



TELECOMMUNICATIONS
DISPUTE
RESOLUTION

Telecommunications Dispute Resolution

1 July 2019 - 30 June 2020

Annual Report




FairWay
Lead • Resolve • Agree

Tā te Hinengaro
Tōkeke Whakatau

About Telecommunications Dispute Resolution (TDR)

With nearly every adult in Aotearoa having at least one telecommunications connection or device, access to and availability of an independent dispute resolution pathway is paramount. Telecommunications Dispute Resolution (TDR) is here to help when New Zealanders have a complaint about their mobiles, home phones or internet.

In most cases, telecommunications companies will work directly with their customers to remedy issues or problems when they occur. But for those other unresolved cases, it is OK to ask for help. TDR is independent, free and here to help.

In the past year alone, TDR has assisted 2812 people. TDR has been resolving telecommunications complaints since 2007 when it was established by the New Zealand Telecommunications Forum (TCF), whose members represent the majority of telecommunications providers in New Zealand (servicing over 95% of telecommunications consumers). TDR membership is mandatory for TCF members and voluntary for other telecommunications providers, and most telecommunications customers in New Zealand are covered by the scheme.

The TDR members pay a levy which is used to run TDR, and the Customer Complaints Code sets out the rules for TDR members.

The TDR service is entirely independent of its members. TDR is managed and operated independently by FairWay Resolution Limited, a specialist conflict management and dispute resolution organisation. The TDR team includes experienced and dedicated Resolution Coordinators and Resolution Practitioners who assist with telecommunications enquiries and resolve complaints.

TDR is overseen by a council who provide guidance and governance. The Terms of Reference sets out that the Telecommunications Dispute Resolution Council consists of four industry representatives and four consumer representatives, including one representative appointed by the Minister of Consumer Affairs.

If you have a telecommunications problem and you are not sure where to turn, get in touch TDR. Whether it's a billing issue, customer service complaint or something else, talk to the TDR team. We're here to help.



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TDR Council Chair Foreword

The year 2020 will always be remembered for a virus that swept the world, leaving hundreds of thousands of fatalities and a sudden awareness of how vulnerable we are.

The devastation that COVID-19 brought will be felt for many years, especially with the realisation that the disease spread quickly through seemingly unstoppable international travel and trade.

The pandemic brought a series of challenges to the way we communicate, gather and work in a way that has not been evident before.

Filling the void left by lockdowns and quarantine, telecommunications came to the fore as the glue that has held it all together – in business and social interaction.

In quick time we learned about the value of keeping in touch through technology – whether it was by Zoom meetings, teleconference calls or social media services such as WhatsApp, Messenger, Skype and a lot more.

If anything the phone and the internet became even more valuable as a means to keep in touch and our leading providers came to consumers' assistance by extending or removing limits on data use at no extra charge.

What was notable about the lockdown era was the reduction in the number of queries and issues for the Telecommunications Disputes Resolution scheme.

I like to think that during that period the telcos worked even harder to provide strong customer service, leading to fewer problems.

It was another stellar year for the TDR scheme which is provided at no cost to consumers and which all the major telecommunications companies are signed up to.

The focus of TDR is to help telecommunications companies and their customers resolve disputes. This includes ensuring companies provide customers with clear, unambiguous, and consistent messages; and treat customers fairly.

TDR is a highly important and essential avenue to protect consumers and build confidence in an industry that continues to undergo massive, rapid change.

This was highlighted by recent legislation that established a regulatory framework for fibre fixed line access services, removed unnecessary copper fixed line access service regulation, streamlined regulatory processes and provided

more regulatory oversight of retail service quality.

TDR is an easy to access, effective way for consumers to seek resolution and redress to complaints not settled in initial discussions with a telecommunications provider.

The results outlined in this TDR annual report reflect another successful year where the service's objectives are being met and there are greater efforts being made to raise awareness of the service.

When the TDR service first started, the disputes it handled were mainly related to problems with services over copper lines and billing. Today, while billing issues continue to feature, TDR is dealing with wide-ranging disputes involving new technologies.

We are looking forward to 2021 when the Commerce Commission undertakes a full review of the TDR scheme as indicated by recent legislation.

TDR is administered and supported by FairWay Resolution Limited, an independent company that has a strong track record of dispute resolution in many sectors.

FairWay not only has excellent relationships with telecommunications companies it also has a strong link with the Commerce Commission and a range of not-for-profit community organisations, Consumer New Zealand and the Telecommunications User Association of New Zealand.

I thank all the stakeholders including the Minister for Communications, the Commerce Commission, telecommunications companies, their industry body TCF and FairWay for their ongoing support of the TDR scheme.



Paul Elenio

TDR Council Chair



TDR Director's report

Welcome to our Annual Report for 2019-20.

In 2020 telecommunications played a bigger role in lives than ever before. With the COVID-19 pandemic and resulting lockdown periods, we heavily relied on our phones to connect, work and play. Our children took to online learning. We created home offices, using broadband services to work from the kitchen table. We used online meeting platforms to organise social activities like quizzes or family videocalls. We streamed everything from movies to gym classes to keep us entertained in our bubbles. Even before the pandemic, we adopted new digital ways of doing things. Thinking back to the latter part of 2019, many households streamed Rugby World Cup games online. Now, more than ever, we depend on telecommunication services.

When things go wrong, you expect someone to set them right. TDR is here if you can't resolve a matter directly with your telecommunications provider. Our service is free and independent; and it's OK to call, even if it's just to check an issue or ask a question. Even during lockdown periods, we can assist. The FairWay and TDR team began working from home and operating our services through a virtual office. Even at Alert Level 4, the TDR facilitated and resolved complaints online.

While New Zealand has relied heavily on telecommunications over the past 12 months, the great news is that we haven't seen a significant increase in complaints. Despite the increased digital demand, we received just under 13% more enquiries and complaints compared to last year. Of those 98% (2752) were resolved or closed in our early stages, often after just a single phone call to TDR. A major factor is that TDR's people know exactly who to talk to at the telecommunications company to get an issue sorted, or can provide the right information to the customer then and there so they can address it themselves.

