



2017/18

Annual Report

About Telecommunications Dispute Resolution (TDR)

TDR is an independent body for the prompt, unbiased resolution of disputes at no cost to the consumer.

TDR was set up by the New Zealand Telecommunications Forum (TCF), whose members provide a service to 95% of New Zealand telecommunications customers.

The Customer Complaints Code sets out the rules for members. The Terms of Reference sets out the governance of the service.

The Telecommunications Dispute Resolution Council oversees the service. The Council consists of four industry representatives and four consumer representatives, including one representative appointed by the Minister of Consumer Affairs.

In July 2007, Dispute Resolution Services Ltd (now FairWay Resolution Limited) was appointed as the agent to set up and manage the TDR service.

FairWay Resolution Limited is an independent, employee-owned company providing specialist conflict management and dispute resolution services. FairWay employs around 100 staff and contracts with around 110 specialist reviewers and dispute resolution practitioners throughout New Zealand. FairWay handles over 16,000 disputes each year of all kinds and levels of complexity, including medical, insurance, financial services, telecommunications, family, local government and construction disputes. FairWay have dispute resolution and conflict management expertise in all parts of the conflict management cycle — prevention, management, resolution and analysis of conflict. FairWay has offices in Auckland, Wellington, Christchurch, and Dunedin.

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TDR Council Chair foreword

The Telecommunications Dispute Resolution service (TDR) remains a highly important and essential avenue to protect consumers and build confidence in an industry that continues to undergo massive, rapid change. New legislation has been making its way through Parliament this year that establishes a regulatory framework for fibre fixed line access services, removes unnecessary copper fixed line access service regulation, streamlines regulatory processes and provides more regulatory oversight of retail service quality.

TDR is an easy to access, free and effective way for consumers to seek resolution and redress to complaints not immediately settled in 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.

Over the year complaint enquiries have remained consistent, having reached a high two years' previous. This greater consumer awareness of the scheme is as a result of promoting it via social media and other engagement with customers. As a result, more consumers know where to get assistance to get their problems addressed and resolved.

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. The Customer Complaints Code, which TDR applies, recognises that the telecommunications industry is fast moving and that technologies change. The service has been agile in adapting to industry and market changes. TDR is also looking at ways that infrastructure providers can be more involved with resolving complaints up

front, when the problem relates to the installation of services, importantly fibre.

TDR is also looking at ways to make it easier for customers and telecommunications providers to resolve complaints through new technology initiatives. It is reaching out to particular customer segments to ensure that they know about the TDR and can access it in ways that work for them.

TDR has also focused on increased, proactive reporting with key government and agency stakeholders, including the Commerce Commission, to demonstrate that New Zealanders have access to quality, independent disputes resolution with their telecommunications providers.

The key role that TDR plays is reflected in the new legislation and I remain confident TDR will continue to deliver a quality dispute resolution service. A successful service such as TDR is reliant on the team directing and administering it. The oversight of the Service is in the hands of my fellow Council members, the industry body, the Telecommunications Forum and FairWay, which is contracted to run the day-to-day operation of the TDR. I thank them for their efforts during the year.



Paul Elenio
TDR Council Chair

Client Director's report

We consumed over 280 million gigabytes of broadband data in New Zealand in June 2018, which on average was 150 gigabytes of data per broadband connection. According to Statistics New Zealand, "this is equivalent to streaming 60 hours of high-definition TV online, or watching all seven seasons of Game of Thrones back to back." Going back only four years to 2014 — when a significant proportion of customers had 20 gigabyte monthly data caps — shows how quickly technology and demand can change.

When things do not go to plan, a consumer complaint can occur. We are here to help. In 2017/18, the Telecommunications Dispute Resolution service (TDR) received 2261 complaint enquiries, which is consistent with the previous year. TDR dealt with 2,269 complaint enquiries from consumers in 2017/18. 97% of the enquiries (2,199), did not result in formal complaints to TDR, up from 94% the previous year. This means that in most of those complaints, the telecommunications provider resolved the issue with the consumer directly. Many consumers reported that just making the enquiry to TDR, which TDR then escalates with the provider, resulted in them in getting their issue resolved quickly.

However, there will always be complaints that need outside assistance through TDR's formal resolution process. Seventy complaints went through TDR's formal process, up from 53 complaints the previous year. Approximately half of those complaints (36) were resolved collaboratively by TDR's mediators and facilitators. The other half (34) were resolved by formal adjudication. Most issues resolved at formal adjudication were about specific terms of consumer contracts.

Consumers continue to value their experience with TDR, which reflects well not only on TDR staff and processes, but the telecommunications providers who respond promptly to the complaint enquiries received by TDR. We maintained a very high net promoter score

(the likelihood that someone would recommend TDR) of +78; a significant increase over the previous year's score of +67, which was also very high.

Awareness and responsiveness to consumers and the industry continues to be a focus for TDR. You'll see in this report some of the strategic social media work TDR has done which has improved the quality of our engagements with consumers; how the 10th anniversary of TDR provided an opportunity for engagement growth and greater consumer awareness; and the other efforts TDR regularly takes to better understand how to better work with consumers and the industry.

A well-functioning telecommunications sector is underpinned by TDR's trusted, independent complaints handling service.

Much like technology, changes to TDR are on the horizon, particularly as a result of proposed amendments to the Telecommunications Act. Whatever the outcome, TDR is ready for whatever comes next.



Jennifer Mahony

Client Director of
Telecommunications Dispute
Resolution

The Year in Review



Billing was the most common type of complaint in 2017-18



TDR celebrated its 10th year of service on 30 November 2017



78+

Net promoter score

Within the complaints enquiries received, there were two significant customer service statistics. Complaints and enquiries related to customer service approach rose by 220%. To put this into context, in 2016-17, TDR received 41 complaints enquiries about this; in 2017-18, TDR received 131. Complaints and enquiries about installation issues (including both broadband and fixed line) decreased by 69%. To put this into context, in 2016-17, TDR received 64 complaints enquiries related to installation issues; in 2017-18, TDR received 20.

