

Final Investigation Report

SingTel Optus Pty Limited's compliance with the *Telecommunications Consumer Protections Code C628:2015*

File No.	ACMA2018/566
Carriage service provider	SingTel Optus Pty Limited
ACN	052 833 208
Type of services or products	Mobile phone and home phone services
Scope of investigation	Clauses 4.1.3 and 4.1.3(d) of the <i>Telecommunications Consumer Protections Code C628:2015</i>

Summary of findings

The Australian Communications and Media Authority (the **ACMA**), having considered the information before it, finds that SingTel Optus Pty Limited (ACN 052 833 208) (**Optus**) has contravened the *Telecommunications Consumer Protections Code C628:2015* (the **TCP Code**), specifically:

- Clause 4.1.3: Optus either failed to indicate to a Consumer that it has an Offer that may suit the Consumer's identified need or failed to provide a Consumer with a reasonable level of information about a particular Offer that may suit the Consumer's identified need, on 23 occasions, between 28 June 2018 and 20 August 2018.
- Clause 4.1.3(d): Optus failed to provide a reasonable level of assistance to the Consumer to find out where to access information about a Telecommunications Product which may suit their specific needs on 25 occasions between 28 June 2018 and 20 August 2018.

Background

1. Under section 510 of the *Telecommunications Act 1997* (**the Act**), the ACMA has jurisdiction to investigate a potential contravention of any code registered under Part 6 of the Act.
2. On 25 June 2018, the ACMA commenced an investigation under section 510 of the Act into Optus' compliance with the obligation in clause 4.1.3 to identify if it has an Offer that may suit a Consumer's disability needs and provide information to Consumers about such Offers. The investigation also considered whether Optus provided assistance to Consumers about where to access information about Telecommunications Products which may suit the disclosed needs of Consumers with disabilities in compliance with the obligation in subclause 4.1.3(d).

3. The ACMA commenced this investigation following concerns identified in research commissioned by the Australian Communications Consumer Action Network in 2014 and 2017 that there were gaps in knowledge and awareness of Optus disability products among Optus' customer-facing sales staff¹.
4. On 5 November 2018, the ACMA sent its preliminary findings report to Optus and on 22 November 2018, Optus provided a submission to the ACMA. On 9 November 2018 and 26 November 2018, the ACMA provided Optus with more specific information about the preliminary findings and contacts made by ACMA staff, following a request for further information from Optus.

Relevant facts

5. The TCP Code is an industry code registered under Part 6 of the Act and it applies to the carriage service providers section of the telecommunications industry under section 110 of the Act. The TCP Code contains rules about how Suppliers deal with their residential and small business customers.
6. Optus is an Australian company that provides telephone and internet services to residential and small business customers. It is therefore a carriage service provider pursuant to section 87 of the Act and a Supplier for the purposes of the TCP Code which sets out a range of requirements for Suppliers.
7. Clause 4.1.3 of the TCP Code requires Suppliers to meet the needs of Consumers:

'If a Consumer identifies a particular need to a Supplier, the Supplier must indicate if it has an Offer that may suit the Consumer's identified need and if the Supplier does indicate a particular Offer that may suit the Consumer's identified need, the Supplier must provide the Consumer with information about the particular Offer, to allow the Consumer to assess the suitability of that Offer against that need.'
8. In addition to this overarching obligation, clause 4.1.3 sets out several actions to enable this outcome. Relevantly, clause 4.1.3(d) provides that a supplier must:

'Different needs: assist Consumers to find out where to access information about Telecommunication Products which may suit specific needs, such as the disclosed needs of Consumers with a disability.'

Methodology

9. The ACMA undertook a shadow shopping exercise to assess the extent to which Optus is complying with clauses 4.1.3 and 4.1.3(d) of the TCP Code. Between 28 June 2018 and 20 August 2018, a team of ACMA employees contacted Optus on 63 occasions by either visiting Optus stores, by telephone or through webchat and identified a particular disability need to the Optus employee and asked for information about Offers available from Optus.

Findings and reasons

10. An assessment of Optus' compliance against clauses 4.1.3 and 4.1.3(d) based on the evidence collected during the shadow shopping exercise is at **Attachment A**.