Of those remaining 2% of complaints and enquiries, TDR helped sort things out. Our expert facilitators and mediators assisted 33 people (1%) to resolve matters collaboratively and made a decision on the remaining 27 matters (1%) that could not be resolved mutually.

Customers who get in touch with TDR can rest assured that they will be in safe hands. 89% of overall complainants were very satisfied or satisfied with their TDR experience. 91% of our customer survey respondents strongly agreed or agreed that TDR staff are friendly and courteous.

We received overwhelmingly positive feedback through our

regular customer surveys, and this shows the value in giving people the chance to be heard and get some help.

Billing remains the top complaint theme with 958 matters resolved, as it has year for year since 2007. However, customer service has jumped to a very closed second with 899 matters resolved this year. The main customer service complaint driver has been a failure to action requests, with customers having to ask multiple times. TDR has noticed this trend develop over the past 18 months or so. We'll be raising this trend in our focus groups with TDR members. We will also be reviewing the way in which we capture information so we can better understand what the drivers behind emerging trends are.

After amendments to the Telecommunications Act in 2019, several new codes have been drafted by the Commerce Commission. TDR has been involved in workshops as part of their development and has provided submissions on the, 111 Contact Code and Copper Withdrawal Code. We anticipate these changes coming into effect in the 2020/21 financial year, which means telecommunications customers will be able to come to TDR if they encounter issues related to these areas.

What else can you expect from TDR in the coming year? One big change for TDR will be in its leadership. I have been proud to lead this service for the past two years and am delighted to hand over the reins to my colleague Jeanie Robinson. Jeanie is well known to the TDR team for her strong focus on quality and customer service, having been a leader at FairWay since 2016. I hope you will join me in welcoming Jeanie into her new role.

While only a small portion of all telecommunications consumers may need our services, it is important that they have access to a free and independent service. New Zealanders can feel reassured that they are not alone, and that TDR can help them resolve their issue much more quickly than they might if they were doing it on their own.

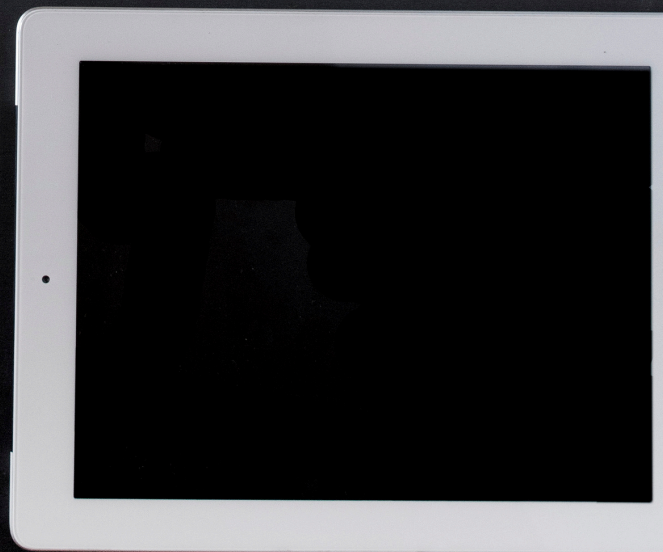


Liz Hogan

Telecommunications Dispute Resolution



The year in review



The year in review

27

decisions
made

2812

people
assisted

89%

satisfied or very
satisfied

+73

net promoter
score

Most complaints and enquiries related to **billing, customer service** and **faults**.
Here are some trends within those categories.

Trend	18-19	19-20	Increase	↑
Failure to keep customer informed	37	111	74	+200.0%
Failure to action request	135	403	268	+198.5%
Failed to action disconnection request	26	77	51	+196.2%
Incorrect or inadequate advice	44	102	58	+131.8%
Account errors	272	385	113	+41.5%

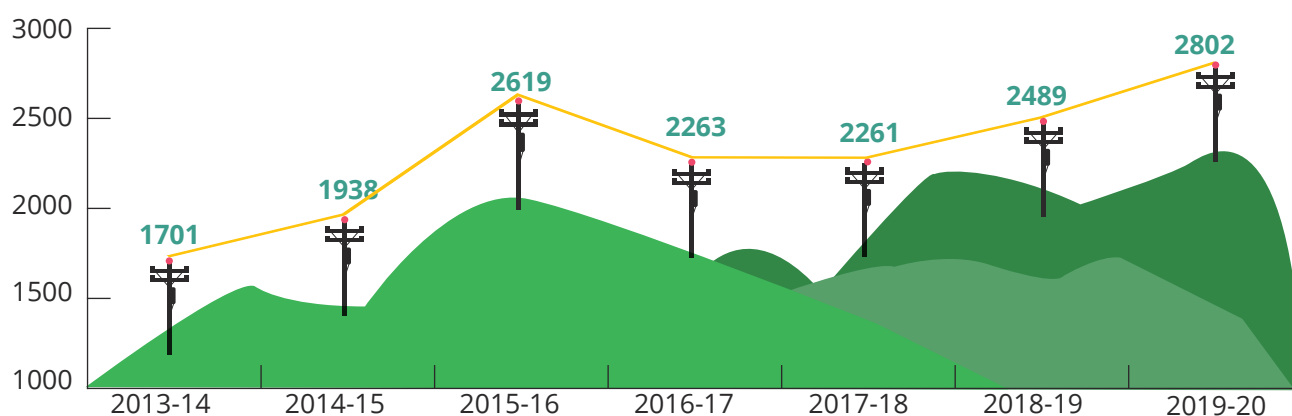
Trend	18-19	19-20	Decrease	↓
Service not working at all	57	24	-33	-57.9%
Advice provided at point of sale	88	38	-50	-56.8%
Customer service approach	263	131	-132	-50.2%
Recurring faults	91	55	-36	-39.6%
Disputed charges	513	447	-66	-12.9%



How TDR dealt with complaints in 2019-20

About the complaints and enquiries received by TDR

Total complaint and enquiry contacts with TDR per year



Total complaint and enquiry contacts with TDR per year by category

This section represents our statistics for complaints about TDR members across all complaints and enquiries received by TDR.