Customer Service Approach	+220%
Disputed Charges	+35%
Fibre Installation Delays	+17%
Billing	+14%

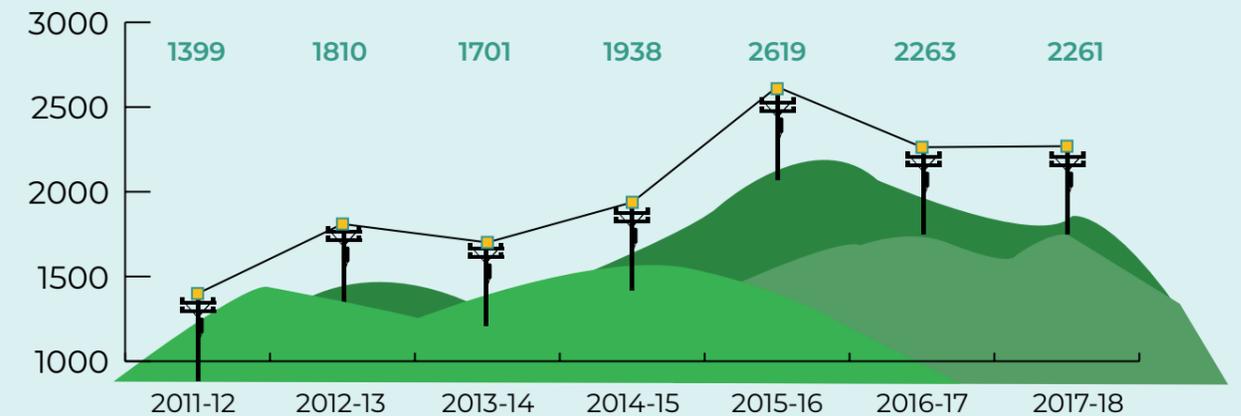
Installation Issues	-69%
Early Termination Charges	-55%
Equipment Failure	-31%
Faults	-18%

How TDR dealt with complaints in 2017-2018

About the complaints and enquiries TDR receives

Total complaint and enquiry contacts with TDR per year

This graph is an accurate reflection of total complaints and enquiries received by TDR as at 30 June 2018. The complaint and enquiry contacts with TDR in 2017-18 were the same as the previous year. Following a spike of complaint and enquiry contacts in 2015-16, there is a “new normal” for complaint statistics emerging. TDR remains focussed on consumer awareness of the service.



Total complaint and enquiry contacts with TDR per year by category

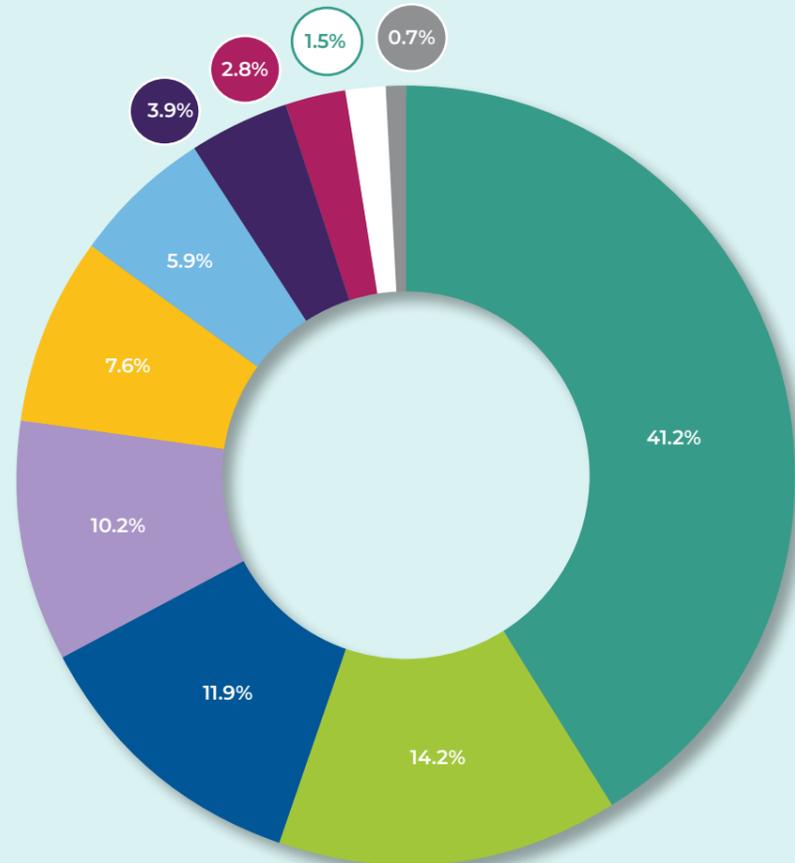
This section represents our statistics for complaints about TDR members across all complaints and enquiries received by TDR.

KEY	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Billing	495	586	596	650	774	812	931
Customer Service	369	437	250	323	531	317	321
Faults	209	330	339	300	443	331	271
Contracts	111	165	204	295	332	271	230
Fibre installation	n/a	n/a	n/a	n/a	78	142	174
Network Performance	61	94	108	128	179	126	89
Credit Management	60	61	74	102	194	137	135
Transfer*	88	126	112	124	114	89	61
Other*						14	34
Complaints Handling	6	11	18	16	52	23	15

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

Nature of complaints and enquiries resolved in 2017-2018

There were 2269 complaints and enquiries made to TDR that were resolved or closed in 2017-2018. Billing is the largest component of complaints and enquiries received by TDR each year. Disputed charges are on the rise as are customer service complaints about the way in which customers are approached.