¹ The [ACCAN Disability Mystery Shopping Analysis Report March 2017](#) and the [ACCAN Disability Mystery Shopping report September 2014](#)

11. On the dates specified in column C of Attachment A, an ACMA employee made contact with Optus via the contact method identified in column B. In each case the ACMA employee identified a need described in column D. The ACMA has evidence that on the relevant date Optus was advertising an Offer, described in column E, which may suit the need identified by the ACMA employee.
12. In making its final findings, the ACMA considered the evidence gathered in the course of the shadow shopping exercise as summarised in Attachment A. The ACMA also considered Optus' submission, and its email from 30 November 2018.
13. In Optus' submission, it advised that it considers that clause 4.1.3 and subclause 4.1.3(d) do not require a Supplier to provide information about pieces of equipment (such as mobile handsets) unless that piece of equipment is being offered by the supplier as a 'specialised' piece of equipment (such as TTY handsets) intended to assist customers with a disability. Optus submitted that it is not practical nor fair to expect its staff to understand the features of each device that may be of assistance to customers with a disability.
14. The ACMA notes that clause 4.1.3 or subclause 4.1.3(d) do not require a Supplier to provide information only about 'specialised' Offers that the Supplier may have for customers with a disability, when responding to a customer who has indicated a particular disability need. The ACMA notes that such an approach would be unduly limiting given that the provisions are directed towards ensuring that Suppliers provide information about any telecommunications services and equipment they are supplying that may meet the identified need of a consumer.
15. The ACMA further notes that clause 4.1.3 and subclause 4.1.3(d) require only that the Supplier provide a level of information that is reasonable in the circumstances: there is no expectation that every Supplier front-of-house staff member should know the features of every device that may assist customers with a disability.
16. In 23 instances, Optus' response, described in columns F and G in Attachment A, did not meet the requirements of clause 4.1.3 of the TCP Code as the Optus staff member did not indicate that Optus had an Offer that may suit the Consumer's identified need or the staff member did not provide the Consumer with a reasonable level of information about the particular Offer. Consequently, the ACMA finds that in 23 instances, Optus contravened clause 4.1.3 of the TCP Code.
17. In 25 instances, Optus' response, described in column H of Attachment A, did not meet the requirements of subclause 4.1.3(d) of the TCP Code as the Optus staff member did not provide a reasonable level of assistance to the Consumer to find out where to access information about a Telecommunications Product that may suit their need. Consequently, the ACMA finds that in 25 instances, Optus contravened subclause 4.1.3(d) of the TCP Code.

OPTUS - FINDINGS OF INVESTIGATION INTO INFORMATION ABOUT SERVICES FOR CONSUMERS WITH A DISABILITY

A	B	C	D	E	F	G	H	I
Case No	Contact type	Date	Consumer's identified need	ACMA officer identification of Optus Offer that may suit the Consumer's identified need	Did Optus indicate that it had an offer that may suit the consumer's identified need?	Did Optus provide the Consumer with information about the Offer which may suit the Consumer's identified need?	Did Optus assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs?	Finding
2	Call centre	10/07/2018	Mobile for a person with low vision	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:moblis	Yes. Optus indicated that it had an offer which may suit the consumer's identified need.	Yes. Optus indicated that it had an offer with a large visual display.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of subclause 4.1.3(d) of the Telecommunications Consumer Protections Code
4	Call centre	25/07/2018	Home phone for a person who is Deaf	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
14	Call centre	3/08/2018	Mobile with dexterity support features	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:moblis	Yes. Optus indicated that it had an offer which may suit the consumer's identified need.	Yes. Optus indicated that it had an offer which was light weight.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
15	Call centre	3/08/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
16	Call centre	3/08/2018	Home phone for a person who is Deaf	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store and third party retailer. In the ACMA's view, the action of Optus referring the consumer to an Optus store and third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
18	Call centre	14/08/2018	Mobile for a person who is Deaf	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:moblis	Yes. Optus indicated that it had an offer which may suit the consumer's identified need.	Yes. Optus indicated that it had an offer which was hearing aid compatible.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of subclause 4.1.3(d) of the Telecommunications Consumer Protections Code
20	Call centre	20/08/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
21	Call centre	20/08/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.

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Case No	Contact type	Date	Consumer's identified need	ACMA officer identification of Optus Offer that may suit the Consumer's identified need	Did Optus indicate that it had an offer that may suit the consumer's identified need?	Did Optus provide the Consumer with information about the Offer which may suit the Consumer's identified need?	Did Optus assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs?	Finding
23	Store walk-in	29/06/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
27	Store walk-in	18/07/2018	Home phone for a person who is Deaf	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	Yes. Optus referred the consumer to the Optus website, which contains information about telecommunications products which may meet the needs of consumers with disabilities. Optus also referred the consumer to a third party retailer.	Breach of clause 4.1.3 of the Telecommunications Consumer Protections Code.
28	Store walk-in	19/07/2018	Home phone for a person who is Deaf	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
37	Store walk-in	10/08/2018	Mobile for a person who is hard of hearing	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mo blis	Yes. Optus indicated that it had an offer which may suit the consumer's identified need.	Yes. Optus indicated that it had an offer with adjustable volume and a large visual display.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of subclause 4.1.3(d) of the Telecommunications Consumer Protections Code
38	Store walk-in	10/08/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
39	Store walk-in	10/08/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
41	Store walk-in	14/08/2018	Mobile with dexterity support features	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mo blis	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store. In the ACMA's view, the action of Optus referring the consumer to an Optus store does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
42	Store walk-in	7/12/2018	Mobile for a person with low vision	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mo blis	Yes. Optus indicated that it had an offer which may suit the consumer's identified need.	Yes. Optus indicated that it had an easy-to-use phone.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.