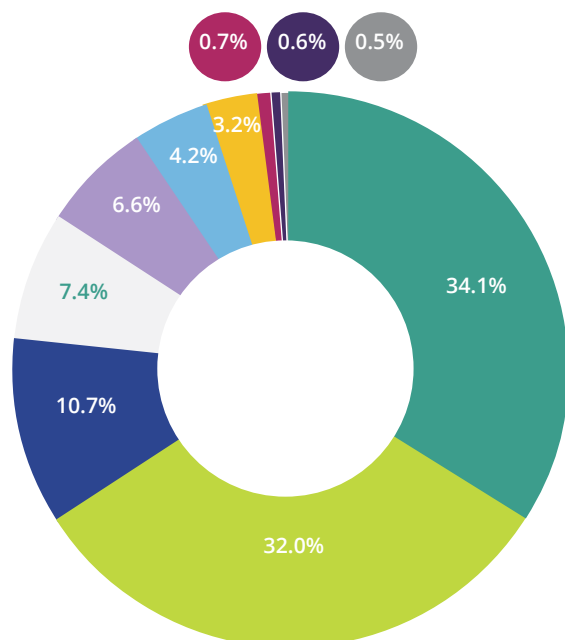
KEY	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Billing	596	650	774	812	931	907	956
Customer Service	250	323	531	317	321	629	899
Faults	339	300	443	331	271	302	301
Contracts	204	295	332	271	230	221	185
Fibre installation	n/a	n/a	78	142	174	84	117
Network Performance	108	128	179	126	89	67	89
Credit Management	74	102	194	137	135	230	204
Transfer*	112	124	114	89	61	26	22
Other*				14	34	15	16
Complaints Handling	18	16	52	23	15	8	13

* Transfer and other have previously been recorded as a single category. It did not split into two categories until 1 July 2016.



About the complaints and enquiries resolved in 2019-20

Our reporting periods are not static, so some complaints or enquiries on hand at year end will carry through to the next period. This means the volume resolved or closed in a period won't be an exact match for the volume received in the same period. In 2019-20, 2812 complaints and enquiries were resolved (10 more than was received).



KEY	#	%
Billing	958	34.1%
Customer Service	899	32.0%
Faults	302	10.7%
Credit Management	209	7.4%
Contracts	186	6.6%
Fibre Installation	118	4.2%

Transfer	21	0.7%
Other	17	0.6%
Complaints Handling	13	0.5%

Note: A small number of complaints and enquiries which are initially closed or resolved in the Phase I - Enquiry and registration, are subsequently re-opened by the customer. These re-opened complaints and enquiries are recorded again as new complaints in the Phase II - Investigation and resolution.

Billing continues as the largest component of complaints and enquiries received by TDR this year. Customer Service is a close second, having seen a notable increase of 276 more complaints and enquiries this year.

Here are some examples of themes within these two categories.

Billing

- Disputed charges
- Account error
- Pre-paid mobiles
- Did not receive bill
- Roaming

Customer Service

- Failure to action request
- Approach
- Failure to keep customer informed
- Incorrect or inadequate advice
- Unable to contact provider

Following the release of Australia's Telecommunications Industry Ombudsman (TIO) report "[Impact of COVID-19 on phone and internet complaints](#)", released on the 29th July 2020, TDR investigated our own data between the same time period to see what issues New Zealand customer were having.

Between the 1st March and 30th June 2020, the Australian TIO reported their top 3 issues as:

1. Customers not being able to contact their provider
2. Fault and connection problems being more disruptive to consumers
3. Financial impacts on consumers starting to emerge.

Of the 856 complaints and enquiries TDR received within the same period, the top 3 complaint categories in New Zealand were:

1. Failure to Action Requests
2. Disputed Charges
3. Account Errors

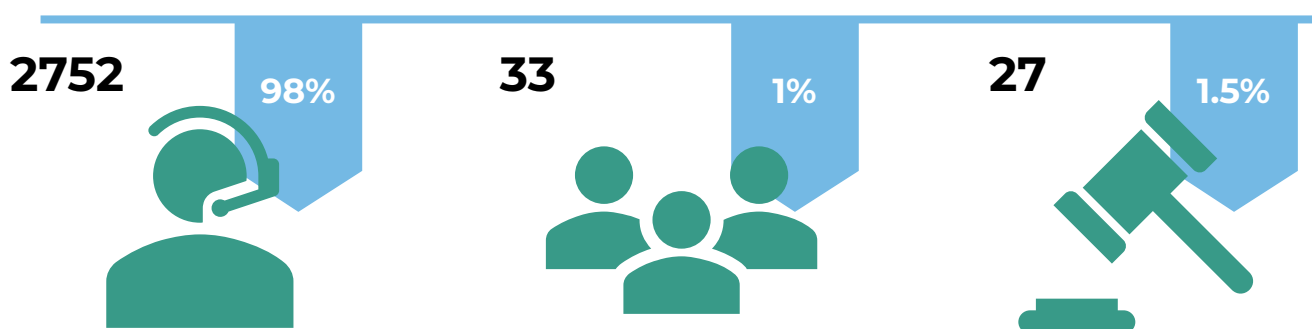
We note the top category for both the TIO and TDR is Customer Service related. The difference seemed to be the in New Zealand being able to contact your provider was not an issue for most customers, however follow through by staff was.



How complaints and enquiries were resolved or closed in 2019-20

This graph shows movement through the process of the 2812 complaints and enquiries resolved or closed in the 2019-20 financial year.

How complaints and enquiries were resolved or closed this financial year



TDR helps you sort it out

Complaints and enquiries were resolved or closed by the telecommunication provider after initial assistance and referral by TDR.

