



# Complaint Handling Process

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## 1 Introduction

As per requirement of the Telecommunications (Consumer Complaints Handling) Industry Standard 2018 (the **Standard**), variation 2020 (No. 1); this procedure is in place to outline Hello Broadband (HBB) Complaints Handling Process (CHP).

This document explains HBB's complaint handling process for all consumer that meet the following criteria:

- (a) an individual who acquires or may acquire a telecommunications product for the primary purpose of personal or domestic use and not for resale; or
- (b) a business or non-profit organisation which acquires or may acquire one or more telecommunications products which are not for resale and which, at the time it enters the consumer contract:
  - (i) does not have a genuine and reasonable opportunity to negotiate the terms of the consumer contract; and
  - (ii) has or will have an annual spend with the carriage service provider which is or is estimated on reasonable grounds by the carriage service provider to be, no greater than \$40,000.

## 2 Definitions

**ACMA** means Australian Communications and Media Authority

**Act** means the Telecommunications Act 1997.

**Advocate** means a person nominated on behalf of a consumer to deal with a carriage service provider on the consumer's behalf, but does not include an authorised representative or a person who has authority to access the consumer's account information from the carriage service provider.

**Authorised representative** means a person who has authority from a consumer to deal with a carriage service provider on behalf of that consumer as their authorised agent.

**Bill** means an invoice from a carriage service provider which advises a consumer of the total of each billed charge.

**Billed charge** means a charge that is due for payment by a consumer in respect of telecommunications products provided by a carriage service provider.

**Billing period** means a period of time in relation to which a billed charge relates.

**Carriage service provider's website** includes a website controlled by a carriage service provider or another website it has endorsed for managing or receiving complaints.

**Complaint** means an expression of dissatisfaction made to a service provider by a consumer in relation to its telecommunications products or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected by the consumer.

It does not include an initial call to request information or support or to report a fault or service difficulty unless a consumer advises that they want that call treated as a complaint, and does not include an issue that is the subject of legal action.

**Complaints handling process** means a consumer complaints handling process established by a carriage service provider pursuant to section 7.

**Consumer means:**

- (a) Individual who acquires or may acquire a telecommunications product for the primary purpose of personal or domestic use and not for resale; or
- (b) Business or non-profit organisation which acquires or may acquire one or more telecommunications products which are not for resale and which, at the time it enters the consumer contract:
  - (i) does not have a genuine and reasonable opportunity to negotiate the terms of the consumer contract; and
  - (ii) has or will have an annual spend with the carriage service provider which is or is estimated on reasonable grounds by the carriage service provider to be, no greater than \$40,000.

A reference to a consumer includes a reference to the consumer's representative.

**Consumer contract means** an arrangement or agreement between a carriage service provider and a consumer for the supply of a telecommunications product to that consumer and includes a standard form of agreement formulated by a carriage service provider for the purposes of section 479 of the Act.

**Financial hardship means** a situation where:

- (a) Consumer is unable to discharge the financial obligations owed by the consumer under their consumer contract or otherwise discharge the financial obligations owed by the consumer to a carriage service provider, due to illness, unemployment, being the victim of domestic or family violence, or other reasonable cause; and
- (b) The consumer believes that they will be able to discharge those obligations if the relevant payment arrangements or other arrangements relating to the supply of telecommunications products by the carriage service provider to the consumer are changed.

**Personal information** has the same meaning as in section 6 of the *Privacy Act 1988*.

**Personnel** includes staff or contractors engaged by or on behalf of a carriage service provider (in this document refers to HBB staff or contractors).

**Recorded telephone message** means a telephone message from a consumer making a complaint that is recorded without direct contact with personnel.

**Representative means** an advocate or an authorised representative.

**Resolution** when used in connection with a complaint, means the outcome of bringing that complaint to a conclusion in accordance with the requirements of this industry standard, irrespective of whether the outcome is in favour of the consumer. It does not include the implementation of that resolution.

**Resolve** when used in connection with a complaint, means to bring that complaint to a conclusion in accordance with the requirements of the Standard.