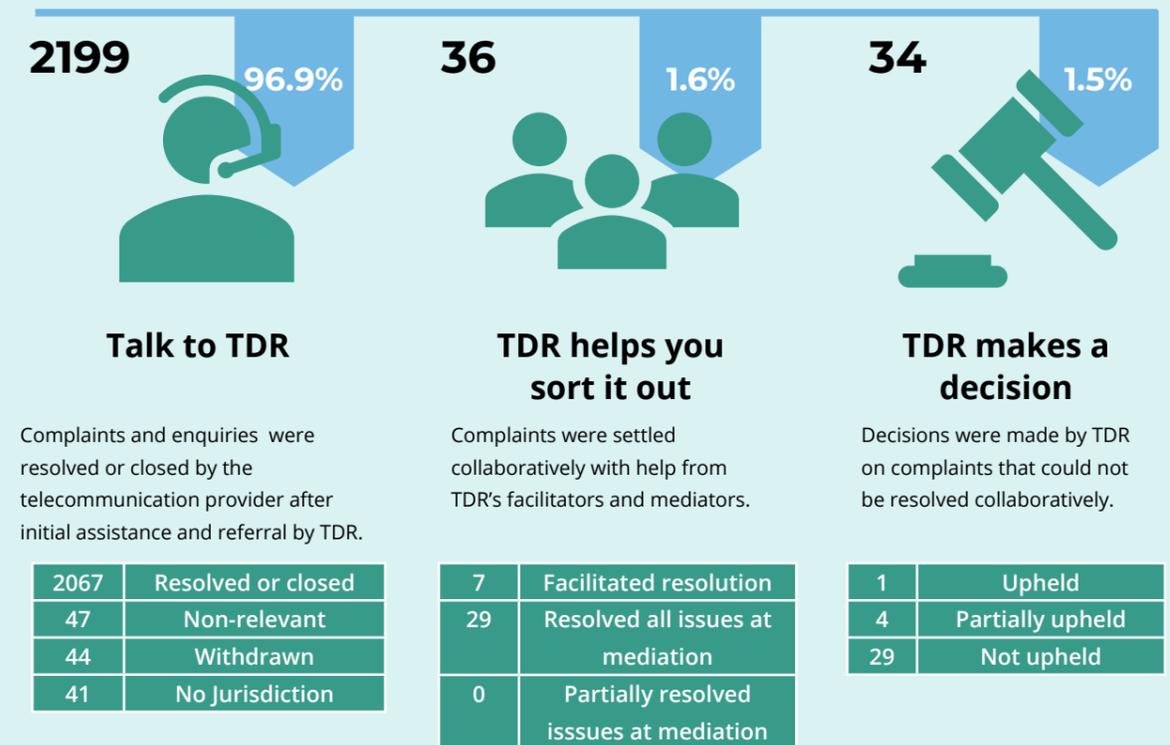


KEY		
Billing	935	41.2%
Customer Service	323	14.2%
Faults	271	11.9%
Contracts	231	10.2%
Fibre Installation	172	7.6%
Credit Management	135	5.9%
Network Performance	89	3.9%
Transfer	63	2.8%
Other	34	1.5%
Complaints Handling	16	0.7%

How complaints and enquiries were resolved or closed in 2017-2018

This graph shows the movement through the process of the 2269 complaints and enquiries received in the 2017-18 financial year.

How complaints and enquiries were resolved or closed this financial year



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

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

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

This year, TDR formally resolved 70 complaints. 36 were resolved through our collaborative mediation process and in the other 34 cases, they were resolved through TDR's decision-making function. Most cases resolved by decision involved a contractual issue. Our case studies in this year's report give a broad outline of the kinds of issues TDR routinely sees and resolves.

Outcome	What it means	#	%
Settlement	Complaints were settled by TDR facilitators or mediators, meaning that before the TDR had to make a decision, the consumer and their telecommunications provider were able to collaboratively resolve with assistance from TDR.	36	51.4%
Upheld	The TDR adjudicator determined that the complaint was successful, which means that the consumer prevailed.	1	1.42%
Partially upheld	Some aspects of these complaints were successful, which means that the TDR adjudicator found in favor of the consumer on those points.	4	5.7%
Not upheld	The TDR adjudicator determined that the complaint was not successful, which means that the consumer did not prevail.	29	41.4%

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 the 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. The practitioner initially works to mediate 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%	91%
Enquiry and registration phase	95%	100%
Investigation and resolution phase	95%	97%
Final determination phase	80%	94%

<p>Jurisdiction checks</p> <p>TDR member replying to TDR within three hours of jurisdiction check.</p>	<p>Enquiry and registration phase</p> <p>Receiving complaint and completing summary of dispute within 24 business days.</p>
<p>Investigation and resolution phase</p> <p>Issuing final determination or mediated agreement within 27 days of receiving summary of dispute.</p>	<p>Final determination phase</p> <p>From issuing final determination to closing dispute within 30 business days.</p>

TDR's Complaint 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.