2539	Resolved or closed
94	Non-relevant
69	Withdrawn
50	No Jurisdiction

TDR gets you talking

Complaints were settled collaboratively with help from TDR's facilitators and mediators.

6	Facilitated resolution
27	Resolved all issues at mediation
0	Partially resolved issues at mediation

TDR makes a decision

Decisions were made by TDR on complaints that could not be resolved collaboratively.

3	Upheld
7	Partially upheld
17	Not upheld

This year, TDR formally resolved 60 complaints. 33 were resolved through our collaborative facilitation and mediation process, and in the other 27 cases, they were resolved through TDR's decision-making function.

Outcome	What it means	#	%
Settlement	Complaints were settled by TDR facilitators or mediators, meaning that before TDR had to make a decision, the consumer and their telecommunications provider were able to collaboratively resolve with assistance from TDR.	33	55.0%
Upheld	The TDR adjudicator determined that the complaint was successful, which means that the consumer prevailed.	3	5.0%
Partially upheld	Some aspects of these complaints were successful, which means that the TDR adjudicator found in favour of the consumer on those points.	7	11.7%
Not upheld	The TDR adjudicator determined that the complaint was not successful, which means that the consumer did not prevail.	17	28.3%



TDR complaints process

There's a problem



Let your provider know there's a problem

Contact your telecommunications service provider directly and make your complaint.

Your provider will work with you to find a solution.

Typical issues raised include:

- My plan isn't working the way I thought it would (cost, service, etc.)
- There are charges on my bill I dispute/have questions about
- I raised an issue with my provider and I haven't gotten a response
- There has been an unreasonable/unexplained delay in installing my fibre/internet
- I have a complaint about how my fibre/internet was (or is being) installed.

My complaint is with my provider and we're trying to work it out



Talk to TDR

If you make your complaint directly with your provider, you can still contact TDR. TDR will have a chat with you about how we can help and what you can expect from the process. TDR will ask you questions to help you clarify issues, identify options you want to talk about with your provider, and help you work out what you think will resolve the issue.

TDR does

not step in at this point. This is the chance for you and your provider to work together. Most complaints are resolved at this stage. However, TDR is always here to provide information to both of you and to answer questions. A little help from TDR can often make a big difference.

We need TDR's help to fix this



Collaborate

You and your provider haven't been able to sort out the issue?

Or six weeks has passed since you made your complaint?

Then one of TDR's expert team members will step in and help. If you can't resolve the complaint through mediation, a TDR adjudicator will decide the outcome. The outcome may be that the TDR adjudicator agrees with either all or some of your complaint or does not agree with your complaint. If you accept the outcome, your provider is required to accept it too.

Before TDR steps in, TDR makes sure that your complaint is something it can consider. This is called jurisdiction. Reasons TDR may not be able to help include:

- Your complaint is about a provider who isn't a member of TDR
- Your complaint is valued at more than \$15,000
- Your complaint is about equipment or applications that your provider doesn't support
- Your complaint is about network speeds or coverage.

Outcomes can include things like:

- Written apologies
- Plan changes
- Invoice corrections
- Refunds or account credits
- Withdrawal of accounts from collection.



Business performance





Business performance

Under the Customer Complaints Code, the dispute resolution process consists of two phases.

Phase I - Enquiry and registration

TDR receives an enquiry, and gathers information from the parties in order to determine whether the complaint:

- is relevant (is about a telecommunications member of TDR and their telecommunication service or products)
- had previously been made to the telecommunications member and is at deadlock
- is within the jurisdiction of TDR to consider.

Phase II - Investigation and resolution

If the complaint is within jurisdiction, then a practitioner will work with both the customer and the TDR member to resolve the dispute, but if it cannot be settled in a collaborative way, then the practitioner will issue an adjudicated decision. That decision is binding on the TDR member if accepted by the customer. When a complaint is in "Phase II, the process is managed by a single practitioner.

BUSINESS PERFORMANCE

Effectiveness/Quality	Target %	Achieved %
Jurisdiction checks	80%	99.0%
Enquiry and registration phase	95%	100.0%
Investigation and resolution phase	95%	100.0%
Final determination phase	80%	98.2%

Jurisdiction checks

TDR member replying to TDR within three hours of jurisdiction check.

Investigation and resolution phase

Issuing final determination or mediated agreement within 27 days of receiving summary of dispute.

Enquiry and registration phase

Receiving complaint and completing summary of dispute within 24 business days.

Final determination phase

From issuing final determination to closing dispute within 30 business days.

About jurisdiction

There are certain issues where TDR is unable to assist. These range from when a provider is not a TDR scheme member, the complaint is about a scheme member's pricing or about equipment or software not supported by your provider. 'Determining jurisdiction' is when TDR decides if a complaint is within our ability to assist, or if any exclusions within the Customer Complaints Code apply.

The 5 most common reasons TDR is unable to assist are if:

1. TDR considers that it is not reasonable in the circumstances to proceed with accepting the complaint;
2. The customer's complaint is "general dissatisfaction" not specific to a product, service or event;
3. It relates to the level of charges scheme members choose to set;
4. The complaint is not made within 12 months of the customer's initial discovery of the matter;
5. It relates to broadband congestion or speed, and the connection has not been sold with a Committed Information Rate.



Satisfaction with our service

2017-18	2018-19	2019-20	
+78	+81	+73	TDR maintained a high NPS (net promoter score) of +73. The scale is -100 to +100. Net promoter scores measure the likelihood that someone will recommend TDR.
87	96	89%	of overall complainants were very satisfied or satisfied with their TDR experience.

