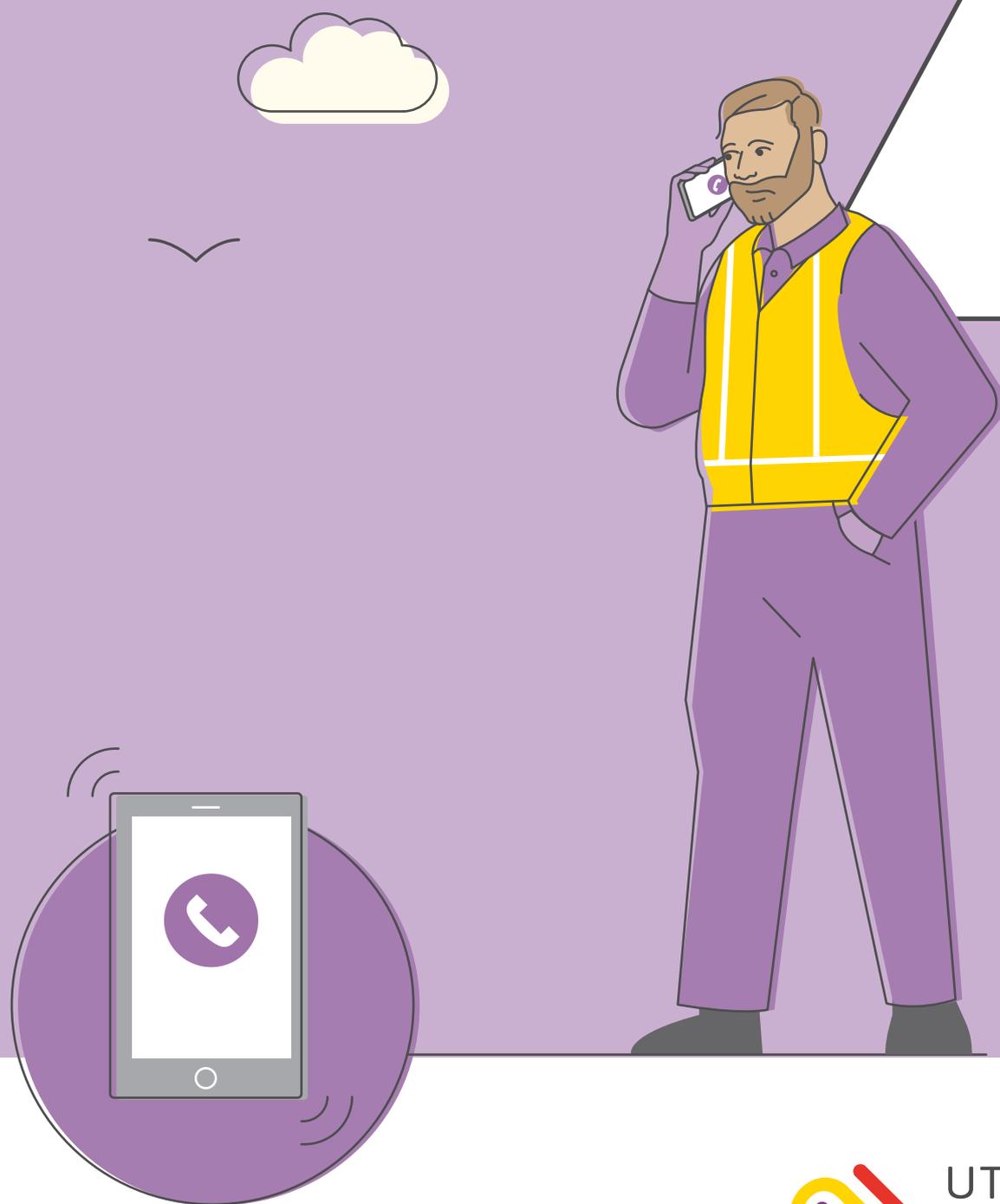


Utilities Disputes' Customer Service Code for the Telecommunications Complaints Scheme



April 2023



UTILITIES
DISPUTES
TAUTOHETOHE
WHAIPAINGA

Purpose of the Code

1. This Code confirms the standards of customer service telecommunications providers (Providers) will follow when engaging with telecommunications customers (Customers), providing telecommunication services and handling their complaints.

Application of the Code

2. This Code applies to Providers who are members of Tautohetohe Whaipanga: Utilities Disputes Limited's (UDL) Telecommunications Complaints Scheme.

Complaints

3. Customers can complain to UDL if they believe a Provider has failed to follow the provisions of this Code and the Provider is a member of UDL's Telecommunications Complaints Scheme. The complaint will be managed in accordance with UDL's Telecommunications Complaints Scheme General and Scheme Rules (the Rules).