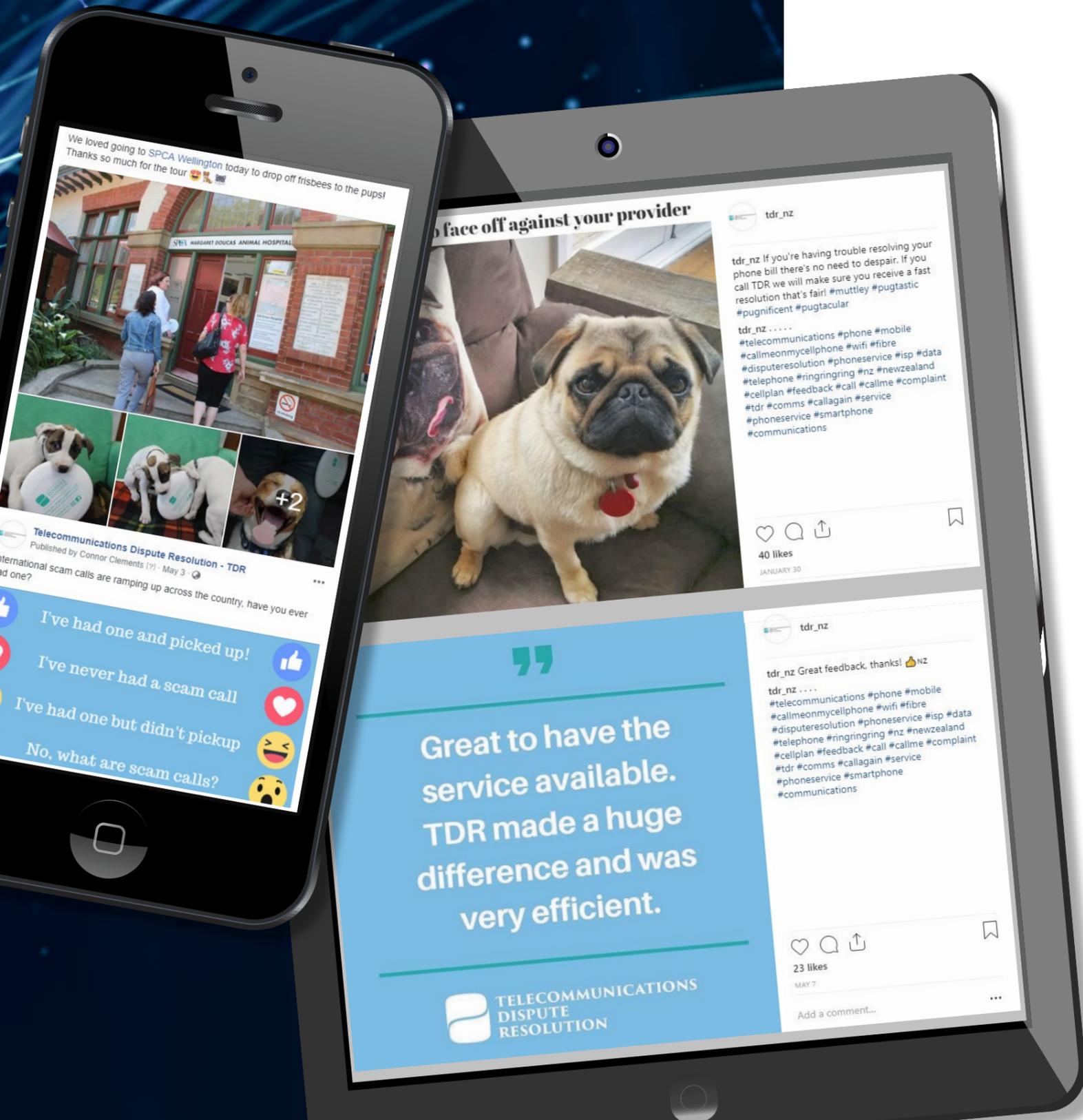
Before TDR steps in, TDR makes sure that your complaint is something it can consider. This is called jurisdiction. Reasons TDR may not be able to help include:

- 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.