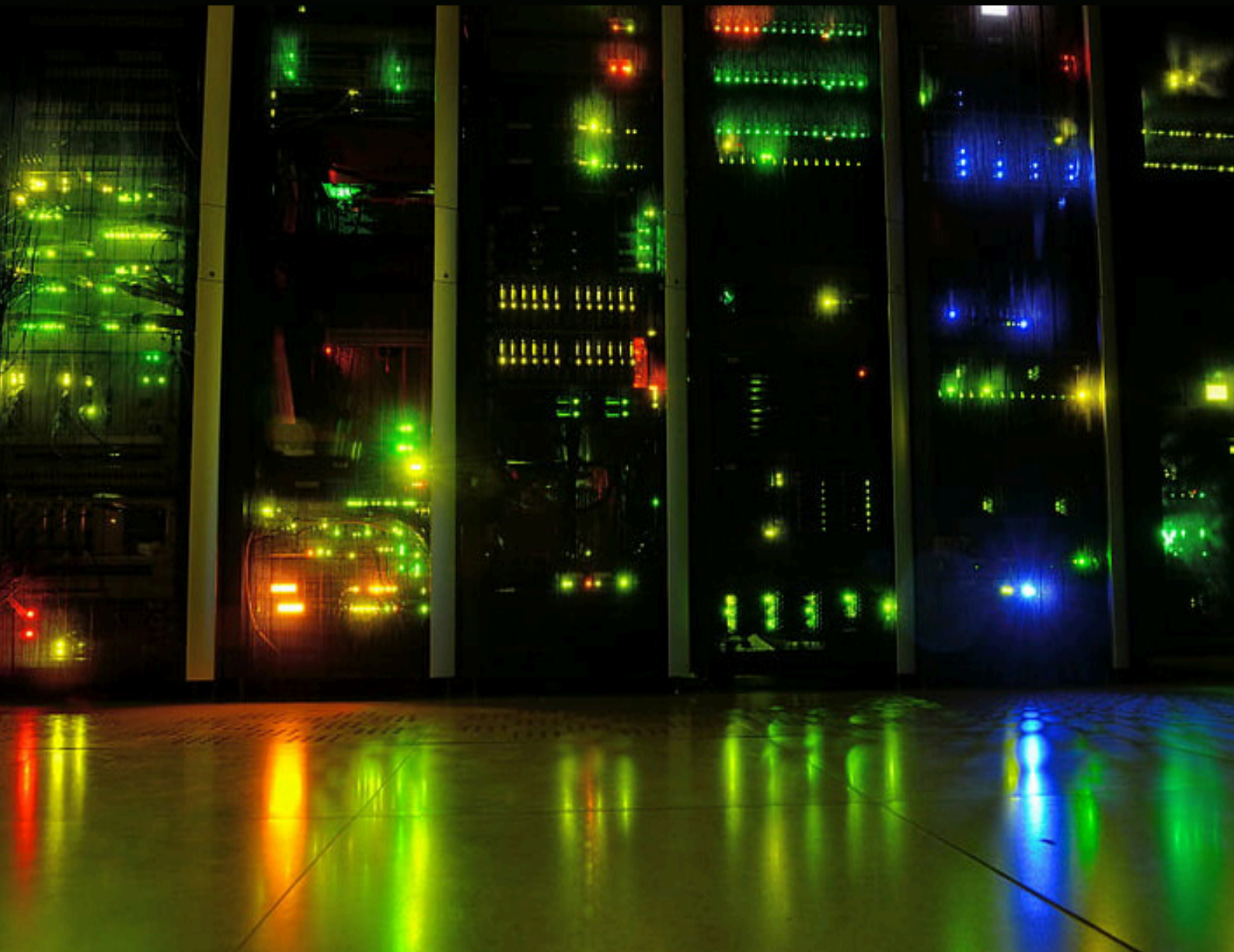
2017-18	2018-19	2019-20	TDR's staff are friendly, understanding and knowledgeable. The listening and empathy skills of our experienced facilitators and practitioners were noted in many comments.
88	91	93%	Of respondents strongly agreed or agreed that TDR staff are friendly and courteous.
88	91	85%	Of respondents strongly agreed or agreed that TDR staff listened and understood their complaint.

2017-18	2018-19	2019-20	TDR's process is fast and efficient. Most commenters shared that once the TDR got involved, they would be told exactly what to expect and issues were resolved quickly.
86	89	82%	Of respondents strongly agreed or agreed that the TDR's process was timely and efficient.

2017-18	2018-19	2019-20	
80	82	76%	Of respondents strongly agreed or agreed that they were kept well-informed about what was going to happen.
79	88	82%	Of respondents strongly agreed or agreed that the TDR facilitators were knowledgeable and provided all of the information that they needed.
89	87	87%	Of respondents strongly agreed or agreed that the process was fair and impartial.



Engagement & awareness





Engagement and awareness

Consumer and community engagement

A highlight from the past year was attending the Waitangi Day festival in Porirua, as it is great to engage firsthand with the community. TDR usually undertakes a significant amount of community engagement and a range of outreach activities. Due to the pandemic, many of the events planned were postponed or cancelled. Where possible, the TDR engaged in alternative means included online or through videos where we could not attend in person. TDR is looking forward to getting back out on the road, engaging with consumers and organisations in 2021.

Meeting with TDR members

We regularly meet with TDR members to better understand what is happening for them. We also provide opportunities for education and shared discussion. This past year, we held bi-monthly operations meetings and five focus groups. Talking to members also helps inform TDR's submissions on proposed legislation and policy.

Public reporting

We release a biannual report for each six-month period of the year. Interest in the reports has grown, and information from the reports has featured in the media, including case studies which represent some of the typical issues that we see at TDR. In 2020, there has been a significant increase in connections driven by lockdown and the resulting increase in working from home arrangements. In the latter half of 2020 the TDR team is reviewing the methodology used to calculate connections and complaints apportioned per 10k connections.

Meeting with other complaint-handling organisations

TDR regularly attends meetings with other complaint bodies to discuss trends and share in skill-building. TDR also meets quarterly with the Commerce Commission to discuss industry trends and what TDR is seeing.

