



Consumer Complaints Handling Procedures

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1. Introduction

1.1. Background

In July 2009, the Consumer Complaints Committee (CCC) created its first *Consumer Complaints Handling Procedures* document to give context and direction to the public on how the Authority handles complaints. The document has been revised over the years, culminating with this version that was approved by the Board of Directors at its 174th meeting in January 2023.

1.2. Definitions

In these provisions:

1. Complaint – an expression of dissatisfaction related to the quality or delivery of the service, product, rates, billings and other services provided generally by an authorised provider or the conduct of the complaint handling process by the authorised provider. It does not include an initial call to request information or support or to report a fault or service difficulty unless a consumer advises that they want that call treated as a complaint. It does not include an issue that is the subject of legal action.
2. Complainant – a person who lodges a complaint with the Authority. The complainant need not be the person whose service has been affected but someone acting on his/her behalf.
3. Customer – a person who subscribes to a public telecommunications or broadcasting service by entering into a contract with an authorised provider
4. Consumer – any user or end-user of a public telecommunications or broadcasting service
5. “In writing” – includes email or any other electronic form of communication that provides a notice.

1.3. Maintenance of the Document

The Consumer Complaints Handling Procedures will be reviewed every two years or revised as deemed necessary by the Authority based on amendments to the Act, the relevant regulations or any statutory modification or re-enactment thereof for the time being in force.

Questions or concerns regarding this document may be directed to the Authority at info@tatt.org.tt or may be sent in writing to:

Telecommunications Authority of Trinidad and Tobago
5 Eighth Avenue Extension
Off Twelfth Street
Barataria
Trinidad and Tobago

1.4. Relevant Legislation and Agreements

Amongst the Authority's mandates are:

Chap. 47:31

- Section 3** (c) promoting and protecting the interests of the public by—
- (i) promoting access to telecommunications services;
 - (ii) ensuring that services are provided to persons able to meet the financial and technical obligations in relation to those services;
 - (iii) providing for the protection of customers;
 - (iv) promoting the interests of customers, purchasers and other users in respect of the quality and variety of telecommunications services and equipment supplied;

The Act also provides for:

- Section 18** (1) ...the Authority may exercise such functions and powers as are imposed on it by the Act and in particular:
- (m) investigate complaints by users, operators of telecommunications networks, providers of telecommunications and broadcasting services or other persons arising out of the operation of a public telecommunications network or the provision of a

telecommunications service or broadcasting service, in respect of rates, billings and services provided generally and to facilitate relief where necessary.

- (q) establish a consumer complaints committee to collect, decide on and report on consumer complaints, such reports to be included in the Authority's annual report.

Section 22(3) ...every concession for a public telecommunications network, a public telecommunication service or a broadcasting service shall contain conditions regarding:

- (e) the provision of information to users and procedures for handling and responding to user complaints and disputes.

Section 78(1) The Minister, on the recommendation of the Authority, shall make such regulations, subject to negative resolution of Parliament, as may be required for the purposes of this Act, including regulations prescribing...

- (j) procedures for investigating and resolving complaints by users with regard to public telecommunications services.

Service providers are required under Section C24 of their Concession agreement to keep their customer database up to date at all times.

Section G.5 of Schedule F (Quality of Service Requirements for Trinidad and Tobago) of the Concession provides standards for resolving consumer complaints.

1.5. Purpose

To protect the consumer's interest, the Authority has established procedures to address complaints from dissatisfied customers of telecommunications and subscription broadcasting services offered by concessionaires.

This document defines the procedures for addressing consumer and quality of service complaints and outlines the following:

1. The role of the Consumer Complaints Department.
2. The role of the Consumer Complaints Committee.

3. The Authority's consumer complaints handling procedures for Level I, Level II and Level III complaints (see section 1.7)

It guides consumers on how to make their complaints and the process the complaint will go through to resolution.

1.6. Scope

This document describes the Authority's procedures for handling complaints concerning telecommunications and subscription broadcasting services, including guidelines for classifying and escalating consumer complaints. It excludes complaints about broadcasting content dealt with in the Authority's *Broadcasting Content Complaints Handling Procedures* document.

The list of services covered includes the following:

1. Fixed telephone
2. Mobile telephone
3. Mobile broadband
4. Fixed broadband
5. Subscription broadcasting services (cable, wireless and satellite television)

When a consumer has a complaint about the quality of service or other matters regarding their free-to-air (FTA) TV stations (local TV), they may complain to the Authority. FTA is the method of broadcasting where programmes are transmitted unencrypted over the air (terrestrial), without charge or subscription, for the delivery of the signal to the viewer and may be received via any suitable receiver.

Consumers with non-content-related FTA complaints can lodge such complaints via the TV channel. However, the Authority will handle such complaints using a separate process. Under this process, the Authority shall:

1. recognise, promote and protect consumers' right to comment and complain about their dealings with service providers.

