

## Complaint handling process

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### 1) Introduction

This document explains our complaint handling process (**CHP**) for our past, current and prospective customers (**customers**). It outlines how we handle complaints, and it includes the minimum requirements for customer complaints handling.

As a retailer of energy and telecommunications services, Sumo is required to meet the standards set out in:

- a) the Telecommunications (Consumer Complaints Handling) Industry Standard 2018; and
- b) the Energy Retail Code, Victoria.

Sumo is also obliged to have procedures for recording, storing and responding to competition and consumer law complaints.

### 2) Accessing this Complaint Handling Process

- a) This CHP is available on our website.
- b) There is a link on our home page to information about how to contact us to make a complaint or enquiry.
- c) We'll also make this CHP available to you:
  - i) if you ask for it; or
  - ii) as soon as practicable after you inform us that you wish to make a complaint.

### 3) Who this CHP applies to

This CHP applies to you if you are:

- a) an individual customer who acquires a product or service mainly for personal or domestic use and not for resale; or
- b) a business customer.

### 4) Representatives

- a) You may choose to appoint a Representative, i.e. either:
  - i) an Authorised Representative – who is a person who has authority from you to deal with us on your behalf as your authorised agent; or
  - ii) an Advocate – who is a person nominated on your behalf to deal with us on your behalf, but does not include an Authorised Representative or a person who has authority to access your account information from us.
- b) You may nominate a Representative or an Advocate by calling us and notifying the customer service representative.

## 5) What is a 'complaint'?

Any of the following counts as a complaint:

- a) if you express dissatisfaction about our products or services; or
- b) if you express dissatisfaction about our complaint handling process – and you tell us, or imply, that you expect a response.

If you make an initial call to request information, or to request support, or to report a fault or service difficulty, we won't treat it as a complaint unless you ask us to.

Notes to staff:

- c) If a dissatisfied customer contacts us and you're not clear whether they want to record a complaint – you must ask them, to clarify.
- d) You must also help a dissatisfied customer to formulate their complaint, and to lodge it, and to progress it.

## 6) When is a complaint 'resolved'?

A complaint counts as 'resolved' when:

- a) we and you have agreed on a solution, and we have fully implemented it; or
- b) you escalate it to the applicable ombudsman; or
- c) all internal resolution processes set out in this CHP have been completed and:
  - i) you and we have not agreed on a solution; and
  - ii) we have advised you about your options for external dispute resolution – see clause 27); or
- d) we are otherwise entitled to close the complaint under the Complaint Closing Rules in clause 25).

We will confirm that your complaint has been resolved as soon as practicable after we complete our investigation of it, and we'll confirm that in writing, within five working days after you ask us to.

## 7) Our complaints goal

As a customer, you have the right to make a complaint. Our goal is to keep our customers satisfied, and that means as few complaints as possible, and that any complaints that do arise are dealt with openly, fairly and promptly.

To support that goal:

- a) Our complaints process is approved by our Managing Director (or equivalent), who is responsible for ensuring its implementation, operation and compliance.
- b) Our complaints process is managed by a senior manager who must maintain the effective and efficient operation of the process.
- c) Our complaints process is focused on your needs and expectations and is designed to be easy to understand and use.

## 8) How and when you can make a complaint

You can make a complaint:

How	When
Call 13 88 60	8.30am to 4.30pm (Melbourne time) Monday to Friday
By letter to South Melbourne Market Street PO Box 5329 South Melbourne VIC 3205	At any time

## 9) How and when you can monitor the progress of a complaint

You can monitor complaint progress:

How	When
Call 13 88 60 and provide your reference number	8.30am to 4.30pm (Melbourne time) Monday to Friday

## 10) If you need assistance

We will assist you to formulate, lodge and progress a complaint if you need help, especially including because of disability, hardship and difficulties with English. Just let our customer service representative know you want help and, if you can't tell us in that way:

- a) write your request to the address in clause 8); or
- b) contact us through your Representative – see clause 4); or
- c) contact us via the National Relay Service on 133 677; or
- d) contact us via the Translating & Interpreting Service on 131 450.

## 11) Receiving your complaint

We'll receive your complaint through any of the contact points in clause 8).

## 12) Our complaint management steps

We will use our best efforts to resolve your complaint on first contact. If we can't do that, the steps in the following clauses apply.