Online engagement

Maintaining a digital presence is increasingly important. One of TDR's focuses has been obtaining a greater level of sustained engagement through our website and social media channels.

More to come

Work is underway on a strategy to increase public awareness of TDR. We have also identified some vulnerable or under-represented consumer groups who we plan to engage with in the coming period.





Feedback

Super-fast response and the results were within 24 hours. Friendly, helpful staff. I am so grateful for your help. (Provider) apologised and gave me a full credit, immediately. All down to you! A huge thank you.

They weren't listening to me at all until you guys stepped in. After that it was resolved relatively quickly... You guys were impeccable.

Quick response. Very helpful advice. Would not have been resolved without their help.

I sent in my complaint on a Friday and it was dealt with on the Monday. I was very impressed after complaining for 10 months without success. TDR certainly worked for me.

I felt that for the first time in weeks I was being listened to. I felt a load had been taken off my shoulders as I was becoming so stressed, unable to eat, sleep and it was affecting me in every way. Thank you so much.

Until TDR, I had been totally frustrated with trying to resolve the issue.

Very prompt communication. The TDR rep contacted the telco and the issue that had been going back and forth for months was rectified immediately.

It was pretty much instant resolution once you guys got involved, following weeks of frustrating and time-consuming emails backwards and forwards with (provider).

I felt like TDR made time to listen and really wanted to help. Unlike my service provider.

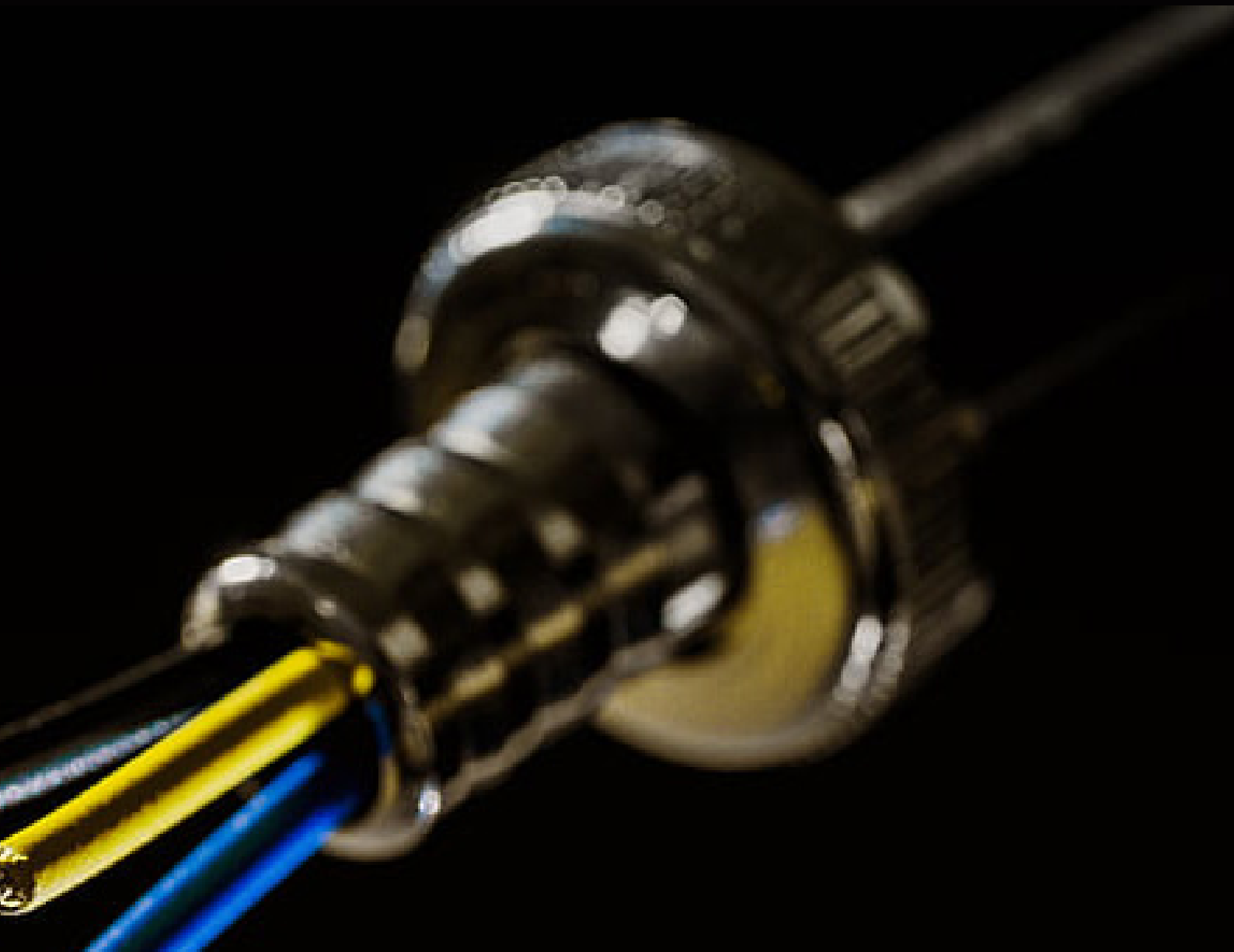
You made them take notice.

The problem was resolved immediately. I wish I contacted you months ago.

The staff at TDR do an awesome job and my complaint was handled very promptly.



**Issues at
a glance**





Overview

In each report, we share some examples of the work we do. The four case studies included in this section broadly represent the trends and themes TDR has seen over the past year.

Those were:

- Upgrading services
- Installing fibre
- Authority to act on an account
- Billing issues.

With the move away from copper services and increased adoption of newer technologies many consumers are upgrading their services. Customers have encountered issues, such as delays or invoicing issues when their accounts have changed. Sometimes there has been an unexpected consequence for the customer, for example they may not be able to port their old phone number across to the new service. In the case study featured here, a pensioner discovered that her current headset was incompatible with her new voice over internet protocol (VoIP) home phone service. 5G is the new big thing in mobile technology, so we predict that 5G will begin to feature in our complaints data over the coming period. As the lines between broadband and mobile services blur, with wireless broadband services available through cellular 4G and 5G networks, it may also be harder to categorise complaints in the near future.

