

COMPLAINTS HANDLING POLICY

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About this Document

Note: **Our customers have the right to make complaints.** This document sets out when you can make a complaint and how to monitor the progress of your complaints. We take all complaints seriously and manage them in accordance with our legal obligations. In the event of a valid complaint, where possible we will seek to implement a resolution that both we and the complainant are satisfied with. A proposed resolution must be accepted by the complainant before we are required to implement it.

This policy is prepared for the purposes of the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018* (the "**Standard**") and the *Telecommunications Consumer Protections Code C628:2019* ("**Code**"). In this policy, "**we**", "**our**" and "**us**" are all references to UTelecom Australia Pty. Ltd. ABN 90 163 421 261 of Unit 3/37-39 Little Boundary Road, Laverton North Victoria 3026. This policy only applies to telecommunications goods and services that we supply to you, if you are a consumer of those goods or services for the purposes of the Code. In this policy, a "**business day**" is any day that is not a Saturday, Sunday or public holiday in Western Australia, Australia.

Please contact our Customer Support Team if you require a copy of this policy in a format that meets your disability or language needs. If you need an interpreter, you can contact us by telephone using the [Translating and Interpreting Service](#) by calling 131 450. If you have a hearing or speech impairment, please call us through the [National Relay Service](#).

Our complaints handling process is managed by one or more of our senior managers and our Customer Support Team, who deal directly with customers and are trained to handle customer complaints. This policy was approved by our Chief Executive Officer (or equivalent) on 27 July 2023 and who is responsible for ensuring its implementation and operation in accordance with section 7(2) of the Standard. We will make available all updates and amendment to this policy at www.utelecom.com.au/legal. We will provide a copy of this policy to you, free of charge, upon your request or as soon as practicable after you inform us that you wish to make a complaint.

Complaints that are Dealt with Under This Policy

This policy is designed to deal with expressions of dissatisfaction made to us by customers in relation to:

- our telecommunications services; or
- the complaints handling process itself, where a response or resolution is explicitly or implicitly requested by a customer.

For the avoidance of doubt, calls to request information or support or to report a fault or service difficulty are not classified as complaints unless we are asked to treat the call as a complaint. Complaints also do not include any issue that is the subject of legal action.

Complaint Outcomes

We may respond to complaints by providing a refund, replacement, repair/rework, substitute, technical assistance, information, referral apology or any other appropriate response determined by us, depending on the particular circumstances of the complaint.

We will consider all relevant information relating to a complaint and either escalate it or make a final binding decision which concludes the complaint for the purposes of this policy. Each case will be decided on its merits. If, after careful consideration and appropriate escalation, we dismiss a complaint as frivolous or vexatious, we will inform the complainant of the reasons together with any options for external dispute resolution within 5 business days. If a complainant requests written confirmation of the reasons for our dismissal of their complaint, we will provide the reasons within 5 business days of the request. We are not required to accept further complaints from a person on the same or with respect to any similar issues, except if it is in relation to our external dispute resolution process.

We will identify recurring or systemic problems and prevent recurrence by implementing processes or systems to facilitate such identification, by classifying and analysing complaints, and by addressing areas requiring attention as soon as practical, in accordance with the Standard.

What Does the Standard Require?

The Standard requires carriage service providers to, among other things:

- establish appropriate complaint handling processes that are accessible, transparent and free of charge;
- manage and resolve complaints in an effective and efficient manner in accordance with the minimum requirements for consumer complaints handling;
- identify and record complaints;
- treat customers who make a complaint with fairness and courtesy; and
- classify complaints in accordance with our complaint handling processes.

We comply with all such requirements as they apply to our goods and services.

This policy is not intended to be an exhaustive list of your or our rights and obligations under the Standard. It should be read in conjunction with the Standard. A copy of the Standard can be downloaded from [the Australian Federal Register of Legislation website](#).