Customer Care

4. Providers will publish a Customer Care Policy confirming how they will:
 - 4.1. Engage with customers in a respectful, collaborative and constructive way;
 - 4.2. Communicate with customers in a timely and clear manner;
 - 4.3. Work with customers who are experiencing hardship and link them to support agencies that may be able to assist them;
 - 4.4. Manage any accumulated debt and the impact this may affect the services they provide;
 - 4.5. Comply with any obligation to identify and register Vulnerable End Users¹;
 - 4.6. Outline their processes for handling complaints;
 - 4.7. Assist customers to identify and select a product and pricing plan that best suits their needs and budget and provide clear reasons for any decision to decline the provision of services;
 - 4.8. Identify, manage and respond to faults and outages; and
 - 4.9. Confirm their processes for handling complaints including what they expect of Customers when engaging with them and making complaint.

Customer Service

5. When engaging with Customers, Providers will:

¹ This relates to complaints under the 111 Code and/or Copper Withdrawal schemes relating to Vulnerable End Users. Those complaints must be made to the Telecommunications Dispute Resolution Scheme.

- 5.1.** Treat them with respect and courtesy;
- 5.2.** Provide clear and accessible Terms and Conditions setting out the basis on which they provide their services, any limitations that may apply and the implications of these for the Customer.
- 5.3** Inform them of any changes to their Terms and Conditions as they arise;
- 5.4** Confirm in a clear and accessible way the charges the Customer will incur for the services they provide, the credit management process and the basis on which they may charge any additional fees;
- 5.5.** Confirm the terms relating to the termination of the contract by either the Customer or the Provider and any termination or other relevant fees that may apply;
- 5.6.** Provide appropriate information to inform customers about any relevant conditions relating to network coverage, broadband congestion and speed;
- 5.7.** Confirm their process for identifying, responding to and addressing faults and outages;
- 5.8.** Provide appropriate channels for Customers to engage with them, including verbal, email, online and written communication channels;
- 5.9.** Respond to inquiries, requests and communications from Customers in an appropriate and timely manner;
- 5.10.** Inform Customers of their right to complain at any time and the available channels for doing so, including referring a complaint to UDL, in accordance with UDL's Telecommunications Complaints Scheme General and Scheme Rules;
- 5.11.** Manage Customer complaints referred to UDL in accordance with the Telecommunications Complaints Scheme General and Scheme Rules;
- 5.12.** Manage the Customer's information and protect their privacy in accordance with the obligations including the Privacy Act 2020, the Telecommunications Information Privacy Code 2020 and any other relevant legislation; and
- 5.13.** Comply with any relevant obligations under the Telecommunications Act 2001, and any other relevant legislation relating to the sale, delivery and provision of telecommunications services².

Advertising and Marketing

- 6.** Marketing materials should:
 - 6.1.** Use plain language;
 - 6.2.** Be accurate and have a factual basis; and
 - 6.3.** Not be likely to mislead, deceive or confuse.
- 7.** Information available to a customer or potential customer before purchase should enable them to make an informed decision about any product or equipment. An informed decision is one that includes the ability to assess the product or equipment's affordability, features, and advantages or disadvantages over similar products and suitability, including for a potential Vulnerable End User.
- 8.** Information provided to a customer or potential customer may vary for each product or

² UDL can only consider complaints that are within the jurisdiction of UDL's Telecommunications Complaints Scheme

piece of equipment but should include (but not be limited to):

- 8.1. the duration of the plan and any minimum term;
- 8.2. the application and duration of any discount(s) or fees, including any notice period of termination fee that may apply;
- 8.3. any reward and/or penalties that may apply;
- 8.4. the minimum cost the customer will be required to pay per month;
- 8.5. the minimum cost the customer over a 12- and 24-month period;
- 8.6. any setup, additional costs (one off or recurring) or fair use policy that may apply;
- 8.7. the cost of any additional products required for the product or equipment e.g., modems and handsets;
- 8.8. any inclusions/exclusions ;
- 8.9. how any bundled pricing will be applied;
- 8.10. network coverage e.g., for internet and mobile services; and
- 8.11. broadband congestion or speed, inclusive of variations (e.g., after an allowance is met).

General

9. This Code may be amended from time to time by agreement between UDL and Providers.
10. This Code is not intended to cover every possible scenario or situation that may arise in relation to the provision of telecommunication services and Providers are expected to use their judgment and act in a fair and reasonable way when engaging with and providing services to customers, taking into account the specific circumstances of the case.

UDL's Telecommunications Complaints Scheme is a private scheme and is not an Industry Dispute Resolution Scheme under Part 7 of the Telecommunications Act 2001. It does not consider complaints about Industry Retail Service Quality Codes or Commerce Commission Codes. UDL and its Telecommunications Complaints Scheme has no association with the New Zealand Telecommunications Forum Incorporated (TCF) or Telecommunications Dispute Resolution Forum. UDL does not consider telecommunications complaints about TCF members.

Get in touch

Our service is free, independent, and fair



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