Fibre installation is another topical area, with the nationwide rollout well underway. The Government led Ultra Fibre Broadband (UFB) initiative intends to bring faster internet to 85 per cent of New Zealanders by 2024 and the Rural Broadband Initiative (RBI) is also underway. While the level of complaints is quite small given the vast number of households already on fibre, we do anticipate that we will continue to see fibre installation complaints throughout this migration.

One of the case studies featured details an account holder who was caught out by debt incurred by a friend he had authorised on his account. Account authorities are common, for example a spouse, family member or flat mate might be authorised on an account. However, you might be surprised by what they can do, and our case study demonstrates that sometimes things can go wrong. After noticing this issue occur for a few customers, we shared some guidance on our website. We recommend reviewing your account and asking your provider some questions to ensure you understand what the level of authority people on your account have means.

Common across most complaints are the themes of billing and customer service. Billing tends to feature prominently as most customers expect redress when a product or service is not meeting their expectations. Customer service is another reoccurring theme, especially as many of the complaints TDR sees are the result of unresolved issues with a provider or repeated unsuccessful interactions with the telecommunications provider.





Lockdown letdown

Sally*, a pensioner living by herself, wanted to ensure she was up to date with the latest technology so she could stay in contact with her sons who lived overseas.

She called her provider to upgrade from copper services to fibre. Her provider agreed to upgrade her plan and connection, but then went silent. Sally and her son attempted to make contact over the next two months, but their calls were not returned and emails not answered. Suddenly a new modem arrived with set up instructions for a voice over internet protocol (VoIP) home phone service.

Sally attempted to install the modem but was unable to make the service work on any of her current phone handsets within her house. Sally contacted her provider to troubleshoot but was told she needed to buy a new handset to use VoIP services, and that she could not have multiple phones around the house like on a copper connection. It was also discovered that the modem was faulty and a new one would need to be delivered. This was during COVID-19 lockdown and because her copper connection had been cut off Sally was without a phone. This was extremely distressing to her and her family, so the provider agreed to reconnect the copper connection however this took over a week to action.

Sally complained to her provider about the errors that occurred, as well as additional billing issues that arose because of the failed connection attempt. There was a significant amount of back and forth, but the issue was not resolved and deadlocked by the provider.**

Sally and her son contacted TDR who immediately initiated our formal process. TDR requested formal submissions from both the customer and provider involved and a Resolution Practitioner was assigned to assist the parties resolve this complaint.


It was clear that there had been both customer service and technical failings by the provider for the customer. Additionally, communication had broken down between the parties, with neither side responding to correspondence from each other.

The independent Resolution Practitioner helped get communication back on track, focusing on the issues and potential resolutions. Once the Resolution Practitioner 'cleared the waters' for both parties, a resolution was offered by the provider. Sally and her son countered this offer and it was accepted by the provider, all within two working days of the of the Resolution Practitioner being assigned.

Sally remained with the provider and has since successfully upgraded to a fibre connection.

**Names have been changed to protect our customers' identities.*

*** Deadlock is when a complaint has been raised with a telecommunications company and has come to the end of the company's internal complaints procedure without being resolved, or when it's been six weeks or more since the customer contacted the company and the customer still doesn't have a resolution they are happy with, whichever comes first.*



“ Failed connection affects pensioner during lockdown. ”



I'm the authority

Barry* wanted to change his internet service so he went to see a provider in store. Barry brought his friend Pete along to help him pick which broadband plan he should change to. Pete also assisted in the conversation with the provider's representative. An agreement was reached between Barry and the provider, and they also agreed for Pete to pick up the modem as Barry was going overseas. When Barry returned from his trip, he received a very large and unexpected bill from his provider for a phone, broadband connection and mobile services which had been added to his account. Barry called his provider and was told that Pete, who they advised was added as an authority to the account when the account was set up in store, had made the purchases. Pete had also requested the invoices be sent to his own personal email.

Barry disputed both the charges and that Pete had been added as an authority on his account - saying he had not given Pete the authority to make purchases or changes to his account, only to pick up the modem. The provider advised that Barry must have added Pete as an authority as this was how Pete was able to pick up the modem and subsequently that Barry, being the account holder, was responsible for the charges.

Barry and his provider were unable to work out the differences themselves and the matter was deadlocked.** Barry brought his complaint to TDR who assigned the matter to a Resolution Practitioner.

Both parties requested the matter be adjudicated as they had been unable to resolve the matter and were steadfast in their positions. The Resolution practitioner agreed to adjudicate the matter and accepted further submissions from Barry and his provider. Based on the information provided, TDR's Resolution Practitioner issued a determination.

The Resolution Practitioner summarised that the primary dispute in the case was whether Pete did in fact have Barry's authority to act on the account. They agreed that while it is common practice among New Zealand telco providers to allow an account holder to nominate a person or persons to act on the account, it is up to the provider to prove that they have received that authority and provide that evidence when required. The telco did not provide any record of the communication between the Barry and the provider to note exactly what allocating authority to an account allows. On the basis of the information provided, there was insufficient evidence that supported the provider's claim that Barry had given Pete full authority on the account.

Therefore, the complaint was upheld and the provider was ordered to reverse any charges raised against Barry for the products and services obtained by Pete.

**Names have been changed to protect our customers' identities*

“

***New broadband plan
backfires when his friend
is added as an account
authority.***

”



On the fence

Joshua* arranged for fibre to be installed at his property and replace his copper service.

When the installers arrived, they were unable to find an existing duct that could be used to run the fibre cable. Instead, the cable was pinned along the underside of a fence with the final section ducted underground and run into the house.

