refer to business days and working days, specifically at the registered officer of the carriage service provider.

The clauses reiterate working days, however, when it suits the industry, the response is calculated over calendar dates. There needs to be consistency.

Working days and business days are irrelevant in the current day and age. The customer communication for outages standard, which this standard is cross referenced to and used as its basis, does not differentiate between workdays, weekends and public holidays.

The standard does not say, if the outage is going to extend after hours, on weekends or public holidays. It recognises telecommunications are needed at all times of the day, albeit for regional and remote customers, a six-hour wait is acceptable.

If the written notice of unable to contact, is to be posted, then 10 working days is insufficient.

It can currently take up to 14 working days to receive mail within Australia in rural areas, and greater in remote areas. It should be noted that mail deliveries in rural areas do not occur five days per week, often only three times, and in remote areas, it may be once per week.

If the complaint is about the failure to repair a service, then a claim of being unable to contact must ensure that the failure is not due to the failure to repair or restore the service.

RESOLUTION OF URGENT NETWORK OUTAGE COMPLAINT AND PRIORITY ASSISTANCE CUSTOMERS

- (5) A carriage service provider must seek confirmation from a consumer who made an urgent network outage complaint about whether the provider’s attempt to implement the default resolution has been successful within 2 calendar days of sending the notification in paragraph (3)(c).

- (6) A carriage service provider must not close a network outage complaint less than 3 working days after sending the notification in paragraph (3)(c).

As one of the criteria for an urgent network outage complaint is-

urgent network outage complaint means a network outage complaint:

- (a) where the consumer has expressed a need for urgent assistance using a real-time or near real-time communication method provided under section 16 of the CCO Standard; or
- (b) which involves a priority assistance consumer and the service for which they are receiving priority assistance.

This definition means that every network outage complaint lodged by a priority assistance customer shall be an urgent network outage complaint.

As the priority assistance timeframe is 24 hours from report of the fault, then the process should not be as outlined in (5).

With the current wording a priority assistance customer is not contacted when the default resolution has occurred to ensure the service has been restored or repaired but instead is sent a notice stating how they can make a further complaint and what to do if the resolution has not been done.

The process for a priority assistance customer, and possibly for all urgent network outage complaints, would be to contact the customer to check if the resolution has been done, specifically, has the service been repaired or restored, and if not to take immediate steps to ensure that the service is repaired or restored.

The objective shall be to ensure that the priority assistance customer has a service that they can use, not to send them a notice to say what they can do if the service hasn't been fixed yet.

Once the customer has confirmed the service has been repaired or restored, any resolution such as bill credits can be determined afterwards, and then the notice in 3c can be issued within the 2 calendar days, and the complaint can be closed a further three business days thereafter.

FAULT REPORT OR SERVICE OUTAGE REPORT TO BE TAKEN AS RECEIVED AT FIRST CONTACT FOR ALL REPAIR AND RESTORATION TIMEFRAMES

service outage report means an initial call or contact from a consumer to a carriage service provider indicating that they cannot establish or maintain connection with a carriage service

The time of the fault report or service outage report shall be deemed the time from which repair timeframes are based.

For priority assistance the timeframe shall be from this time, the customer does not need to report a second time, with a new 24-hour period starting at the second report.

For customer service guarantee payment and compensation, the timeframes shall be from the time of report, not from when the customer raises the fault a second time.

My submission on **Proposed amendments to the Telecommunications (Customer Communications for Outages) Industry Standard 2024**, is attached as part of this submission and is to be read in conjunction and as part of this submission.

Submission lodged by

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