Engagement and Awareness



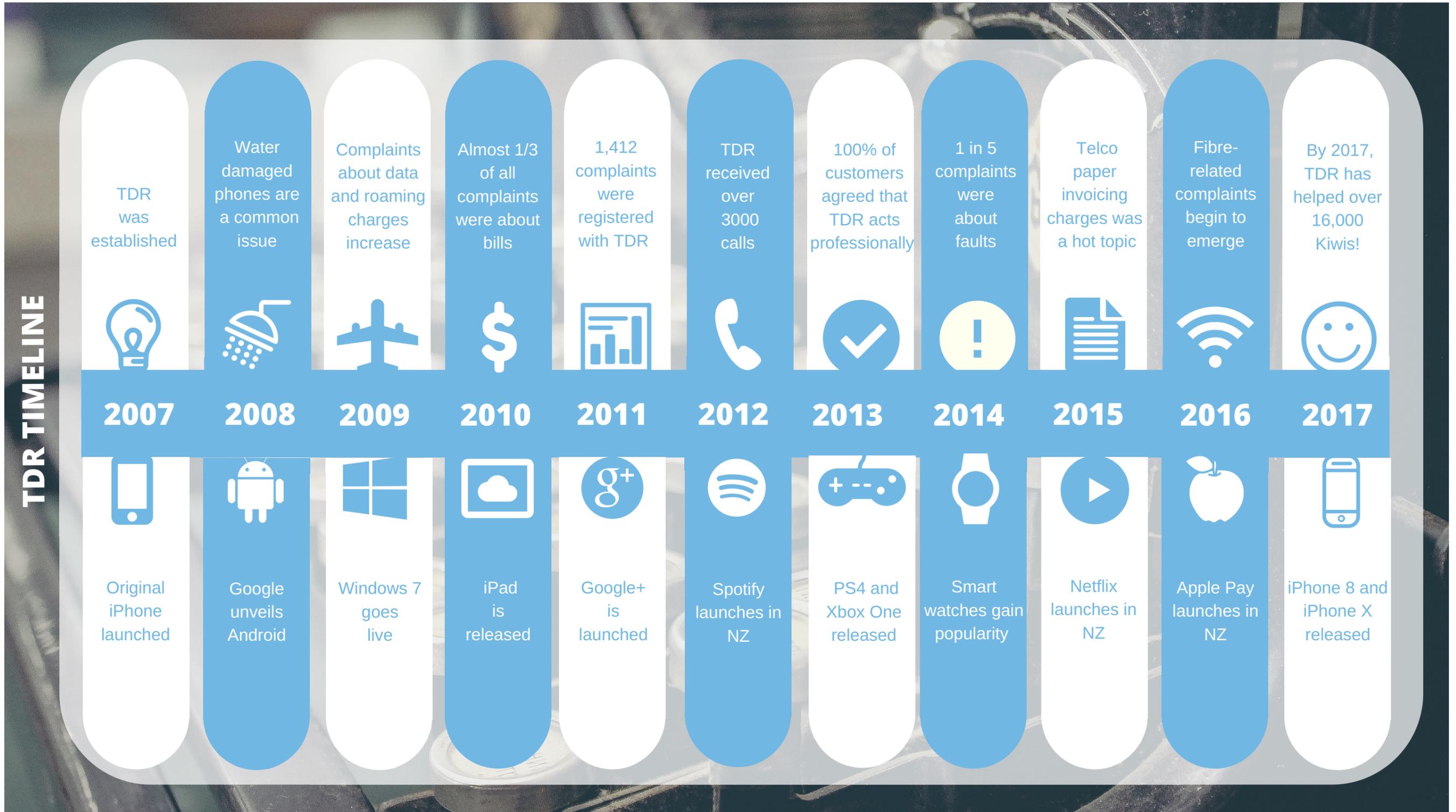
Engagement and awareness

- Presenting to and participating in consumer-focused groups and events.** TDR regularly participates in a variety of consumer behaviour workshops, focus groups, and outreach activities, including participating in the National Building Financial Capability Charitable Trust's regional huis across New Zealand in early 2018; presenting to Citizens Advice Bureaus and financial mentors across the country; and meeting with Community Law branches. TDR also actively engages with other consumer groups to find out about the telecommunications issues their members are facing and how TDR can both educate and ensure access to dispute resolution. A key outcome from this year's engagement is a complete re-design of TDR's consumer brochure, which will be more responsive to consumers' questions and needs.
 - Meeting with TDR members.** We regularly meet with TDR members to better understand what is happening for them. We also provide opportunities for education, discussion, and opportunities for our telecommunications providers to get to know each other, share insight and skills, and discuss what's happening in the sector. This past year, we provided six training and workshop programmes on best practice complaints handling and related topics. Talking to members also helps inform TDR's submissions on proposed legislation and policy.
 - Quarterly reporting.** TDR provides regular reporting to both government and consumer organisations on the complaint trends we see. In the third quarter of 2017-18, that reporting became public with infographics and other statistics relevant to consumers, the industry and government.
- We also provide case studies and identify recurring issues.
- Meeting with other complaint-handling organisations.** TDR attends the bi-monthly Dispute Investigators' Group meetings, as they are useful in understanding complaint trends across a variety of sectors. We also meet independently with complaint handling bodies to discuss complaint-handling trends and share in skill-building. TDR also meets quarterly with the Commerce Commission to discuss industry trends and telecommunications complaint handling.
 - Online Engagement.** One of TDR's focuses has been obtaining a greater level of sustained engagement through our website and social media channels. TDR's online engagement compliments the face to face work TDR does with consumers, government, industry, and consumer advocacy and advice organisations. Engagement drives awareness and awareness drives an increased understanding of what TDR does and how it can help, which is a benefit to both consumers and the telecommunications industry. In the 2015-16 financial year, our online engagement was relatively flat. Knowing that we needed to reach more people and raise awareness, in the 2016-17 financial year, we completed a one-off online awareness campaign which funded extensive social media outreach through Facebook and drove consumers to TDR's website. It was a big spend designed to shake up our approach to social media engagement.

Since then, we have worked strategically to increase the impact of our social media engagement by focusing on driving meaningful engagement with

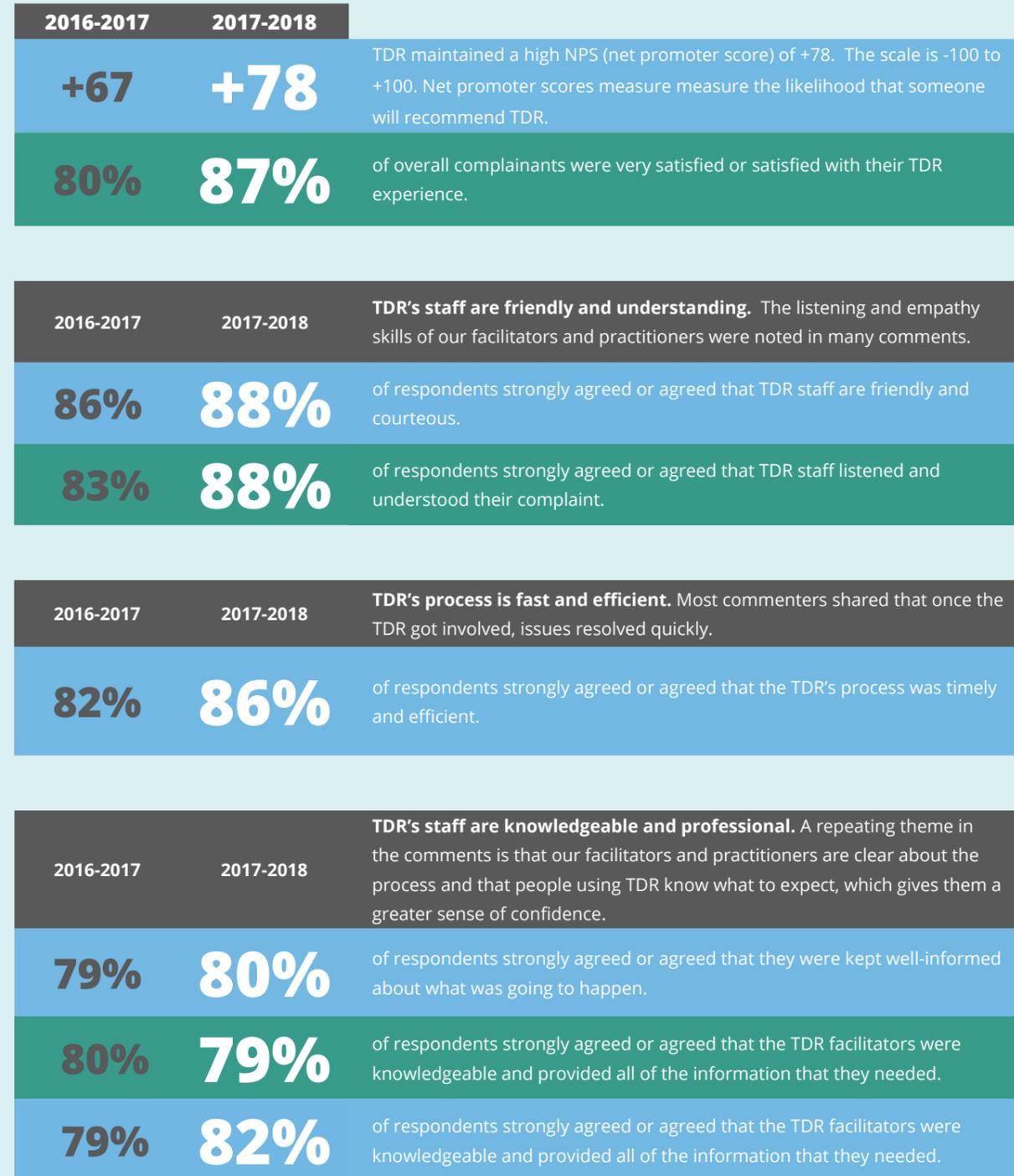
consumers. The work has paid off. Social followers and the amount of people who clicked through to our website continue to exceed our 2015/16 benchmarks. We finished financial year 2017/18 maintaining our social performance, due to an improved rate of engagement year upon year (0% to 12% to 31%).