How to Make a Complaint

You have the right to make a complaint to us about our goods and services by contacting our Customer Support Team. If you wish to make a complaint, you can contact us by **telephone** or send your complaint by **email, fax or post** or submit it via our **online form**, using the following contact details:

Telephone: 1300 008 835 (Mondays to Fridays (excluding public holidays) during 9:00 AM to 5:00 PM (Australian Eastern Standard Time))

Email: info@utelecom.com.au

Post: UTelecom Australia Pty. Ltd.
Unit 3/37-39 Little Boundary Road
Laverton North VIC 3026

Online: Complaints can be made online, by submitting our online form at www.utelecom.com.au/legal

Authorised Representatives and Advocates and/or Complainants with Special Needs

You can nominate an Authorised Representative and/or Advocate to make and handle your complaint. For more information on how to nominate an Authorised Representative and/or Advocate, please see our Authorised Representatives and Advocates Policy at www.utelecom.com.au/legal. Additionally, we will provide you with assistance to help you formulate, lodge and progress your complaint if you have special needs and/or disabilities, if you come from a non-English speaking background or if you are suffering financial hardship (for more information on financial hardship assistance, please refer to our Financial Hardship Policy at www.utelecom.com.au/legal).

How We Process Complaints

We will assess all complaints for validity and urgency. We will ensure that our staff appointed to manage complaints about our telecommunications goods and services are empowered with the capacity to determine the outcome of any complaint and are trained to address complaints in accordance with this policy. We will use our best efforts to resolve any complaint on first contact, however this may not be possible in every instance.

We will investigate each complaint with an urgency that is commensurate with the seriousness of the complaint, where it is not possible to resolve the complaint to the complainant's satisfaction at first contact or without an investigation.

We handle complaints that you make in the following sequence:

- **Step 1 - Clarify if a person wishes to make a complaint:** In the event that our staff are uncertain if you (and/or your authorised representative and/or advocate) wish to make a complaint or not, our staff are required to clarify

your intentions and the circumstances where you (and/or your authorised representative and/or advocate) have made contact and expressed dissatisfaction with us.

- **Step 2 - Receipt of the complaint:** Complaints can be sent to us when made to our Customer Support team. You should not assume that your complaint has been received by us until it is acknowledged by us in accordance with Step 3. Please let us know if you do not receive an acknowledgement.
- **Step 3 - Acknowledgement of the complaint:** Upon our receipt of your complaint, we will open a file for your complaint. Where your complaint is made by telephone, our staff will acknowledge your complaint during the telephone call. In all other cases we will acknowledge your complaint within 2 business days of our receipt of your complaint.
- **Step 4 - Initial assessment of the complaint:** Following our acknowledgement of your complaint we will carry out an initial assessment and investigation of it to determine if it is urgent or not and formulate a proposed resolution. Our staff will use their best efforts to resolve the complaint on first contact. We will investigate your complaint to the extent commensurate with the seriousness of your complaint, where it is not possible to resolve your complaint to your satisfaction at first contact or without an investigation. If your complaint is determined by us to be an urgent complaint, we will progress to Step 5 and if your complaint is a standard complaint, we will progress to Step 6. Urgent complaints are limited to the following types of complaints:
 - where you have applied for or have been accepted as being in financial hardship under our Financial Hardship Policy and the subject matter of your complaint can reasonably be presumed to directly contribute to or aggravate your financial hardship. Financial hardship may occur if you find yourself in a situation where you are unable to fulfil your financial obligations under your contract with us for our services or to otherwise discharge your financial obligations to us in connection with a telecommunication good or services that you receiving from us under a contract, due to illness, unemployment, being the victim of domestic or family violence, or other reasonable temporary or ongoing cause and you believe that you are able to be in a position to discharge your obligation to pay for the services if the payment arrangements or other arrangements relating to the supply of the service are changed;
 - where disconnection of your service is imminent or has occurred and where due process has not been followed; or
 - where you are a priority assistance consumer and your complaint relates to a service for which you are receiving priority assistance.

Any complaint that is not an urgent complaint as described in this policy, is a standard complaint.