Joshua complained as there was an existing underground duct that could have been used to run the entire cable. He noted that a different installer had confirmed the existing duct that could have been used. Joshua was also concerned that the exposed cable was at risk of being damaged by the elements or accidentally.


He was unable to resolve the issue with his telecommunications provider and the local fibre company (LFC) that installed the cable, so Joshua contacted TDR. TDR talked to him about how the installation occurred, his concerns about the exposed cable, and also his experience with both the provider and the LFC about the issue.

A Resolution Practitioner was assigned to the case and mediation was arranged for Joshua, his provider and the LFC. During the mediation, TDR helped the parties to explore the issue, understand their different positions and explore alternatives.

Through these discussions, an agreement was made between Joshua and the LFC. The LFC agreed to meet Joshua at his house and work with him to locate the existing duct. If a useable duct was located, the LFC agreed to reroute the existing cable through that duct at no cost to the customer.

The complaint was resolved and TDR was subsequently advised by the customer that the fibre was successfully installed underground.

*Names have been changed to protect our customers' identities.



***“
Fibre installation issue
and request to run cable
underground.
”***



Incorrect invoice

Putariki* had been a customer of his provider for three years. He noticed his monthly invoice increased, so he called his provider to find out what was going on. He was informed that the term of his fixed contract was over, so some discounts no longer applied. He was told that he would have to agree to a new plan and contract term to receive further discounts. After this conversation, Putariki agreed to an amount of \$62.99 per month for home phone and broadband services. He was advised that everything was confirmed and all he had to do was wait for the new invoice which would show the new price. Unfortunately, the next month's invoice did not match the agreed amount.

Putariki spent the next four weeks contacting his provider advising them that the amount was wrong, and it should be corrected. The representatives he spoke to were unable to confirm that the pricing was wrong and did not understand there was an issue. Putariki was promised that his complaint would be escalated, and he would be called back, but this did not occur. After the constant toing and froing, and receiving another month of incorrect billing, Putariki felt like he was not being heard and decided to submit a complaint through TDR.

Because it had only been four weeks since Putariki had first raised the billing issue with his provider, TDR gathered the complaint details from Putariki and forwarded the information to his provider to respond to. TDR scheme members have up to six weeks to resolve a complaint directly with their customers before a complaint is 'deadlocked' and can enter TDR's formal complaint process. TDR explained the timeframes allowed under the Customer Complaints Code and advised Putariki to expect contact from his provider within five working days.

Two days after receiving the complaint from TDR, the provider contacted Putariki acknowledging that the invoices were incorrect and the customer service he had received was unsatisfactory, noting that Putariki should not have had to contact TDR to resolve the issue.

Putariki was extremely pleased with the quick turnaround from his provider after contacting TDR.

**Names have been changed to protect our customers' identities.*



**“
Early TDR intervention
facilitates good
outcome.
”**



Contact details





Contact details of TDR members

If you have any questions or concerns about your current services and would like to discuss them with your telecommunications provider, or you would like to sign up with one of the companies that belongs to TDR, please see their contact details below.

	2degrees	0800 022 022
	2Talk	09 281 4357
	BigPipe	www.bigpipe.co.nz
	Chorus	0800 600 100
	DTS	0508 387 669
	Enable Networks Limited	0800 4 FIBRE (0800 43 42 73)
	Flip	0800 60 SALES (0800 60 72 53)
	Northpower Fibre	0800 667 847
	NOW	0800 GET NOW (0800 43 86 69)
	Orcon	0800 131 415
	Primo Wireless	0800 123 PRIMO (0800 12 37 74)
	MyRepublic	0508 MYFIBRE (0508 693 4273)
	Sedacom	www.sedacom.co.nz
	Skinny Direct	0800 44 00 11
	Skinny Mobile	0800 4 SKINNY (0800 475 4669)
	Slingshot	0800 892 000
	Spark	0800 800 123
	TNZ Group Ltd	0800 000 860
	Trust Power	0800 878 787
	Ultrafast Fibre	0800 FIBRE LTD (0800 34 27 35)
	Unison Fibre	0800 286 476
	Vector Limited	0800 826 436
	Vocus Communications	0800 895 000
	Vodafone	0800 800 021
	VoIPcloud Wholesale	09 222 4699
	VoIPline Telecommunications	09 222 1000
	Warehouse Mobile	0800 284 800



Who are we





Who we are and what we can do for you

TDR is part of FairWay Resolution Limited, New Zealand's largest specialist conflict management and dispute resolution company.

We know that no two people or situations are the same. Equally, every complaint or dispute is unique. That's why at FairWay we tailor our services to the needs of each and every person. Our role is to assist people in conflict to move forward, and we do that in a personalised and professional way.

There are lots of different ways that FairWay helps people move forward– such as facilitation, mediation, arbitration, adjudication and specialist coaching. Online and in-person, we listen and ensure each person has the chance to be heard before helping them to reach agreement, resolve issues or find closure.

Each day, we work with colleagues, neighbours, families and businesses to prevent and resolve conflict. From the public to private sector, big businesses and small, to communities and individuals, FairWay are here to help.

Our purpose

Leading the prevention and resolution of disputes

Our values



Professionalism	Doing what is <i>tika</i> Providing a high quality service that meets customer expectations and professional standards, ensuring customers have trust in the fairness of our services.
Integrity	Doing what is <i>pono</i> Upholding ethical standards and communicating in an open, honest and transparent way. Always focused on the health and safety of our people and customers.
Collaboration	To do <i>mahi tahi</i> Seeking opportunities to work in teams towards shared objectives, knowledge and success.
Fairness	Doing what is <i>tōkeke</i> Abiding by objective standards, allowing full participation in our processes, and giving all voices an opportunity to be heard.
Empathy	Doing what we do with <i>aroha</i> Acknowledging where people are coming from and identifying their needs by asking, listening and clarifying. Demonstrating respect to one and another and our customers, acknowledging difference, and encouraging diversity.

To find out more, please visit www.fairwayresolution.com or phone our friendly team on 0800 77 44 22



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