## 13) Acknowledgement of your complaint

- a) If you make a complaint by telephone to a customer service representative, we'll acknowledge it immediately.
- b) If you make a complaint by paper post, we'll acknowledge it within two working days.
- c) When we acknowledge your complaint, we'll allocate it a unique reference number or take another measure so we can later identify the complaint and its subject matter and advise you of the reference number.

## 14) Initial assessment of your complaint

On initial assessment, a customer service representative will:

- a) identify and flag it if it is an urgent complaint – see clause 15);
- b) categorise it according to our standard categories in clause 32);
- c) identify and flag complaints about Telco billing errors – see clause 21);
- d) assess whether it can be resolved without further investigation; and if so skip to:
  - i) clause 19) (for non-urgent complaints) or
  - ii) clause 20) (for urgent complaints).

## 15) How we identify urgent complaints

Your complaint is identified as urgent if:

- a) you have applied for or have been accepted as being in financial hardship under our telecommunications hardship policy and the subject matter of your complaint can reasonably be presumed to directly contribute to or aggravate your financial hardship; or
- b) disconnection of your service is imminent or has occurred; or
- c) in respect of telecommunications services, it relates to a service for which you receive Priority Assistance under the Priority Assistance for Life Threatening Medical Conditions Code; or
- d) in respect of energy services, it relates to the registration of your premises for life support.

Our customer service representatives are trained to watch for these factors and must flag a complaint as urgent if any of them are seen to apply.

## 16) Internal prioritisation process

We are flexible in the way we prioritise complaint processing, because special circumstances can apply. But in normal circumstances:

- a) Urgent complaints have highest priority.
- b) Complaints that are approaching, or have exceeded, maximum response times are prioritised next.

We can often only know about these, or other, important factors if you tell us. You can alert us using any of the contact channels through which you can lodge a complaint.

## 17) Concerns about applicable response time

If you notify us that you are not satisfied with the response times that apply to the handling or management of your complaint, within five working days we'll advise you about:

- a) our internal prioritisation process – see clause 16);
- b) our internal escalation process – see clause 26); and
- c) options for external dispute resolution – see clause 27).

## 18) Investigation of your complaint

In investigating a complaint, a customer service representative will:

- a) make any relevant enquiries of you, your Authorised Representative or Advocate, or our systems or other staff, or of any other providers involved in our supply chain, and other interested parties;
- b) investigate the complaint suitably for its seriousness;
- c) fairly and carefully consider the merits of the complaint;
- d) focus on finding the optimal solution for you and the situation;
- e) seek guidance from a manager if necessary; and
- f) keep in mind our regulatory obligations.

## 19) Our response and proposed solution

- a) We'll offer a solution for your complaint within 15 working days of receiving it, unless a delay prevents that – see clause 28).
- b) We'll confirm that offer in writing, within five working days after you ask us to.

## 20) Handling urgent complaints

An urgent complaint will be handled generally in accordance with this CHP, but within two working days of receiving your urgent complaint, we will:

- a) offer a solution; and
- b) if you accept that solution, action it –

(unless a delay prevents that – see clause 28)) and we'll confirm that in writing, within five working days after you ask us to.

## 21) Complaints about billing errors

If you make a complaint during a billing period about a telecommunications billing error, we will resolve it by the end of the next billing period.

## 22) Solutions

- a) The solution we offer will be tailored to you so that, as far as practicable, it addresses the main cause of the complaint, and your individual circumstances.
- b) Where a complaint is indicative of a broader problem or systemic issue, we'll seek to resolve the main cause of that problem or issue.
- c) We aren't required to action that proposed solution unless and until you accept it. If you do accept our proposed resolution, we are allowed a period of time to action it – see clause 24).

## 23) Communicating our decision about the complaint

- a) We'll notify you of our decision about your complaint as soon as practicable after we complete our investigation, including offering any solution in accordance with clause 19).
- b) We'll communicate this information by email or text message or by phone.

- c) We'll confirm it in writing, within five working days after you ask us to.

#### 24) Implementing an agreed solution

We will action a solution within ten working days after you agree to it, unless:

- a) we and you agree otherwise; or
- b) you agreed to do something to facilitate the solution by a certain time, and you failed to do so; or
- c) it's an urgent complaint and clause 20) applies.