2. provide an efficient, fair and accessible framework for resolving consumer complaints.
3. identify how the Authority will communicate with consumers within the context of the complaints handling process.
4. provide a mechanism for improving providers' service quality by monitoring consumer complaints.

1.6.1. What is Not Dealt With

These procedures do not deal with broadcasting content complaints which are dealt with in the *Broadcasting Content Complaints Handling Procedures* document.

1.7. Classification of Complaints

Complaints are classified as follows:

Level I complaints are handled through the Authority's internal consumer complaints process and resolved.

The provider's Customer Service Manager will be given 14 days for resolution, or a time advised by them to resolve the complaint. Where the operator's representative indicates that the complaint cannot be resolved in that time or fails to achieve a resolution, the complaint will be escalated to Level II.

Level II complaints are those not resolved by the Authority's internal Consumer Complaints Department and are escalated by the Authority's Chief Executive Officer to the relevant operator's CEO. This occurs when the Authority's internal consumer complaints team fails to get a resolution, where the operator's representative has been unable to respond in time or extended time, and/or indicates that the complaint cannot be resolved.

Level III complaints are those not resolved by the internal process and are escalated to be reviewed and decided by the CCC.

The reports of the CCC are included in the Authority's annual report.

2. Filing a Complaint

There is no fee levied by the Authority for handling a consumer complaint.

2.1. Level I Complaints

2.1.1. When to Submit a Complaint

A complaint may be lodged with the Authority when you have submitted your complaint to your provider and/or:

1. The authorised provider made no effort to resolve the complaint.
2. The complainant is dissatisfied with the outcome of the complaint submitted to the authorised provider or with how the authorised provider has handled the complaint.
3. The complainant is of the opinion that all means of resolution have been exhausted with the authorised provider.
4. Attempts by the complainant to contact the authorised provider have proven unsuccessful.

2.1.2. How to Submit a Complaint

The simplest method for lodging a consumer complaint is via the toll-free number **800-TATT (8288)**.

Complaints may be made to the Authority by:

1. calling the toll-free number 800-TATT (8288) during business hours, 8:00 a.m. to 4:15 p.m. Monday to Thursday and 8:00 a.m. to 4:00 p.m. on Friday.
2. emailing info@tatt.org.tt.
3. submitting a complaint online via the Authority's website www.tatt.org.tt.

4. visiting the Authority's offices in person during normal business hours in

Trinidad

5 Eighth Avenue Extension
Off Twelfth Street
Barataria
Trinidad

Tobago

Shop D48 Lowlands Mall
Lowlands
Tobago

5. writing to the Authority at its address in Trinidad or Tobago.
6. facsimile at (868) 674-1055.
7. completing and submitting a [Consumer Complaints Form](#), which can be obtained from the Authority's offices or on our website. Forms can be emailed to info@tatt.org.tt.

2.1.3. Before Making a Complaint

Before complaining to the Authority about the services provided by your telecommunications or subscription broadcasting provider, **you must first complain to your service provider**. If you are not satisfied with the resolution of your complaint, then come to the Authority.

Where the complaint has not yet been lodged with the relevant service provider, the Authority shall direct you to do so.

When you complain to your provider, you should:

1. attempt to obtain **the name of the person** you are speaking with at the provider's office.
2. have any documents relevant to the complaint, such as **contracts, bills and copies of correspondence, that are your evidence**. You will need this evidence should the matter be referred to the Authority.

A complaint is only actionable if it has been lodged with the service provider and the complainant is dissatisfied with its outcome.

2.1.4. Required Information

You will need to provide the following information:

1. Particulars of the person filling out this complaint form – name, address, contact number and email
2. Particulars of the registered customer and the affected number
3. Particulars of the complaint:
 - a) the type of service
 - b) details of the complainant,
 - c) details of the registered consumer,
 - d) the service provider, the service provider's complaint reference number,
 - e) the nature of the complaint,
 - f) complaint details,
 - g) the date the complaint was lodged with the service provider (please attach copies of relevant documents if available).

2.1.5. Acknowledgement of Complaints

The Authority shall acknowledge all complaints within two working days of receipt. All information needed to support the complaint must be submitted to the Authority. The Authority shall, as far as practicable, treat all information submitted by a consumer as confidential. However, all pertinent information provided by the complainant will be forwarded to the relevant service provider in seeking to resolve the complaint.

2.1.6. Actionable Complaints

Complaints are processed through the Authority's Customer Relationship Management (CRM) system, as follows:

1. The Consumer Relations Representative (CRR) records all relevant information, and documents for actionable complaints are recorded in the Authority's CRM.
2. Each complaint is given a unique reference number.
3. A copy of the complaint (and supporting documents, if any) will be forwarded to the relevant service provider within two working days of receipt of the complaint.

