

LPA Complaints Handling and Dispute Resolution Policy

First Edition - September 2008

Who is LPA?

Live Performance Australia (LPA) is the peak body for Australia's live entertainment and performing arts industry. Established in 1917 and registered as an employers' organisation under the Workplace Relations Act 1996, LPA's activities centre around three core areas:

- ◆ Workplace Relations
- ◆ Policy & Strategy
- ◆ Membership Services & Events

Our members work in the live performance sector across all artistic genres, including contemporary and classical music, musicals, theatre, comedy, dance, opera, circus and physical theatre. We represent producers, venues, promoters, performing arts companies, festivals and industry suppliers such as ticketing service providers and technical specialists.

LPA is the trading name of the Australian Entertainment Industry Association (AEIA).

What is This Policy About?

In August 2008, member organisations of LPA agreed to be bound by the *LPA Code of Practice for the Ticketing of Live Entertainment in Australia* (the Code). LPA has released this policy to explain to consumers our procedures for handling complaints and resolving disputes. In developing and refining these procedures, we have had regard to the overriding principle that any complaints process should be accessible, fair, efficient, quick and low cost for all involved. We have developed this policy to reflect the requirements of the Industry Code as at September 2008 and to ensure that it meets the standards set out in Australian Standard 4269-1995 *Complaints Handling*.

What Complaints and Disputes are Covered by this Policy?

LPA actively encourages feedback on our performance across all areas of our business, and we welcome comments from members, consumers, performing artists and members of the public about our service.

The formal procedures set out in this Policy apply to complaints about matters covered by the Code from consumers. For example, you can make a complaint under this Policy if you think one of our members has not complied with one of their obligations under the Code, or if the service you have received from one of our members does not meet one of the standards set out in the Code.

This is a summary of sections of the LPA Code of Practice that apply to Consumers. Before making a complaint to either an LPA Member or to LPA directly, we recommend you read paragraphs 27 - 36 of the Code. These paragraphs explain the circumstances under which you may be entitled to a refund or exchange on your ticket purchase. A copy of the Code can be found at www.liveperformance.com.au

How Can you Make a Complaint?

We encourage you to try to resolve any complaint at the earliest possible opportunity. In order to give the organisers of the event the best opportunity to fix the problem, we recommend that as soon as you are aware of a problem that you do any one of the following:

Prior to the performance: If the complaint occurs prior to the performance, you should report the complaint to the Ticketing Service Provider.

At the time of the performance: If the complaint occurs at the time of the performance, you should inform staff at the Venue as soon as possible, or within the first 30 minutes of the performance or at interval. This will give staff at the Venue the opportunity to resolve the problem in time for you to properly enjoy the rest of the performance.

Subsequent to the performance: If the complaint occurs subsequent to the performance, you should contact the Venue who should advise you as to whom you should report the complaint to have it addressed.

In the event that your complaint is unable to be resolved, you or the Presenter may refer the complaint to the LPA Complaints Officer, who will then deal with the complaint in accordance with the *LPA Code of Practice for Ticketing of Live Entertainment Events in Australia*.

We aim to make it as easy as possible for you to bring complaints to our attention. For this reason, we offer a range of methods by which you can make a complaint to us:

By telephone (during business hours)

03 9614 1111 extension 6 – ask for the Complaints Officer

By fax

03 9614 1166 – mark the fax to the attention of the Complaints Officer

By email

complaints@liveperformance.com.au

By post:

The Complaints Officer

LPA

Level 1, 15 - 17 Queen St

Melbourne VIC 3000

To ensure that we can examine and respond to your complaint quickly, please make sure that you provide:

- ◆ Contact details so we can discuss the complaint with you,
- ◆ Details of the circumstances surrounding the object of the complaint.

If you need assistance in describing or making a complaint, or if you just want to discuss your concerns informally before deciding whether to make a complaint, please feel free to contact us.

How Will We Handle Your Complaint?

Our Complaints Officer will oversee the complaints process on behalf of LPA. That person is responsible for liaising with you and with other staff members in LPA to ensure that the issues you have raised are fully examined, and that your complaint is handled in accordance with this Policy.

The process, and all the details of your complaint, will be treated by us in strict confidence, and we generally won't disclose any information about your complaint to anyone outside of LPA. However, sometimes we may wish to discuss your complaint with the Member with whom you may have the issue. Where we need to discuss with someone else any issues arising from your complaint, we will first obtain your consent.