- **TDR 10 Campaign.** TDR celebrated it's 10th year of service in November 2017. Below is an example of the type of promotional materials created for the celebration campaign.



Satisfaction with our service

Our independent researcher BuzzChannel collects our customers' feedback on a monthly basis. TDR is pleased to report that almost all scores showed an increase over the previous year.



Feedback

One of the best ways for us to understand how our service works is through the written comments we receive about our people and our process. Highlights include:

The people I spoke to on the phone were friendly, took the time to listen and if they said something they followed up with it. It seemed that they genuinely wanted to help it wasn't just a job for them.

The dispute was settled quickly and fairly.

Fantastic customer service as the person who answered the phone showed empathy and gave me clear instructions what I needed to do as he just emailed the template of questions to complete which made it easy. I felt that my issue was taken very seriously and that they were there to assist me in getting a response from the other party.

Person I spoke to listened well and understood my question. He gave a clear explanation of how the complaint process worked.

I had a call and resolution from [my telecommunications provider] within 2 hours of the case being logged. Amazing service from TDR team. All it needed at [my telecommunications provider] was the right people with the ability to understand the issue and take action.

Prompt professional service. It was a relief to find someone who could take an unbiased, independent look at the situation and get an outcome. Very pleased to get a positive outcome after making no headway on my own.

The people I spoke to were polite and efficient on the phone. Emails were sent extremely promptly and a quick response was elicited from my provider.



Issues at a Glance

Issues at a glance

We have six case studies that highlight the trends and themes TDR has seen over the past year. Before we discuss the cases, below are the issues that have affected the telecommunications sector in New Zealand in 2017-18 and how they have been reflected in TDR's complaint statistics.

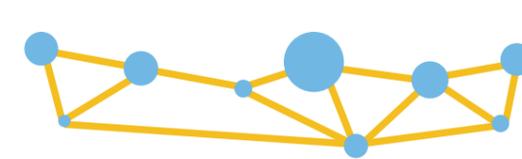
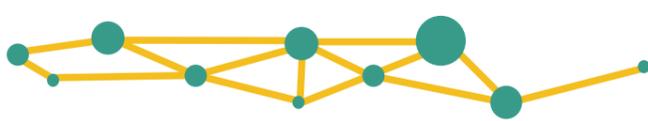
There was a significant increase in 2017/18 in complaint enquiries about disputed charges and the way in which consumers were approached by providers. The six case studies show a variety of common issues TDR receives, including consumer expectations about how services are delivered, the level and types of communication consumers expect, and the ways in which TDR can help both consumers and the industry sort through complex issues that might otherwise not be voiced because of a lack of financial literacy or the knowledge of how to raise issues. TDR also believes that it will continue to see complaint themes around special offers, specific terms and conditions of plans, and data caps.

Communication is at the heart of most of the complaints and will continue to be a key theme in complaints received by TDR. Whether it's about understanding key terms and conditions, or missing emails, communication issues can lead to expensive issues. Three of our case studies deal with what happens when the communication goes wrong. In some cases, information was not documented well, key contact information was not provided, or it was unclear what was going happen. While consumers are responsible for their decisions, telecommunications providers must also be mindful of issues around communication, disclosure, and advising on how charges are calculated. These issues are further amplified when working with vulnerable consumer groups and with consumers with low levels of

financial literacy. TDR believes that complaints involving communication issues will also remain steady.

The largest percentage increase in complaints and enquiries in 2017-2018 related to customer approach. Customer approach refers to the way in which customers may be approached by telecommunications providers offering new or different services. Approaches can be made in a variety of ways, including text, door knocking, or phone calls. Given the greater availability of services like broadband and the constant evolution of telecommunications products and services, reaching out to potential customers is not surprising. Where problems can occur is when a customer may have to switch their current service to a new provider. Over the year, TDR saw a number of issues where it was not clear whether the customer intended to transfer, but a transfer of service occurred. While these issues were largely resolved quickly and without any formal intervention from TDR, TDR issued a recurring issue statement to remind consumers that they can complain to TDR if their telecommunications services have been transferred from their current service provider to a new one when they didn't provide consent to do this and to provide some practical tips for consumers should they be considering a transfer.





Bundled deal discount

A customer was missing out on a bundle deal discount. Was he eligible for backdated credits?

Bob's* provider offered a discount to customers signing up for more than one service. Bob already had his broadband service covered with the provider so signed up for a mobile plan as well to get the discount. He then discovered he was not receiving the discount. He queried why, and his provider advised that because his broadband plan was one that had been transferred from a company the provider had purchased years before, they did not recognise his 'grandfathered' broadband plan as one of theirs. From Bob's provider's perspective, he had only signed up to one service with them and was not eligible for the discount unless he changed to a new broadband plan.

Bob was not satisfied with this response. His position was that he was the provider's customer, he was using two services provided and billed by the provider, and met the conditions for receiving the discount. Bob submitted a complaint to TDR. A Resolution Practitioner was assigned to assist.

The Resolution Practitioner attempted to help Bob and his provider reach an agreement. They could not reach agreement, so the next step was for the Resolution Practitioner to decide on the matter. The Resolution Practitioner weighed up all the information submitted, and the conversations held with Bob and the provider. The Resolution Practitioner considered the terms and conditions of the discount itself to be the most important document. There was nothing in the discount's terms and conditions that excluded a retired plan still being honoured by the provider. The Resolution Practitioner found it reasonable that if billing relationships for both broadband services and a mobile plan existed, then that the discount should be applied.