- **Step 5 - Investigation of the complaint - address urgent aspects of the complaint:** After we receive an urgent complaint, we will investigate the complaint and communicate our decision in response to the urgent complaint, provide confirmation of the proposed resolution of the urgent aspects of the complaint, and if accepted by you, we will resolve those urgent aspects of the complaint within 2 business days (if we believe the resolution of the urgent aspects of the complaint can be implemented within that timeframe). If you require us to provide written confirmation of a proposed or actual resolution of any complaint, we will provide written confirmation to you within 5 business days after receiving your request.
- **Step 6 - Investigation of the complaint - propose a resolution (for a standard complaint):** Within 15 business days from the date your complaint is acknowledged by us in accordance with Step 3, we will investigate and communicate our decision in response to the complaint and advise you of the proposed resolution. If you require us to provide written confirmation of the proposed resolution, we will do so within 5 business days after receiving your request. If your complaint relates to alleged billing errors, we will resolve your complaint no later than the end of the billing period immediately following your then current billing period.
- **Step 7 - Notify the complainant if we cannot resolve a standard complaint within 10 business days (or within 2 business days for urgent complaints):** If we do not believe that all necessary action to implement a proposed resolution of a standard complaint can be achieved within 15 business days of you accepting that resolution (or within 2 business days for the urgent aspects of an urgent complaint), we will inform you as soon as practicable within that period of the reasons for the delay, the specific timeframes for resolution, and (only where applicable to urgent complaints) if the anticipated delay is longer than 10 business days or more and is not the result of a notified mass outage. Our notification will set out your options for external dispute resolution including your rights to issue a complaint to the Telecommunications Industry Ombudsman ("**TIO**").
- **Step 8 - Discuss our proposed resolution:** We will discuss any proposals that we have for the resolution of your complaint with you. Our proposed resolution may include providing a refund, replacement, technical assistance, information, referral, apologies or any other appropriate resolution as determined by us, depending on the circumstances of the complaint.

- **Step 9 - Implement the resolution:** We will implement the resolution of a standard complaint within 10 business days of your acceptance of our proposed resolution of the complaint unless: (a) another resolution was otherwise agreed by you and us; (b) the proposed resolution was contingent on your actions which you have not completed; or (c) your complaint is an urgent complaint and you have accepted our proposed resolution. For the avoidance of doubt, we will implement critical aspects of an urgent complaint within 2 business days of our proposed resolution being accepted (unless we believe the resolution of the urgent aspects cannot be implemented within that timeframe). We will provide confirmation to you that your complaint has been resolved as soon as practicable after we complete our investigation of your complaint and implement the resolution. If you require us to provide written confirmation of that resolution, we will do so within 5 business days after receiving your request.
- **Step 10 - Closing of the complaint:** After the above steps are carried out, your complaint will be closed (unless it is escalated, in which case it will be subject to dispute resolution or is referred to the TIO). We will only close standard complaints or urgent complaints with your consent, or where we reasonably conclude after careful consideration and appropriate internal escalation that we do not wish to deal with, or deal further with, the complaint because we can do nothing more to resolve it, or where the complaint is frivolous or vexatious. We may also close a complaint if we are unable to contact you to discuss it with you or to advise you of our proposed resolution of it and we have written to you advising that: (a) we were unable to contact you; (b) we provide details of all attempts by our staff to contact you (and/or your authorised representative or advocate); and (c) we provide an invitation for you (and/or your authorised representative or advocate) to contact us to discuss your complaint within a timeframe of not less than 10 business days from the date of that invitation.

Escalation of Complaints

If you communicate to us that you are dissatisfied with the response times that apply to the handling or management of your complaint, with the progress or resolution of your complaint, or wish to enquire about your options to pursue your complaint further or that you reasonably would like your complaint to be treated as an urgent complaint, you can request that we do so and escalate your complaint by sending an email to info@utelecom.com.au.

If you are dissatisfied with the response times applied to your complaint, with the progress or resolution of your complaint or wish to enquire about your options to pursue your complaint further, we will within 5 business days after receipt of your request, advise you about our internal prioritisation process, internal escalation processes and options for external dispute resolution, including the option to refer the matter to the TIO.

If you reasonably request that we address your complaint as an urgent complaint, we will within 2 business days after receipt of your request, advise you about our internal prioritisation process, internal escalation processes and options for external dispute resolution.

Any issue can be escalated internally by the member of our staff assigned to deal with your complaint. This will be done if our staff member feels that further resources are reasonably required to resolve your complaint in a timely manner in accordance with this policy and the Standard.

If you request escalation of your complaint, the assigned member of our staff will listen closely to your concerns and record them in the form of a log. If the request to escalate is reasonable, we will escalate it as follows:

1. Your complaint will be assigned a higher priority.
2. Where reasonably necessary, your complaint will be escalated again by us assigning further resources to the complaint in an attempt to shorten the resolution time.
3. Where reasonably necessary, your complaint will be escalated to senior management.

Dispute Resolution Procedure

If you wish to dispute our handling of a complaint, you may engage our complaint Dispute Resolution Process by sending an email to info@utelecom.com.au. We will promptly arrange a phone call or meeting (as determined by us) between you and one of our senior management to discuss the handling of your complaint. During the phone call, either party may be legally represented. Either party may provide written submissions about its position in advance of the phone call or meeting. The dispute will not be resolved until and unless a written agreement is executed by you and us confirming the conclusion of the dispute.

