



Telecommunications
Industry
Ombudsman

TIO Good Industry Practice Guide for Privacy

Table of contents

About this guide.....	3
Examples of Good Industry Practice for Privacy.....	4
1. General handling of privacy complaints	4
1.1 We expect providers to properly investigate complaints about privacy issues by:	4
1.2 Where investigations show breaches of privacy, we expect providers to:	4
2. Unauthorised disclosure of information	4
2.1 Where consumers complain about unauthorised disclosure of personal information, we expect providers to:	4
3. Unauthorised access to personal information.....	5
3.1 Where consumers complain about unauthorised access to personal information, we expect providers to:	5
4. Denying requests for personal information	5
4.1 Where consumers complain about denied requests for personal information, we expect providers to:	5
5. Incorrect personal information	5
5.1 Where consumers complain providers have incorrect personal information, we expect providers to:	5
6. Unwanted communications.....	6
6.1 Where consumers complain they are receiving unwanted communications, such as calls, emails and texts, we expect providers to:	6
6.2 Where consumers say they are receiving stalking or harassing phone calls from specific numbers, we expect providers to:	6
6.3 Where consumers receive life-threatening calls, we expect providers to:	6
7. Unreasonably keeping data.....	6
7.1 Where consumers complain providers have unreasonably kept data about them, we expect providers to:	6
References	7

About this guide

We expect providers to protect and respect consumers' privacy and personal information.

This guide outlines what we think is good industry practice when consumers are experiencing issues with customer service.

Good industry practice is different to minimum legal obligations for providers. These obligations are set out in the:

- [Privacy Act 1988](#)
- [The Australian Privacy Principles](#)
- [The Australian Privacy Principles Guidelines](#)
- [Telecommunications Service Provider \(Customer Identity Authentication\) Determination 2022](#)

We expect consumers to participate with providers in finding ways to resolve their complaints.

This guide does not outline good industry practice for when a number of consumers experience a data breach.

The examples in this guide are not exhaustive. We always consider the circumstances of each individual complaint when deciding on a fair and reasonable resolution.

View our [Fairness Framework](#) to learn more.

Examples of Good Industry Practice for Privacy

Good industry practice is where providers lead responsible handling of consumers' personal information and keep this information secure. This may include:

1. General handling of privacy complaints

1.1 We expect providers to properly investigate complaints about privacy issues by:

- Listening to what consumers say
- Promptly and comprehensively investigating alleged breaches of privacy
- Telling consumers about:
 - the investigation process and providing timelines for completion
 - possible delays in investigations before they happen and updating timelines for completion
 - the findings of investigations, with all information supporting the findings.

1.2 Where investigations show breaches of privacy, we expect providers to:

- Offer consumers compensation based on the impact breaches of privacy have had on them
- Apologise to consumers for breaching their privacy
- Immediately act to prevent further breaches
- Tell consumers about how they will prevent further breaches.
- Provide any reasonable accommodations to the consumer to remedy any inconvenience or danger consumers may face.

2. Unauthorised disclosure of information

2.1 Where consumers complain about unauthorised disclosure of personal information, we expect providers to:

- Thoroughly and immediately investigate any unauthorised disclosures
- Tell consumers what personal information was disclosed
- Apologise to consumers for disclosing their personal information without authority
- Immediately act to prevent further unauthorised disclosures
- Offer consumers compensation and reasonable accommodations based on the impact unauthorised disclosures had on them.

3. Unauthorised access to personal information

3.1 Where consumers complain about unauthorised access to personal information, we expect providers to:

- Quickly act to prevent further unauthorised access
- Thoroughly and immediately investigate any unauthorised access to personal information
- Tell consumers what personal information was accessed
- Apologise to consumers
- Give consumers options to prevent further unauthorised access, such as:
 - alternative products and/or services, including new numbers and/or email addresses
 - moving to another provider without incurring early termination charges
- Offer consumers compensation and reasonable accommodations based on the impact unauthorised access to their personal information had on them.

4. Denying requests for personal information

4.1 Where consumers complain about denied requests for personal information, we expect providers to:

- Thoroughly and quickly investigate any denied requests for personal information
- Quickly provide access to information consumers are entitled to access
- Apologise to consumers
- Offer consumers compensation and practical support based on the impact the denial of access to their personal information had on them.

5. Incorrect personal information

5.1 Where consumers complain providers have incorrect personal information, we expect providers to:

- Immediately correct any errors in personal information they hold about consumers
- Apologise to consumers for recording, or not promptly correcting, incorrect personal information
- Offer consumers compensation and practical support based on the impact the incorrect personal information had on them.

6. Unwanted communications

6.1 Where consumers complain they are receiving unwanted communications, such as calls, emails and texts, we expect providers to:

- Help consumers stop repeated unwanted communications
- Tell consumers how they can stop unwanted communications, for example, by email blocking or joining the Do Not Call Register
- Where possible with unwanted communications take steps to:
 - Identify
 - Trace
 - Monitor
 - Block the numbers they come from.

6.2 Where consumers say they are receiving stalking or harassing phone calls from specific numbers, we expect providers to:

- Block the specific phone numbers
- Report the phone numbers to the police.
- Offer consumers help via providers' Domestic and Family Violence policies and practices where appropriate.

6.3 Where consumers receive life-threatening calls, we expect providers to:

- Tell consumers to report the calls to the police
- Trace the source of the calls
- Report callers to the police
- Offer consumers help via providers' Domestic and Family Violence policies and practices where appropriate
- Immediately act to reduce risks to consumers where appropriate.

7. Unreasonably keeping data

7.1 Where consumers complain providers have unreasonably kept data about them, we expect providers to:

- Tell consumers why they kept the data
- Delete or de-identify data where the Australian Privacy Principles let them

- Explore with consumers solutions to complaints.

References

For more information, please see our:

- [Good Industry Practice Guides](#)
- [Guidance Documents](#)
- [Terms of Reference](#)