Bob's complaint was upheld. His provider was directed to apply the discount and apply a credit to Bob's account backdated to when he first became eligible to receive the discount.



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

Disconnection and debt collection

The customer took out a 24-month contract with a telecommunications provider. After 18 months of the 24-month contract, the customer stopped making payments.

The provider made requests for payment on the overdue amount for three months by texting the mobile phone associated with the contract and by email to the email address provided by the customer.

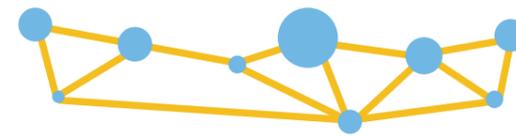
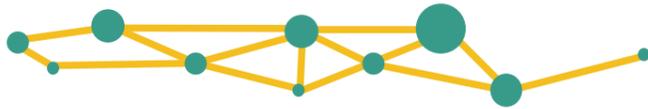
After no response, the provider disconnected the service and passed the debt to a debt collection agency. When the customer was contacted by the debt collection agency, she contacted her telecommunications provider and tried to sort the problem. She explained that the phone was a backup for her children and that it was rarely used, which was why she had not received the texts about the overdue amounts. The customer then made some payment towards the outstanding amount. However, the provider advised that the payment was below the minimum payment requirement and her service continued to be disconnected.

The customer contacted TDR complaining about the disconnection and the debt collection charges being added to the unpaid monthly account. She requested an account credit. The provider did not agree and the complaint was assigned to one of TDR's mediators.

The mediator worked with both parties and an agreement was eventually reached. Following reality testing and extensive discussion about the contract obligations with the customer, she agreed to make full payment within seven days provided that the debt collection charges were credited to her account. The provider agreed and the complaint was resolved.



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



Bill shock - \$2k over data cap

This case study highlights how mobile operators work and how costly exceeding plan limits can be

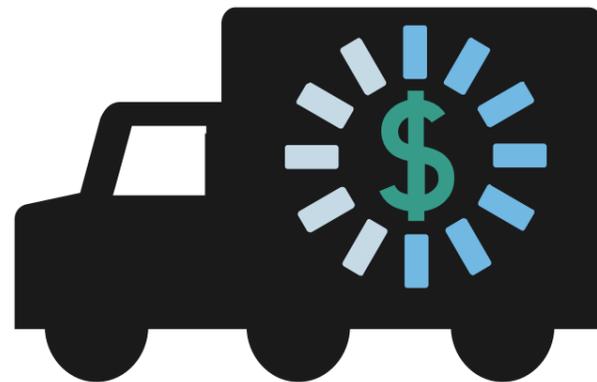
When Peter* and his family moved houses, their broadband connection was delayed for a month. While he was waiting for his connection, Peter used his mobile data instead. Peter received warning texts from his provider advising him that additional charges would apply if he exceeded his data plan, however Peter assumed the additional charges would not be high.

A month later Peter received his usual bill, with the account showing additional charges of \$2200 for mobile data usage. He contacted his provider who confirmed the charges were accurate and reflected the approx.10 gigs additional data usage in the month.

Peter acknowledged that he received texts warning him of the charges but expected that he would receive further contact considering the high costs involved for exceeding his plan. His provider explained that as Mobile Virtual Network Operators (MVNO**) they are limited in their ability to provide updates to customers who reach their plan limit and are bound by the terms of their own contract with the Mobile Network Operator (MNO).

The provider offered credits up to \$250 but the matter could not be resolved. TDR became involved and appointed a Resolution Practitioner to assist in resolving the matter. Through discussions examining all the issues and options involved, the Resolution Practitioner was able to help Peter and his provider reach a settlement of 50% off Peters final bill. The Resolution Practitioner also helped Peter understand the difference between a MVNO and a MNO.

After reflection, Peter's provider agreed to look into further ways of keeping their mobile customers better informed and protected from 'bill shock' in the future.



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

***A Mobile Virtual Network Operator (MVNO) is a wireless telecommunications service provider that does not own the wireless network infrastructure over which it provides services to its customers. Wholesale services are purchased by the MVNO from a Mobile Network Operator (MNOs include 2Degrees, Spark and Vodafone), and the MVNO then acts as any retail service provider does and enters into contracts directly with customers for mobile or wireless services.*

A MVNO customer has the same general customer service rights as any other mobile customer. Any complaint should be dealt with directly between the MVNO and their customer, or the complaint can be referred to TDR if the MVNO is member of our service. It is up to the MVNO to ensure that its wholesale services agreement with the MNO provides the required level of service it needs to its customers.



Online gaming disruption

Connectivity interruptions over the holiday period

Margaret* had been looking forward to the Christmas holidays because it meant that she could enjoy uninterrupted gaming time via her internet. She had switched to her current internet provider because of advertising that she'd seen about her provider's internet and because of promises she said the provider had made to her at the time she signed up.

However, instead of uninterrupted gaming time, Margaret experienced frequent difficulties and connectivity interruptions over the holiday period which fluctuated widely depending on the day.

Margaret complained to TDR. She requested compensation for her time and trouble in sorting out the issues. When Margaret and her internet provider were not able to reach agreement on their own, a TDR mediator stepped in to assist.

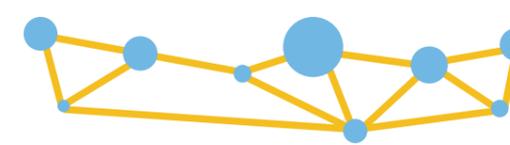
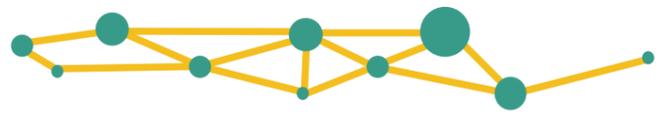
One of the first discussions was whether any promises had been made to Margaret about speed and connectivity. The TDR Consumer

Complaint Code excludes complaints about internet speed and connectivity in most circumstances. One exception to that is when a provider makes specific promises or guarantees about internet speeds or connection time. Margaret was unable to provide any evidence of guarantees about internet speeds or connectivity.