4. The Authority will dispatch an acknowledgement letter to the complainant within two working days from the date of receipt of the complaint.
5. The service provider is obligated to resolve the complaint within the prescribed timeframes.
6. The Authority maintains contact with the provider until the matter is resolved.
7. When the complaint is resolved, the provider will inform the Authority.
8. The Authority will contact the complainant to verify whether or not the complaint was resolved.
9. The Authority will close the matter if the complainant confirms it is resolved.
10. If the complainant indicates the matter has not been resolved, the Authority will continue to pursue the matter with the provider if, in accordance with the Authority's regulatory guidelines, there is a need to do so.
11. If the complainant raises another issue that was not resolved that is unrelated to the original issue, the complainant must be informed that the unrelated issue must be reported to the provider as a new complaint. If dissatisfied with the outcome of that complaint within the given timeframe, the complainant is free to complain to the Authority on that matter.

2.1.7. Non-actionable Complaints

The Authority will not act on the following:

1. Complaints which were not first lodged with the service provider
2. Frivolous and vexatious complaints.
3. Anonymously submitted complaints
4. Complaints which do not fall within the Authority's purview, as outlined in section 18 (1) (m) of the Act, such as security vigilance services and non-provider mobile handsets

Frivolous complaints are those that are either not supported by the evidence and arguments (explanation) or do not raise any significant or addressable issues.

Vexatious complaints are those the Authority determines are being pursued by the consumer only to cause inconvenience to the service provider.

Persons who submit complaints via 800-TATT that are later found non-actionable will be informed accordingly via telephone and in writing.

Except for complaints submitted anonymously, all other written non-actionable complaints received via mail, email, or the Authority's website will be acknowledged and returned to the sender.

The acknowledgement letter will contain the reason for such invalidation, and a copy of the letter will be filed.

The Authority will file complaints submitted anonymously.

2.1.8. What Happens to a Complaint after It is Lodged

The Authority utilises a CRM system to record and manage interactions and relationships with complainants and providers.

All complaints, whether actionable or non-actionable, are recorded in the CRM. Non-actionable complaints are recorded as non-actionable, the complainant is advised, and no further action is taken.

If the complaint is deemed non-actionable by the Communications Officer (CO), the reason for the inability to action it will be placed in the notes in the CRM by the CO, who changes the status of the complaint in the CRM to non-actionable and directs the CRR to inform the complainant.

The CRR informs the complainant of the reason for the inability to action the complaint and places a note in the CRM verifying that the complainant was notified.

All other information received from the public which is not deemed actionable must be documented in the CRM under the category "General Enquiries". This will include but not be limited to:

1. complaints unrelated to the work of the Authority.

2. calls about a service offered by the Authority or any other Authority-related matter.
3. any other call/interaction.

2.1.9. Timeframes

Within three working days of receipt of a complaint, the Authority will forward a copy of the complaint and documents received to the service provider. Each complaint is identified by its unique reference number.

An acknowledgement of the complaint is sent to the complainant via email or post **within two working days of receipt**. This acknowledgement will include the unique reference number and the consumer complaints hotline number for consumers to call the Authority to enquire about or inform the Authority of developments on their complaints.

Based on the information submitted to the service provider, the Authority shall require the provider to:

1. contact the consumer regarding the complaint from the Authority.
2. investigate and resolve the complaint within a reasonable timeframe and provide an update on the status or outcome of the complaint to the Authority in such manner and at such time as the Authority may direct.

If, after ten working days of receipt of the complaint, the provider does not update the Authority on the status of the complaint, and the consumer informs the Authority that the complaint remains unresolved, the Authority will request an update from the service provider.

The Authority will continue to seek weekly updates and status reports from the service provider until the complaint has been resolved.

The Authority will continuously update the complainant on the status of the complaint as often as the particular circumstances require.

2.1.10. Treatment of Resolved Complaints

A complaint is deemed resolved when the complainant is satisfied with the redress given by the service provider and/or the Authority considers the redress given by the service provider fair and reasonable.

1. If a service provider informs the Authority that a complaint has been resolved, the CRR contacts the complainant to verify whether the matter has been satisfactorily resolved.
2. If the complainant verifies this information, relevant notes are placed in the CRM, and the status is changed to “Resolved”.
3. Where the complainant is hard to reach to verify the resolution of the complaint, procedure 2.1.12 is applied.
4. The resolution date is manually inserted by the CO or CRRII, generating a resolution period for the complaint.
5. The CRRII completes the resolution form and forwards the complaint to the Registry for filing.
6. Where the complainant remains dissatisfied with the outcome of the matter, the circumstances will be re-examined, and the operator will be contacted and informed of the consumer’s concerns.
7. Where the information provided by the consumer constitutes a new complaint about the service, a new complaint will be registered and actioned.