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45	Web-chat	5/07/2018	Home phone for a person who is Deaf	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	Yes. Optus referred the consumer to the Optus website, which contains information about telecommunications products which may meet the needs of consumers with disabilities.	Breach of clause 4.1.3 of the Telecommunications Consumer Protections Code.
46	Web-chat	6/07/2018	Mobile with dexterity support features	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	Yes. Optus indicated that it had an offer which may suit the consumer's identified need, and identified some brands of smart phones which Optus supplies.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
48	Web-chat	19/07/2018	Mobile for a person who is blind	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	Yes. Optus referred the consumer to the Optus website, which contains information about telecommunications products which may meet the needs of consumers with disabilities. Optus also referred the consumer to an Optus store.	Breach of clause 4.1.3 of the Telecommunications Consumer Protections Code.
50	Web-chat	24/07/2018	Mobile for a person who is blind	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store and call centre. In the ACMA's view, the action of Optus referring the consumer to an Optus store and call centre does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
51	Web-chat	25/07/2018	Mobile for a person who is hard of hearing	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store. In the ACMA's view, the action of Optus referring the consumer to an Optus store does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
53	Web-chat	27/07/2018	Mobile for a person with low vision	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	Yes. Optus referred the consumer to the Optus website, which contains information about telecommunications products which may meet the needs of consumers with disabilities.	Breach of clause 4.1.3 of the Telecommunications Consumer Protections Code.
54	Web-chat	29/07/2018	Mobile for a person who is hard of hearing	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to a third party retailer. In the ACMA's view, the action of Optus referring the consumer to a third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
55	Web-chat	29/07/2018	Mobile for a person who is blind	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store. In the ACMA's view, the action of Optus referring the consumer to an Optus store does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
56	Web-chat	29/07/2018	Mobile for a person who is Deaf	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	Yes. Optus indicated that it had an offer which may suit the consumer's identified need.	Yes. Optus indicated that it had an offer with vibrating alerts.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of subclause 4.1.3(d) of the Telecommunications Consumer Protections Code

A	B	C	D	E	F	G	H	I
Case No	Contact type	Date	Consumer's identified need	ACMA officer identification of Optus Offer that may suit the Consumer's identified need	Did Optus indicate that it had an offer that may suit the consumer's identified need?	Did Optus provide the Consumer with information about the Offer which may suit the Consumer's identified need?	Did Optus assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs?	Finding
57	Web-chat	30/07/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store. In the ACMA's view, the action of Optus referring the consumer to an Optus store does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
59	Web-chat	31/07/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	Yes. Optus referred the consumer to the Optus website, which contains information about telecommunications products which may meet the needs of consumers with disabilities. Optus also referred the consumer to an Optus store.	Breach of clause 4.1.3 of the Telecommunications Consumer Protections Code.
61	Web-chat	2/08/2018	Home phone for a person who is Deaf	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store and third party retailer. In the ACMA's view, the action of Optus referring the consumer to an Optus store and third party retailer does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
62	Web-chat	3/08/2018	Home phone for a person who is hard of hearing	Optus offers teletypewriter phones and other phones which have features which may suit the needs of a consumer who is Deaf or hard of hearing. http://www.optus.com.au/shop/homephone/offers/ttyhandsets?SID=con:fix:cat:til:6:ccrd:homeph::img	No. Optus did not indicate that it had an offer to suit the consumer's identified need.	No. Optus did not provide the consumer with information about any offer that might meet the consumer's identified need as required by clause 4.1.3 of the Telecommunications Consumer Protections Code.	No. Optus referred the consumer to an Optus store and internet search. In the ACMA's view, the action of Optus referring the consumer to an Optus store and general internet search does not adequately assist the consumer to find out where to access information about a telecommunications product that may suit their need as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of clause 4.1.3 and subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.
63	Web-chat	10/08/2018	Mobile for a person with low vision	Optus offers smart phones which have a range of in-built functions to meet the needs of people with disabilities. https://www.optus.com.au/shop/mobile/phones?SID=con:mcat:3up:1:may17:postmob:mobile	Yes. Optus indicated that it had an offer which may suit the consumer's identified need.	Yes. Optus indicated it had an offer with adjustable font size.	No information was provided to assist the consumer to find out where to access information about a Telecommunications Product which may suit their specific needs as required by subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.	Breach of subclause 4.1.3(d) of the Telecommunications Consumer Protections Code.