The mediator then looked at the advertising and the contract's terms and conditions with Margaret and her provider. There were specific notes/exclusions in both about internet speeds and connectivity.

That was not the end of the discussion, however. Margaret's provider was sympathetic to her experience and offered a 'goodwill' payment to her, which also included a refund for a portion of her charges during the Christmas period. Margaret accepted the payment and both considered the complaint resolved.

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



Service switch and debt collectors

Provider transfer, communication issues and a bad credit rating

Larry* decided he wanted a change in telecommunications provider. He did some investigation and decided to go with TelcoB. He let his current provider know that he was switching to TelcoB.

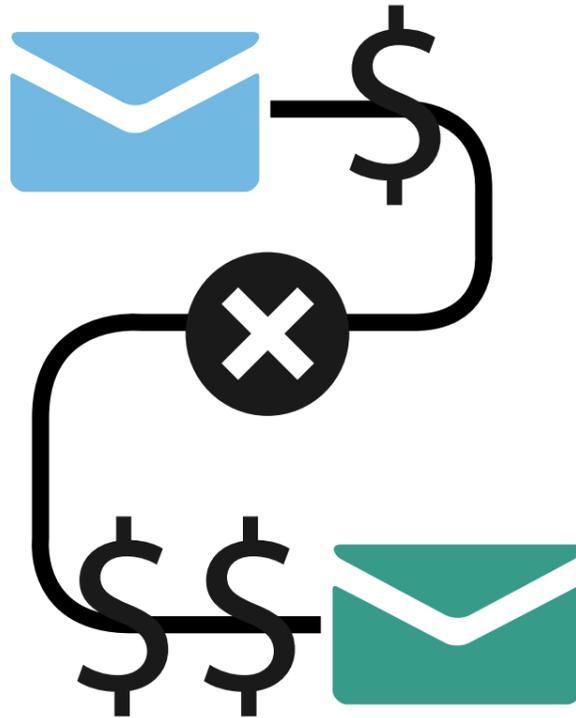
Larry switched his service to TelcoB. As part of the process, he changed his email address but kept his original mobile number. Larry did not advise his original provider of the email change, in part because from his perspective, there was no reason for them to contact him. He believed that his account with his original provider was fully paid.

A telecommunications provider losing a customer is limited in the contact that it can have with that customer. However, it can contact customers who owe outstanding debt. In this case, the original telecommunications provider had a legitimate reason to contact Larry, because it turned out that his account was not fully paid. Larry's original provider began sending emails to Larry's old email address, not realising that it had changed. The provider also had a normal practice to send automated texts, which Larry should have received, as his mobile number had not changed.

After not receiving a reply for several months, Larry's original provider placed his debt with a credit collections agency. The agency was eventually able to contact Larry. By this time an 'adverse credit rating notice' had been placed on his record and late payment charges were due.

Larry complained to TDR. When he and his original provider were not able to come to agreement themselves, a TDR mediator stepped in to assist. Through the process, Larry's original provider recognised that emails were not being monitored for 'bounce back' and that it appeared Larry had never received any automated texts. Larry acknowledged that he did owe the outstanding amount (and had already paid it by the time TDR was able to be involved), but requested that the late payment fee be reversed and the adverse credit rating be removed.

The parties reached agreement with Larry paying the late payment fee and his original provider agreed to refund the collection fee directly to Larry as well as instructing the credit agency to remove the adverse credit rating notice.



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

Premium - rate frustration

A recent TDR case involved a customer denying responsibility for over \$4000 worth of 0900 calls that appeared on her telephone account. These were a surprise and concern, coming mostly from psychic and astrological services, the kind of service the customer could not condone due to personal and religious beliefs.

The telecommunications provider had arranged an investigation and confirmed that the 0900 calls had indeed emanated from the customer's home telephone.

Through the mediation process of TDR, the telecommunications provider was able to not only forward the customer with names associated with some of these numbers but also an 0800 number which enabled the customer to carry out her own investigative work without clocking up more expensive calls.

The outcome was that the telecommunications provider was correct. It was disappointing for the customer to discover that a young relative was responsible for the 0900 calls during a period when she had been a guest. Fortunately, the relative's father was able to come to the rescue and paid the account in full. The customer was apologetic and grateful for the service.



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

Contact details for TDR members

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

	2degrees	0800 022 022
	2Talk	09 281 4357
	Big Pipe	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)
	Skinny Direct	0800 44 00 11
	Skinny Mobile	0800 4 SKINNY (0800 475 4669)
	Slingshot	0800 892 000
	Spark	Call 123 or *123 (mobile)
	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
	United Networks	0800 442 015
	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 we are and what we can do for you

TDR is part of FairWay Resolution Limited, New Zealand's largest specialist conflict management company, with over 210 people working with us across the country.

From complaints and conflict, to issues and disagreements, FairWay can help resolve your dispute. There are lots of different ways that FairWay can help people move forward- such as mediation, facilitation, adjudication and specialist coaching.

FairWay offers a wide range of services to help New Zealanders in conflict move forward, working across a wide range of industries both in the public and private sector. They have extensive experience in dispute resolution and conflict management across a wide range of sectors from financial services, insurance and telecommunications to education, local government, construction and family.

FairWay's purpose, vision and values

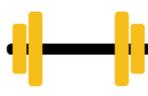
Every aspect of our work is guided by our commitment to our core mission, vision and values. These are simple, straight-forward, effective and designed to empower those we work with.

Purpose

 Leading the prevention and resolution of disputes

Vision

To be the leading conflict management services provider by:

-  Protecting consumers' rights
-  Assisting people to resolve disputes themselves
-  Strengthening organisations' reputations by improving their conflict capability

Values	
FairWay's fundamental values are to pursue excellence in all we do through:	
Professionalism	Providing a high quality service that meets customer expectations and professional standards, ensuring customers have trust in the fairness of our services.
Integrity	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	Seeking opportunities to work in teams towards shared objectives, knowledge and success.
Fairness	Abiding by objective standards, allowing full participation in our processes, and giving all voices an opportunity to be heard.
Empathy	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.

2018 Annual Report



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