**Standard:** Telecommunications (Consumer Complaints Handling) Industry Standard 2018/ Schedule 1 Variation 2020.

**TIO** means the Telecommunications Industry Ombudsman.

**Urgent complaint means** a complaint:

- (a) where the complaint is made by a consumer who has applied for or has been accepted as being in financial hardship under HBB financial hardship policy and where the subject matter of the complaint can reasonably be presumed to directly contribute to or aggravate the financial hardship of that consumer;
- (b) where disconnection of a service is imminent or has occurred and where due process has not been followed; or
- (c) which involves a priority assistance consumer and the service for which they are receiving priority assistance.

**Working day means** 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 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.

### 3 Complaint Management

At HBB all customers are valued, and customer satisfaction is top priority hence, any complaint raised is processed promptly in accordance with the **Standard** requirements.

The HBB CHP procedure is:

- Approved by our Chief Executive Officer (or equivalent), responsible for ensuring implementation, operation and compliance of this procedure in accordance with the **Standard**
- Managed by a Senior Manager responsible to maintain the effective and efficient operation of the CHP in accordance with minimum requirements for consumer complaint handling and ensuring staff know what remedies are available to assist with the resolution of complaint(s).

### 4 Transparency & Accessing Complaint Handling Process

As per minimum requirements of the **Standard**, HBB's has compiled easy to understand, clear, transparent and accessible CHP for all consumers on the HBB website. Instruction about how a consumer can make a complaint or enquiry can be accessed via a link on the homepage of HBB website.

In addition, HBB Staff dealing directly with consumers are given access to a copy of the HBB's complaints handling process and understand the minimum requirements for consumer complaints handling as well as their roles and responsibilities regarding complaint handling process.

Moreover, for transparency purpose HBB has outlined internal process for how to handle &/ provide:

- Consumer requests for their complaint to be escalated as well as dispute resolution process,
- Consumer with the right to escalate a complaint to the Telecommunications Industry Ombudsman (**the TIO**),
- Process HBB uses for classifying complaints, in to clear relevant categories.

## 5 Reporting Complaint Contact Details

As per the **Standard**, consumers have right to make complaint and are allowed to nominate a representative to make and handle a complaint via any of the following communication methods at listed times:

How	When
<ul style="list-style-type: none"><li>By letter to PO Box 151, Collins Street West, VIC, 8007</li></ul>	All hours – processed during business hours
<ul style="list-style-type: none"><li>On our website at <a href="http://www.hellobroadband.com.au">www.hellobroadband.com.au</a></li><li>Call 1300 683 000</li></ul>	All hours – processed during business hours 9am to 5pm every business day (Voice mail outside business hours)
<ul style="list-style-type: none"><li>Email: <a href="mailto:support@broadband.com.au">support@broadband.com.au</a></li></ul>	All hours – processed during business hours
<ul style="list-style-type: none"><li>Fax +61 3 9999 3100</li></ul>	All hours – processed during business hours

## 6 Consumer Needing Assistance

HBB Customer Care staff is always available to:

- Assist consumer with the lodgement of complaint and checking on the progress of their complaint if needed or requested by consumer with special needs or disabilities, and consumers from non-English backgrounds or those suffering financial hardship.
- Clarify with the consumer if they wish to make a complaint if the consumer has made contact and expressed dissatisfaction through any of the given communication channel in section 5 of this procedure.

HBB Customer Care can be contacted:

- By writing or email via contact details provided in section 5 of this CHP procedure.
- Contacting your Representative
- Contacting us via the National Relay Service on 133 677; or
- Contacting us via the Translating & Interpreting Service on 131 450

## 7 Minimum Requirements and Timelines

- a) Acknowledgement timelines:
- Complaint received by telephone or in person: **immediately**

- Complaint received by the following methods **within 2-working days** of receiving the complaint:
  - Email
  - HBB website
  - Post
  - Recorded telephone message
- b) Investigation resolution timeline\*:
  - Billing error related complaints: **within the billing period or within 40-calendar days, whichever occurs first,**
  - Urgent complaints **within 2-working days**
  - Complaints other than urgent or billing error complaints **within 15-working days** of receiving the complaint.