Referral of Your Complaint to the TIO

You may escalate complaints to the TIO. Although you can refer your complaint to the TIO at any time, we invite you to contact us in the first instance to discuss any issues that you may have with how we are handling your complaint. The contact details for the TIO are as follows:

Post: PO Box 276, Collins Street West VIC 8007

Telephone: 1800 062 058 for enquiries and complaints (open from 8.00am to 5.30pm Monday to Friday, Australian Eastern Standard Time)

National Relay Service: Call on 1300 555 727 then ask for 1800 062 058

Fax: 1800 630 614

Email: tio@tio.com.au

Online Complaints: <https://www.tio.com.au/making-a-complaint>

Further details about the TIO are available on their website at www.tio.com.au

We will not commence legal proceedings against you with respect to the same subject matter as your complaint when your complaint is being handled internally and for 7 business days after you are advised of the outcome of your complaint or while your complaint is being investigated by the TIO.

Your Rights During the Complaints Process

During the investigation of your complaint, we will keep you advised of timeframe delays and the progress of your complaint. You may telephone us on business days during our business hours to enquire on the progress of your complaints or to contact our Complaints Handling Representative via the contact details set out above. There will be no charge imposed to manage your complaint. We will not cancel your services for the sole reason that you made a complaint or that you were unable to resolve your complaint directly with us and pursued options for external dispute resolution.

Confidentiality of Complaints

We will comply with the requirements of the *Privacy Act 1988* (Cth) and any other applicable law in relation to any personal information that we collect in connection with your complaint.

Our Commitment to Efficient, Fair and Courteous Resolution of Complaints

We are committed to the efficient, fair and courteous resolution of complaints. Accordingly, we will:

- acknowledge all complaints and will use our best efforts to resolve all complaints on first contact;
- implement a process for the identification and management of urgent complaints;
- recognize the need for fairness and transparency for all parties involved in a complaint;
- provide appropriate resolutions for complaints including by ensuring relevant staff are aware of the potential remedies available to resolve a complaint, tailoring remedies offered to address the root cause of any complaints and the individual circumstances of the customer (and where complaints are indicative of wider problems or issues - by addressing the root cause), and resolving billing errors in current bills;
- ensure that where your complaint is indicative of a broader problem or systemic issue, we seek to resolve the main cause of that problem or issue;
- provide appropriate and systematic record keeping of complaints and their outcomes for at least 2 years from the date of creating the record, including those resolved at first contact and make those records available to the Australian Communications and Media Authority upon request;
- keep systemic records of complaints including records of the complainant or the complainant's authorised representative's name and contact details, unique reference number for complaints, description of the nature and issues raised in the complaints, description of proposed resolutions by the complainant or us (including any reasons and dates which the proposal is communicated to the complainant), due date for responses, description of the results of any investigations, implementation of any required actions, copies of all correspondence sent to or by the complainant regarding the complaint and the complainant's response to the proposed resolution

(including any reasons) and any complainant requests, escalation requests, referral requests, complaint enquiries or communication of dissatisfaction;

- record, action and monitor undertakings made to resolve complaints;
- advise complainants of any delays to promised timeframes for the resolution of complaints;
- provide a means for the monitoring of the progress of complaints;
- escalate complaints under our internal escalation process if requested by a complainant;
- advise you of the resolution of your complaints as soon as practicable after we complete our investigation of them;
- only close complaints in accordance with the Standard;
- classify and analyse complaints a minimum of once every six months to identify, address and take steps to prevent frequent problems and systemic issues from recurring;
- review our complaint handling process every 12 months to ensure it is suitable, adequate, effective and efficient, to identify new issues and correct deficiencies that need specific attention, and record any new issues and deficiencies identified, assess our compliance with the Standard, and to identify areas for improvement or that require change and evaluate potential changes;
- record in writing any steps taken to address, classify and analyse complaints and record measures to be taken following our review of our complaint handling process;
- 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;
- monitor the progress of any actions set out in the above dot points;
- provide written confirmation of resolutions in accordance with the Standard;
- make this policy available to our personnel and any updates to it, in addition to any processes implemented as a result of the above measures taken by us; and
- otherwise comply with the Standard in relation to complaints.