

## **Telstra Comments to Communications Alliance**

### **Review of Telecommunications Consumer Protection [TCP] Code.**

Telstra is firmly committed to ensuring that the telecommunications co-regulatory framework operates effectively for both consumers and suppliers alike.

Telstra has been a very active participant in the Communication Alliance [CA] processes that pre-ceded the CA issue paper, particularly the first Stakeholder meeting held on the 21 May 2010.

Telstra will continue this work as one of the two nominated Industry participants on the CA Steering Group charged with managing the TCP Code review.

At a formal level, Telstra is supportive of the Steering Committee making a specific recommendation to revise and change the existing Code and associated Guideline.

Customer Service is fundamental to everything we do at Telstra. We see customer service as a differentiator in a competitive market and industry arrangements should encourage providers to compete on the basis of service.

Telstra acknowledges the positive contributions made by the ACMA, ACCC and ACCAN as per their submissions attached to the CA Issues paper and believes, at a minimum, that the TCP Code review must address the substantive issues raised by those organisations.

Telstra believes that the TCP Code review must also take into account the possible consequences and impacts arising from: -

- New provisions of the Australian Consumer Law (Tranche 1) on unfair terms in standard form consumer contracts,
- The proposed ACMA's Public Inquiry into Complaint Handling Processes in the Telecommunications Industry,

From a Telstra perspective, the review should also seek to address the following issues: -

- Ensure that the co-regulatory approach provides consumers with the confidence of an effective safety net.

- A simplification of customer care and complaint handling Code rules that can be strongly promoted by Industry to drive improved customer service performance.
- Ensuring that Code rules relating to advertising and promotion of products and services are simplified and focussed on Industry wide outcomes that deliver clarity and accuracy for consumers.
- Recognise that consumers have a right to expect an acceptable minimum level of service, and providers are in the best place to decide how that is delivered.
- The development of Code reference material that can be easily used by consumers to better understand the key elements of the Code and importantly their rights and obligations contained in the Code.
- A robust Code performance monitoring approach for Industry that uses, in a more effective way, TIO complaint data as part of structured root-cause analysis framework for the TCP Code.
- An effective and efficient Code Enforcement framework that delivers long term benefits to both Consumers and Industry.

Telstra notes that the Issues paper also indicates that CA is considering the incorporation of the Mobile Premium Services [MPS] Code into the TCP Code.

Whilst not strongly opposed to this cause of action, Telstra notes that CA already has the MPS Code out for public review and therefore we believe that any decision regarding merging the two Codes should be deferred until the results of the MPS Code review are known.

Telstra believes that the TCP Code review is an important element of ensuring that customers can obtain the benefits of an Industry that is competing vigorously on service, complaint handling and overall customer care.

Telstra believes that a successful review of the TCP Code will only be achieved all stakeholders working co-operatively together to ensure that a revised and improved Telecommunications Consumer Protection Code, supported by plain English customer information and driven by a robust Code compliance and enforcement framework is finalised as quickly as practicable.