Note\*: HBB customer care staff as soon as practicable within the period mentioned in paragraph (7b of this procedure) advise the complainant of:

- The cause of the delay if there is going to be a delay of longer than 10-working days
- The new timeframe for resolving the complaint; and
- The avenue for external dispute resolution including TIO, where it is expected that:
  - The delay will be longer than 10-working days after the relevant period &
  - That is not caused by a notified mass outage of service.

## 8 Monitoring Progress of Complaint

Consumer can check on the progress of their complaint by contacting HBB using the following contact information and quoting their complaint number:

How	When
• Call 1300 683 000	9am to 5pm every business day
• Email: support@broadbandsolutions.com.au	All hours – processed during business hours
• Fax +61 3 9999 3100	All hours – processed during business hours

## 9 Complaint Receipt

All complaints received will be acknowledged in accordance with requirements of the **Standard**; where possible, HBB will be looking to resolve complaint on first contact.

All consumers or former customers who make a Complaint are treated with fairness and courtesy, and their complaint are dealt with objectively and efficiently by demonstrating fairness, courtesy and objectivity.

All Complaints are allocated a unique reference number to identify the complaint and are communicated to the complainant at the time of acknowledgment communication.



## 10 Complaint Acknowledgment

All receipted complaints are acknowledged as per below:

- Immediately where the Complaint is made in person or by telephone.
- Within 2-Working Days of receipt where the Complaint is made by:
  - Email
  - Logged via the HBB website or another website endorsed by the HBB for the complaints reporting purpose.
  - Post
  - Telephone and a message is recorded without direct contact with a HBB Staff.

## 11 Initial Assessment of a Complaint

HBB Customer care staff thrive to resolve complaint on first contact if possible, depending on the complaint.

The following steps will be taken by our Customer care officer during his/her initial assessment of complaints that could not be resolved on the first contact.

1. Communicating to the consumer who made the complaint acknowledgement that their complaint has been received and quoting the reference number as an identifier for their complaint.
2. Instructions about how the complaint can be monitored.
3. Identify and flag in the investigation if complaint is alleged billing error as this type complaint must be resolved no later than the end of the billing period immediately following the consumer's current billing period or within 40 calendar days, whichever occurs first.
4. HBB Customer Care officer will assign complaint classification:
  - Urgent complaint or
  - Ordinary complaint.
5. Identify and flag if urgent complaint.
6. Categorise the complaint as per listed categories in section 24 of this CHP procedure.
7. Assess whether it can be resolved without further investigation; if not, proceed to investigation of the complaint within the timelines listed in section 7 of this CHP procedure.

## 12 Investigation of a Complaint

In investigating complaint, HBB Customer Care officer will continue further with his/her initial assessment to:

- Make any relevant enquiries of consumer or consumer's Authorised Representative or Advocate,
- HBB's systems or other staff, or any other Telco's involved in HBB supply chain, and other interested parties if applicable or relevant.
- Investigate the complaint for its seriousness.
- Fairly and carefully consider the merits of the complaint.
- Focus on finding the optimal solution for consumer and the situation.
- Seek guidance from his/her manager as needed or necessary depending on the nature &/classification of the complaint; and

## 13 Response to a Complaint & Proposed Resolution

HBB will use its best efforts to resolve a complaint on the first contact. HBB will also offer tailored remedy to consumer so that, as far as practicable, the remedy addresses the main cause of the complaint, and the individual circumstances of the consumer who has made the complaint.

