



SUBMISSION

Guidelines for Recognising External Dispute Resolution Schemes under s 35A of the Privacy Act 1998

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Role of the Public Transport Ombudsman (PTO)

The PTO is an independent industry-based Ombudsman scheme, established in 2004 to receive, investigate and resolve complaints about public transport services provided by Victorian public transport operators that are members of the PTO scheme. PTO scheme members include passenger train, tram and bus companies, and others involved in providing public transport services, such as Public Transport Victoria and Southern Cross Station. The scheme is funded by the industry, based on an annual fixed membership fee and on a variable user-pays basis, calculated on annual complaint numbers.

The PTO complies with the *National Benchmarks for Industry-Based Customer Dispute Resolution Schemes* and utilises the principles of alternative dispute resolution to effectively and efficiently handle complaints. If a complaint cannot be resolved through agreement, the Ombudsman is able to make a Binding Decision to resolve the complaint, or may dismiss the complaint.

The PTO has extensive experience in handling customer complaints and working with the public transport industry to improve customer service practices and internal dispute resolution (IDR) processes. We also play an important role in the identification of systemic issues facing the public transport industry, including investigation and resolution of issues within PTO jurisdiction and referral to appropriate agencies for other issues.

Further information about the operation of the PTO, including public reports can be found on our website www.ptovic.com.au.

PTO Vision

Through providing leading dispute resolution services, we will contribute to improving how public transport services meet the needs of the Victorian community.

Cultural Values

Excellence:	Quality focused, Accountable, Responsive, Accurate We strive for excellence because we value what we do
Integrity:	Open, Confident, Strong, Committed We are transparent, honest and consistent
Leadership:	Inspired, Creative, Courageous, Effective We lead through encouragement, guidance and innovation
Respect:	Empathic, Considerate, Honest, Fair We treat ourselves and others with dignity
Independence:	Equitable, Reasonable, Consistent, Transparent We are impartial and objective

Review of the Guidelines for Recognising External Dispute Resolution Schemes under s 35A of the *Privacy Act 1998* (draft Guidelines)

Thank you for the opportunity to provide a written submission to the Office of the Australian Information Commissioner with respect to the guidelines for recognising external dispute resolution schemes under s 35A of the Privacy Act 1998 (draft Guidelines).

My interest in responding is that, as an external dispute resolution body that complies with the DIST Benchmarks, my office will be seeking OAIC recognition under s 35A of the Privacy Act 1988, to handle privacy-related complaints.

My office handles a small number of privacy-related complaints each year. The privacy issues are usually part of a larger complaint about service provision.

My office, which has a budget of under \$3 million per year, opted in to coverage under the Act in 2011.

As a member of the Australian and New Zealand Ombudsman Association, I support its submission. Further I endorse its comment that a flexible approach from the OAIC in administering the Guidelines is required as this will contribute to the effective implementation of the Guidelines and thus, enhance access for consumers to independent and effective dispute resolution bodies for privacy complaints.

Thank you again, for this opportunity. If you would like any further information, please contact me on (03)8623 2111 or at enquiries@ptovic.com.au.

**Janine Young
Ombudsman
Public Transport Ombudsman Limited**