2.1.11. Complaints Closed by the Authority

A complaint is closed by the Authority when (i) the complainant fails to respond to repeated requests to contact the Authority or (ii) the complainant requests the complaint be discontinued.

2.1.12. Hard-to-Reach Complainants

1. Complainants will be contacted via telephone **no more than three times** to verify a service provider's claim that a complaint was resolved.
2. If the complainant cannot be reached after three calls, a text or email will be issued to the complainant.
3. A copy of the email or text is placed in the CRM.
4. Where the complainant is not reachable via telephone, text or email, a letter is dispatched by the CRRII requesting the complainant **to respond within five working days**. The complainant must be advised that a response is required **within five working days**. The consumer will be provided with **the date on which the five days end**.
5. If the Authority does not receive a response from the consumer within five days, the complaint status is changed to "Closed by TATT".
6. The CRRII completes the resolution form and forwards the complaint to the Registry for filing.

2.1.13. Late Responses from Hard-to-Reach Consumers

Where a consumer contacts the Authority after a long period of time and the consumer explains that his/her inability to be reached was due to extenuating circumstances and remains dissatisfied with the outcome of the matter, the circumstances will be re-examined.

A determination will be made as to whether or not the circumstances warrant the reopening of the complaint. The circumstances that will allow the matter to be reopened will include the following:

1. Force majeure
2. The complainant was hospitalised for an extended period.
3. The complainant was at a location for an extended period that rendered him/her unreachable, e.g., incarcerated, at sea, or in a part of the world where telephone calls and text messages from Trinidad and Tobago are challenging to receive.

Where a determination is made that the circumstances warrant reopening the case, the CO will inform the provider of the person's dissatisfaction with the outcome and, where permitted, give the reason for the delayed response.

Where a complaint is not reopened, it may be treated as a new complaint and resubmitted through the CRM.

The Authority will not entertain delayed responses of over one year.

3. Escalation of Complaints

3.1. Escalation to Level II Complaint

Level I complaints are dealt with by the Consumer Complaints Department.

Where the matter remains unresolved, it will be escalated to Level II and referred to the Authority's CEO, with all related documents, emails, activities and notes and a recommendation for further action.

This will be treated as a Level II complaint.

3.2. Escalation to Level II Complaint

The Authority's CEO will write to the provider's CEO and refer the complaint and all related documents, emails, activities and notes, requesting a resolution.

Where the complaint remains unresolved after intervention by the CEO, the complaint will be considered a Level III complaint and referred to the CCC.

3.3. Escalation to Level III Complaints

Where a complaint moves from Level II to Level III, the Authority shall, if necessary:

1. notify the service provider and the consumer of its decision to refer the complaint to the CCC within five working days of its decision to do so.
2. request that the service provider submit a written report to the CCC on the status of the complaint within five working days of the CCC's notification.

The report must provide the following:

- a) A summary of the actions taken by the service provider to resolve the complaint
- b) The reasons for the complaint not being resolved within the stipulated timeframe, along with supporting evidence.
- c) The outstanding issues.

- d) An estimate of the timeframe within which the service provider believes the complaint can be resolved

Where the service provider submits the above information as part of the Level III escalation process, the Authority will refer the matter to the CCC, subject to appropriate updates. However, where the provider fails to respond, the matter will still be forwarded to the CCC based on the information available to the Consumer Complaints Department.

4. Consumer Complaints Committee (CCC)

The Consumer Complaints Committee (CCC) was established in 2008 under section 18 (1) (q) of the Telecommunications Act, Chap: 47:31 (the Act) and functions as a Board appointed committee of the Telecommunications Authority of Trinidad and Tobago (the Authority) to collect, decide on and report on consumer complaints.

4.1. Composition

The CCC shall be comprised of the following five persons:

1. An independent Chairman
2. One member of the Board of Directors of the Authority
3. The Chief Executive Officer
4. The Executive Officer of the Division responsible for consumer complaints
5. The Corporate Secretary, who shall be the secretary of the committee

4.2. Resolution of Complaints

Where a complaint is referred to the CCC for further examination and resolution, in accordance with the Authority's *Consumer Complaints Handling Procedures*, the CCC:

1. shall employ the principles of mediation to resolve complaints.
2. shall review the complaint details and the report submitted by the provider to decide on the complaint.
3. may, through the office of the Chief Executive Officer, co-opt persons from time to time to assist and advise on matters being deliberated by the CCC. Such persons may be from within the Authority or be independent experts in various fields. Co-opted persons shall have no voting power and shall serve only in an advisory capacity.
4. will write to, or conduct meetings with, the CEOs of the telecommunications and broadcasting providers where there are complex or unresolved complaints to investigate the complaints.
5. will mediate to resolve the matter/s after completing their investigation.

4.3. Decisions of the CCC

Mediated agreements reached by the CCC with operators shall be treated as final.