HBB will offer response and solution for consumer complaint as below:

- a) Resolve complaints about alleged billing errors no later than the end of the billing period immediately following the consumer's current billing period or within 40-calendar days, whichever occurs first,
- b) Provide confirmation of a proposed resolution of a complaint, within 15-working days of receiving the complaint.
- c) Provide confirmation of a proposed resolution of an urgent complaint, and if the consumer accepts the proposed resolution, implement that resolution, within 2-working days of receiving the urgent complaint.
- d) Will resolve the main cause of that problem or issue when complaint is indicative of broader problem or systemic issue.
- e) Will complete all the necessary actions to implement a proposed resolution, within 10-working days of the consumer accepting that resolution, except where:
  - Otherwise agreed with the consumer.
  - The consumer agreed to undertake actions to implement the proposed resolution by a specified time but did not complete the actions as agreed.
  - The complaint is an urgent complaint where the above paragraph (13c) applies.

- f) Provide confirmation to a consumer that their complaint has been resolved, as soon as practicable after HBB completes its investigation of the complaint;
- g) Allow a complaint or an urgent complaint to be closed with the consent of the consumer, or where HBB must comply with the following situation:
  - 1. Where a consumer:
    - Communicates to HBB that they are dissatisfied with the progress or resolution of their complaint; or
    - Enquires about their options to pursue their complaint further, Note: In this case, HBB will advise the consumer within 5-working days after receiving that communication about:
      - Its internal escalation process; and
      - Options for external dispute resolution, including the TIO.
  - 2. Where after careful consideration and appropriate internal escalation of a complaint, HBB reasonably concludes:
    - (a) That it can do nothing more to resolve the complaint or assist the consumer; and
    - (b) That the consumer's behaviour, or complaint is frivolous or vexatious, HBB may decide not to deal, or to deal further, with the complaint.
  - 3. Within 5-working days of deciding not to deal with a complaint under the above subsection(g2), HBB must advise the consumer of the reasons for its decision and options for external dispute resolution, including the TIO.
  - 4. Where HBB advises a consumer in accordance with the above subsection (g3), it is not required to accept any further complaints from that consumer on the same or similar issues, except as a part of an external dispute resolution process.
  - 5. HBB provides the consumer with written confirmation of the matters set out in subsection (g3) in writing within 5 working days after receiving a request to do so from the consumer.
  - 6. If, in the course of meeting our obligations under the **standard**, HBB is unable to contact the 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; HBB will write to the consumer:
    - Advising HBB was unable to contact them after 5 separate attempts
    - Providing detail of each contact attempts; and
    - Providing an invitation to contact HBB to discuss the complaint within a specific timeframe of not less than 10 -working days from the date of the invitation.

## 14 Communicating the Decision in Response to the Complaint

HBB will notify consumer of their decision in writing about the complaint after completion of the investigation, including offering any solution in accordance with the listed timelines in section 7b of this CHP document.

## 15 Implementation of Agreed Resolution

HBB will fully action the agreed solution with the complainant, within ten working days after agreement unless agreed otherwise; or complainant agreed to do something to facilitate the solution by a certain time, and failed to do so; or it's an urgent complaint.

## 16 Closing a Complaint

The complaint is closed in HBB's complaints system if:

- The complaint is resolved and there is nothing left for HBB to do; or
- Complainant consents; or
- HBB has completed the Unsatisfactory Outcome Procedure in section 17 of this CHP procedure; or
- HBB have completed the Unreasonable Complaint Procedure in section 17 of this CHP procedure; or
- HBB have completed the Lost Contact Procedure in section 23 of this CHP procedure.

## 17 Handling Consumer Requests

a) If consumer:

- Communicates they **are unsatisfactory/dissatisfied with the progress or resolution of complaint**; or
- Unreasonable complaint
- Enquire about the **options to pursue a complaint further**,

HBB Customer Care Officer within 5-working days of receiving either of the above communication will advise the consumer about:

- HBB internal escalation process; and
- Options for external dispute resolution, including the TIO.

b) If consumer:

- Indicates that they would like the **complaint to be given priority or to be escalated**, HBB will within 5-working days of the consumer making such communication, assess the complaint in accordance with the HBB internal prioritisation process or internal escalation process, whichever is relevant.

## 18 Process of Referring Complaint to TIO for external Dispute Resolution

Complainant may escalate their complaint to the TIO after HBB has been given a reasonable opportunity to resolve it.