#### 25) Closing a complaint – (Complaint Closing Rules)

We may close your complaint in our complaints system if:

- a) the complaint is resolved and there is nothing left for us to do; or
- b) you consent; or
- c) we have completed the Unsatisfactory Outcome Procedure in clause 29); or
- d) we have completed the Unreasonable Complaint Procedure in clause 30); or
- e) we have completed the Lost Contact Procedure in clause 31).

#### 26) Internal escalation process

- a) Your complaint will be escalated and managed accordingly if you reasonably request it.
- b) You can request escalation using any of the contact channels through which you can lodge a complaint.
- c) Internal escalation and management may not accelerate resolution if the complaint is not urgent and its processing already meets the applicable standards and is within the permitted maximum response time/s.
- d) A complaint will be escalated if:
  - i) a maximum response time has been exceeded;
  - ii) it becomes urgent; or
  - iii) you notify us of another factor that increases the seriousness of your complaint or the need for expedited resolution.
- e) Each escalated complaint will be referred to a more senior customer service representative or a team leader, who will assess the reason/s for the escalation and the best way to respond to them, and direct action accordingly.

#### 27) Process where a complaint is referred to the ombudsman for external resolution

- a) You may escalate a complaint to the applicable ombudsman after we have been given a reasonable opportunity to resolve it.
- b) Details for contacting the applicable ombudsman are:
  - i) Energy and Water Ombudsman, Victoria

Website	<a href="http://www.ewov.com.au">www.ewov.com.au</a>
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Email	ewovinfo@ewov.com.au
Post	Reply Paid 469, Melbourne VIC 8060
Freecall	1800 500 509
Freefax	1800 500 549

ii) Energy and Water Ombudsman, New South Wales

Website	<a href="http://www.ewon.com.au">www.ewon.com.au</a>
Email	complaints@ewon.com.au
Post	Reply Paid 86550, Sydney South NSW 1234
Freecall	1800 246 545
Freefax	1800 812 291

iii) Energy and Water Ombudsman, Queensland

Website	<a href="http://www.ewoq.com.au">www.ewoq.com.au</a>
Post	PO Box 3640, South Brisbane BC Qld 4101
Phone	1800 662 837
Fax	(07) 3087 9477

iv) Energy and Water Ombudsman, South Australia

Website	<a href="http://www.ewosa.com.au">www.ewosa.com.au</a>
Post	GPO Box 2947, Adelaide SA 5001
Freecall	1800 665 565
Freefax	1800 665 165

v) Telecommunications Industry Ombudsman

Website	<a href="http://www.tio.com.au">www.tio.com.au</a>
Email	tio@tio.com.au
Freecall	1800 062 058
In writing	PO Box 276, Collins Street West Vic 8007
Freefax	1800 630 614

## 28) If delays occur or are anticipated

- a) If there's a delay in the timeline for managing or handling your complaint, we'll inform you as soon as possible after we become aware of it.

- b) If we do not reasonably believe we can resolve your complaint within 15 working days (or two working days for an urgent complaint) we will advise you within those periods:
  - i) why there is a delay; and
  - ii) the new timeframe that will apply.

## 29) Unsatisfactory Outcome Procedure

- a) If you:
  - i) notify us that you are not satisfied with the progress of your complaint; or
  - ii) notify us that you are not satisfied with the outcome of your complaint; or
  - iii) enquire about your options to pursue your complaint further –then we'll advise you about:
  - iv) our internal escalation process – see clause 26) (to the extent that you haven't already availed yourself of it); and
  - v) your options for external dispute resolution – see clause 27).
- b) Unless you avail yourself of any remaining internal escalation process, we may then close your complaint under the Complaint Closing Rules.

## 30) Unreasonable Complaint Procedure

- a) If we consider that:
  - i) we can do nothing more to resolve your complaint or assist you; and
  - ii) your behaviour or complaint is frivolous or vexatious –we may decide not to deal further with your complaint.

We won't do that without careful consideration, and appropriate internal escalation, and acting reasonably.
- b) Within five working days of such a decision, we'll advise you of the reasons for our decision and your options for external dispute resolution – see clause 27).
- c) After that:
  - i) we may then close your complaint under the Complaint Closing Rules; and
  - ii) we reserve the right not to accept any further complaints from you on the same or similar issues, except as a part of an external dispute resolution process.
- d) Nonetheless, if you ask for written confirmation of our reasons and your options for external resolution, we'll provide them within five working days – see clause 27).