The TIO can be contacted:

- Through its website at [www.tio.com.au](http://www.tio.com.au)
- By phone on 1800 062 058;
- By writing to PO Box 276, Collins Street West Vic 8007;
- Through the National Relay Service – call on 1800 555 677 then ask for 1800 062 058;
- By faxing a consumer complaint form (see [www.tio.com.au/\\_\\_data/assets/pdf\\_file/0006/9195/TIO-consumercomplaint-form-Feb-2016.pdf](http://www.tio.com.au/__data/assets/pdf_file/0006/9195/TIO-consumercomplaint-form-Feb-2016.pdf)) to 1800 630 614; or by emailing the consumer complaint form to [tio@tio.com.au](mailto:tio@tio.com.au).

## 19 Process of Identifying & Handling Urgent Complaints

HBB Customer care staff will identify and handle complaints meeting urgent definition with urgency as per the timelines listed in section 7 of this CHP procedure. Urgent complaint being defined as:

- (a) where the complaint is made by a consumer who has applied for or has been accepted as being in financial hardship under HBB financial hardship policy and where the subject matter of the complaint can reasonably be presumed to directly contribute to or aggravate the financial hardship of that consumer;
- (b) where disconnection of a service is imminent or has occurred and where due process has not been followed; or
- (c) which involves a priority assistance consumer and the service for which they are receiving priority assistance.

## 20 Process of Identifying & Handling of Ordinary Complaints

HBB Customer care staff will identify and handle investigation of ordinary complaints within timeline listed in section 7 of this CHP process. All other relevant and appropriate sections in this CHP procedure on handling consumer complaints applies for ordinary complaints.

## 21 Internal prioritisation process

Internal prioritisation is done according to the timelines stipulated by the **Standard** accompanied with information provided by complainant at the time of receipt of their complaint.

The prioritisation is as below:

- Urgent complaints have highest priority.
- Complaints involving services to customers with significant health problems, or the care of young children or who are in remote locations or who are old-aged are prioritised next.
- Complaints that are approaching or have exceeded maximum response times are prioritised thereafter.

## 22 Internal escalation process

Complaint will be escalated and managed if:

- Consumer requests escalation using any of the relevant listed contact channels in this CHP procedure
- Internal escalation and management may not accelerate resolution if the complaint is not urgent and its processing is within the permitted maximum response time/s.
- A complaint will be automatically escalated if:
  - a maximum response time has been exceeded.
  - it becomes urgent; or
  - Consumer notifies HBB of another factor that increases the seriousness of consumer's resolution.

Each escalated complaint will be referred to a more senior Customer Care officer, who will:

- Assess the reason/s for the escalation and the best way to respond, and
- Direct action(s) accordingly.

## 23 Lost Contact Procedure

If HBB customer care officer cannot successfully contact consumer to discuss their complaint or offer a solution, he/she will write to consumer:

- Advising HBB couldn't contact them.
- Detailing 's contact attempts; and
- Inviting the consumer to contact HBB to discuss the 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, if we still do not hear from complainant then HBB Customer Care Officer will close the complaint making all the relevant notes regarding investigation and attempts to contact complainant.

## 24 Classifying complaints into different categories

HBB Customer Care officer will classify Complaint(s) into any of the relevant highlighted categories below:

- **NBN**
  - Billing & Payment
  - Connection
  - Contracts
  - Credit management
  - Customer service
  - Faults

- Privacy
- Transfer
- **Other internet**
  - Billing & Payment
  - Connection
  - Contracts
  - Credit management
  - Customer service
  - Faults
  - Privacy
  - Transfer
- **Landline**
  - Billing & Payment
  - Connection
  - Contracts
  - Credit management
  - Customer service
  - Faults
  - Privacy
  - Transfer
  - Mobile
  - Billing & Payment
  - Connection
  - Contracts
  - Credit management
  - Customer service
  - Faults
  - Privacy
  - Transfer

If at any stage of the investigation, the Customer Care Officer recognises that a complaint should be classified by reference to alternative or additional categories, they will amend the classification accordingly and make a note of the amendment/s and reasons as part of record keeping and good documentation practice.

## 25 Restriction on legal proceedings

HBB will not commence legal proceedings against consumer that has the same subject matter as the complaint:

- While a complaint is being handled internally and for 7-working days after a consumer is advised of the outcome of their complaint;  
or
- While a complaint is being investigated by TIO.

## 26 Charges for use of HBB Complaints Handling Process

HBB's Complaints Handling Process is free of charge for consumers to access and use.

## 27 Limit on cancelling service

HBB will not cancel consumer's service for the following reasons:

- Consumer makes a complaint
- Consumer was not able to resolve it directly with HBB
- Consumer pursue external dispute resolution

## 28 Credit management action suspended

HBB will not take credit management action over a disputed amount if consumer has made a complaint and HBB knows:

- it has not been resolved to consumer's satisfaction; and
- it is being investigated by HBB or the TIO or some other recognised third party.

## 29 External dispute resolution

The following external dispute resolution bodies may be able to assist with consumer's complaint, but may require consumer to first attempt to resolve it directly with HBB:

- The Telecommunications Industry Ombudsman (**TIO**);
- The Office of Fair Trading in Your State or Territory – visit your State or Territory consumer website.
- For Australian Consumer Law matters, the Australian Consumer and Competition Commission (**ACCC**) – [www.accc.gov.au](http://www.accc.gov.au);
- For Telecommunications Consumer Protections Code matters, the Australian Communications & Media Authority (**ACMA**) – [www.acma.gov.au](http://www.acma.gov.au);
- For privacy issues, the Office of the Australian Information Commissioner (**OAIC**) – [www.oaic.gov.au](http://www.oaic.gov.au).

## 30 Complaints monitoring and analysis

HBB monitors complaint's records to identify systemic issues and problems. HBB takes pride in preventing systemic issues, problems and related complaints from recurring by:

- 1) Classifying and analysing complaints **once every 3-months**, to identify, address and take steps to prevent frequent problems and systemic issues from recurring.



- 2) Reviewing complaint handling process **every 12-months** to:
  - Ensure it is suitable, adequate, effective and efficient.
  - Identify new issues and correct deficiencies that need specific attention, and record any new issues and deficiencies identified in the process.
  - Assess compliance with this industry standard.
  - Identify areas for improvement or those that require change; and evaluate potential changes.
- 3) Take steps to monitor progress of action taken to address problems or issues identified in the above paragraphs (1) and (2) as soon as practicable.
- 4) Record in writing any steps taken.
- 5) Ensure that any significant complaints, problems or issues identified under this section are efficiently and effectively managed and that there are processes for senior management to be notified where appropriate; and
- 6) Ensure processes for implementing the requirements in paragraphs (1) to (5) are set out in writing and made available to personnel responsible for monitoring and analysing complaints and the complaints handling process.

## 31 Complaint Record Keeping

HBB will keep records of complaints, which include:

- The name and contact details of the consumer making the complaint, and their representative where applicable.
- A unique reference number that will ensure HBB can subsequently identify the complaint and its subject matter.
- A description of the nature of the complaint and the issues raised as part of the complaint.
- A description of the resolution proposed by HBB or the consumer, including the date by which the consumer must provide a response in relation to the proposed resolution.
- A description of the results of investigation.
- A description of the HBB's reasons for its proposed resolution.
- The consumer's response to the proposed resolution of the complaint, any reasons given by the consumer, and if they have requested the proposed resolution in writing, that this request has been made.
- A description of the agreed resolution of the complaint, including any associated commitments and the date this is communicated to the consumer.
- The implementation of any required actions; and
- Copies of any correspondence sent by or to the consumer regarding the complaint

## 32 Record Retention

HBB will do the followings regarding complaints handling record:

- Keep all complaint relevant records that are sufficient to demonstrate compliance with all the activities and actions in this CHP procedure for at least two years from the date of creating the record; and
- Make the above records available to the ACMA upon receiving a written request from the ACMA.