## 31) Lost Contact Procedure

- a) If we can't contact you to discuss your complaint or offer a solution, we'll write to you:
  - i) advising we couldn't contact you;
  - ii) detailing our contact attempts; and
  - iii) inviting you to contact us to discuss the complaint within a specified period (of at least ten working days).

- b) Unless you contact us to discuss the complaint within that period, we may then close your complaint under the Complaint Closing Rules.

### 32) Classifying complaints

- a) Complaints will be categorised as follows:
  - i) billing;
  - ii) marketing;
  - iii) transfers;
  - iv) competition and consumer complaints; and
  - v) other.
- b) Where, in the course of dealing with a complaint, a customer service representative recognises that a complaint should be classified by reference to alternative or additional categories, they must amend the classification accordingly and make a brief note of the amendment/s and reasons.

### 33) Restriction on legal proceedings

We will not commence legal proceedings against you that has the same subject matter as a complaint:

- a) while the complaint is being handled internally; or
- b) within seven working days after you are advised of the outcome of the complaint; or
- c) while the complaint is being Investigated by the applicable ombudsman.

### 34) Charges for using our complaints process

Our complaints process is free to use.

### 35) Limit on cancelling service

If:

- a) you make a complaint; and
  - b) you weren't able to resolve it directly with us; and
  - c) you pursue external dispute resolution –
- we will not cancel your service for those reasons alone.

### 36) Credit management action suspended

We will not take credit management action over a disputed amount if you have made a complaint and the complaint is being investigated by us or the applicable ombudsman.

### 37) Further requirements for our staff

We will ensure that our staff who deal directly with customers and/or with complaints:

- a) are given access to a copy of this CHP;

- b) understand the requirements for consumer complaints handling and their roles and responsibilities under this CHP;
- c) understand what remedies are available to assist with the resolution of a complaint;
- d) manage and resolve complaints in an effective and efficient manner;
- e) treat you with fairness and courtesy when you make a complaint; and
- f) can identify and record a complaint.

### 38) Complaint records we'll keep

We will keep records of complaints, and retain those records for two years, which include:

- a) the name and contact details of the consumer making the complaint, and their representative where applicable;
- b) a unique reference number or such other measure that will ensure the complaint can subsequently be identified;
- c) a description of the nature of the complaint and the issues raised as part of the complaint;
- d) a description of the resolution proposed by the carriage service provider or the consumer;
- e) the due date for a response;
- f) a description of the results of any investigation;
- g) a description of our proposed resolution of the complaint and any reasons for the proposed resolution, including any associated commitments and the date this is communicated to the consumer;
- h) a description of our reasons for its proposed resolution;
- i) the consumer's response to the proposed resolution of the complaint, any reasons given by the consumer, and if they have requested the proposed resolution in writing, that this request has been made;
- j) the implementation of any required actions; and
- k) copies of any correspondence sent by or to the consumer regarding the complaint.

### 39) Privacy

We will ensure that personal information we collect in connection with a complaint is not disclosed to a third party except:

- a) as required to manage a complaint to the ombudsman or other third-party dispute resolution body;
- b) with your express consent; or
- c) as otherwise required or authorised by law.

### 40) Monitoring and analysis of complaints and complaints handling process

We will:

- a) monitor for compliance issues in respect of every complaint;
- b) classify and analyse complaints a minimum of once every three months, to identify, address and take steps to prevent frequent problems and systemic issues from recurring;

- c) review our complaint handling process every 12 months to:
  - i) ensure it is suitable, adequate, effective and efficient;
  - ii) identify new issues and correct deficiencies that need specific attention, and record any new issues and deficiencies identified;
  - iii) assess its compliance with regulatory obligations;
  - iv) identify areas for improvement or that require change; and
  - v) evaluate potential changes;
- d) take action to address problems or issues identified in paragraphs (a), (b) and (c) as soon as practicable and keep a record of those actions; and
- e) ensure that any significant complaints, problems or issues identified under this section, including any complaints that raise potential concerns under the Competition and Consumer Act, are efficiently and effectively managed and that there are processes for senior management to be notified where appropriate.