### 33 Privacy

At all times, HBB will ensure that personal information it collects in connection with a complaint is not disclosed to a third party except:

- As required to manage a complaint to the TIO or the ACMA;
- With the express consent of the consumer; or
- Where disclosure is otherwise required or authorised by law.

### 34 Reasonable assistance

HBB will provide reasonable assistance where:

- It supplies as a first carriage service provider and
- It is involved (directly or indirectly) in the supply of another carriage service (the retail carriage service) by another carriage service provider (a retail carriage service provider) to consumers.
- Is responsible for a network unit; and
- That network unit is used by a retail carriage service provider to supply a retail carriage service, or to supply a carriage service that is involved (directly or indirectly) in the supply of a retail carriage service.
- The retail carriage service provider; and
- Supplies a carriage service that is involved (directly or indirectly) in the supply of the retail carriage service in managing and resolving any complaints received by the retail carriage service provider in relation to their service.

### 35 Requests for reasonable assistance

HBB will promptly upon receiving a complaint within **2-working days**:

- Assess the cause of the issues that are the subject of the complaint, including, if appropriate, by contacting the consumer to determine if any third-party equipment at their premises is causing those issues
- Determine if a first carriage service provider is required to provide reasonable assistance under this Part to manage or resolve the complaint; and
- Ensure that any request for reasonable assistance made under this Part:
  - Is made promptly
  - Includes an explanation of the key issues that are the subject of the complaint and, where possible, its assessment of the cause of those issues and how they can be fixed

- If requested by the first carriage service provider or carrier – describe the steps taken to determine that the first carriage service provider or the carrier is required to provide reasonable assistance to manage and resolve the complaint
- Identifies each of the relevant timeframes that it is required to meet under this industry standard in relation to the complaint
- If appropriate, set out any proposals about how the first carriage service provider or the carrier might provide reasonable assistance to manage and resolve the complaint within the expected timeframes

### **36 Responding to requests for reasonable assistance**

The first identified carriage service provider and carrier must:

- a) Nominate one or more contact persons responsible for the coordination of activities in relation to the provision of reasonable assistance pursuant to this Part;
- b) Notify relevant retail carriage service providers of:
  - an email address,
  - or other method, whereby they can contact a contact person nominated under paragraph (a),
  - or make enquiries about,
  - or request, reasonable assistance pursuant to this Part;
- c) Ensure that the inbox for the email address or other method of contact identified in paragraph (b) is monitored each working day;
- d) Acknowledge the receipt of a request for reasonable assistance;
- e) Advise what the indicative timeframes are for responding to the request
- f) Confirm any proposed resolution as soon as practicable after completing its investigation of the issues set out in the request; and
- g) Ensure that all enquiries and requests for reasonable assistance received by the nominated contact person are responded to as soon as practicable, including taking all reasonable steps to enable the retail carriage service provider to meet the relevant timeframes that apply to that provider under this CHP procedure.

### **37 Reasonable assistance to the TIO**

A first, the identified carriage service provider and the carrier must provide reasonable assistance to the TIO, where the TIO requests assistance to investigate a complaint that relates to the subject matter set out in this CHP procedure.

### **38 Requirement to keep records**

A first, the identified carriage service provider and carrier and a retail carriage service provider must:

- a) keep records that are sufficient to demonstrate compliance with the requirements listed in this CHP procedure

- b) Retain the records required to be kept by this CHP procedure for at least 2-years from the date of creating the record; and
- c) Make those records available to the ACMA upon receiving a written request from the ACMA.

### 39 Transitional arrangements for unresolved complaints

HBB assesses and deals with complaint as a complaint for the purpose of the industry code;

- 1) where:
  - a) Complaint was made by a consumer to a HBB prior to the commencement of this industry standard, and remains unresolved at or after the date of the commencement of this industry standard; and
  - b) An industry code is registered by the ACMA under Part 6 of the **Act** that imposes requirements on carriage service providers regarding the handling of consumer complaints,
- 2) A complaint referred to above paragraph (39 -1a) is dealt with under this standard if at the time that this industry standard is in force there was no industry code of the kind referred to in paragraph (39-1b).