We will always try to give you a fair opportunity to explain your case. You should make your initial complaint as clear as possible, and provide all the supporting material you can.

How Long Will it Take?

The length of time LPA takes to resolve your complaint will depend upon the nature and complexity of the issues you have raised, and the extent of the inquiries we have to make in deciding how to address those issues. As a guide, we have set the following time standards that we will aim to achieve in most cases:

- ◆ For complaints of a simple kind that we receive by telephone or email, we will try to deal with your complaint and respond to you **within 5 business days** of receiving the complaint. If we can't deal with the complaint in that time, for example because it is not as simple as it initially appeared, we will let you know.
- ◆ We will acknowledge written complaints **within 3 business days** of receiving them, and we will try to give you an estimate of how long it might take us to deal with the complaint.
- ◆ We will provide our response to your complaint **within 20 business days** of receiving the complaint. If you are not satisfied with our response, you should let us know, and provide us with any further material in support of your complaint. **If you indicate to us that you are satisfied with our response, or if we don't hear from you within 30 business days of that response, we will consider the matter closed at this point.**

If you tell us that you are not satisfied with our response, we will reconsider it if you provide additional material to us, and we will then provide a further response **within 20 business days** of receiving the additional material from you.

We will do our best to keep you informed of progress as we examine your complaint and decide how to respond to it, especially if it looks like we won't meet any of the time standards set out above.

What Action Will we Take in Response to Your Complaint?

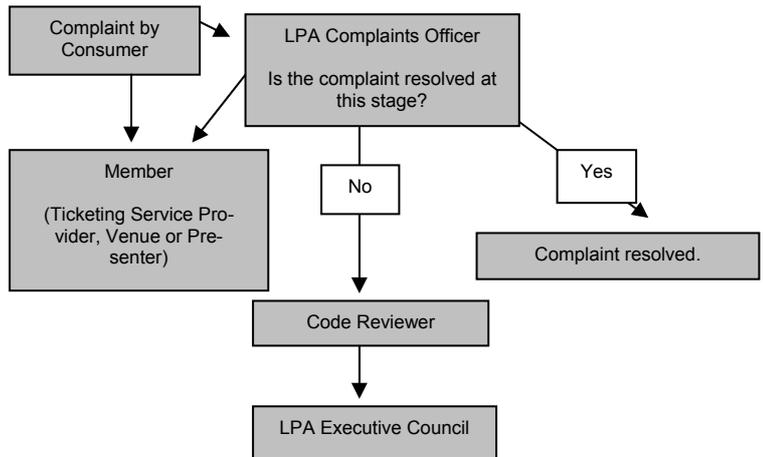
If we decide that your complaint is justified, we will then decide what action we should take in response. We will always try to match our response to the nature of your complaint and the effect it has had on you, and we will try to discuss our response with you before making any final decisions. Some of the things we might do include:

- ◆ Notifying the relevant LPA Member of the complaint;
- ◆ Providing you with additional information or documents so you can understand what happened or how we have dealt with it;
- ◆ Taking steps to change our policies, procedures or

systems if your complaint exposes a systemic or recurring problem in the way we do things; or

- ◆ Refer the complaint to the Code Reviewer and the Executive Council.

Dispute Resolution Process



Consumers will be assisted in resolving complaints by the LPA Complaints Officer if necessary and requested. We aim to resolve as many disputes as possible at this stage.

For serious breaches of the Code – LPA may refer the matter to the Code Reviewer. The Code Reviewer's role is set out in paragraphs 80 and 82 of the Code.

Members and Consumers have a right of appeal to the LPA Executive Council. This option is for exceptional or serious circumstances. The Executive Council's role in considering complaints is set out in paragraphs 81 - 90 of the Code.

What if You Are Still Unhappy?

Sometimes it won't be possible to resolve a complaint to everyone's satisfaction, and you might choose to escalate the matter to a more formal, independent dispute resolution mechanism. There are a range of options available to you to resolve disputes, including notifying the relevant Consumer Affairs and Fair Trading Department, or court proceedings. You have the right to pursue these options at any time.

How Will We Monitor Our Performance?

LPA is committed to continually monitoring its performance in handling complaints and disputes under the Code. For this reason, we will maintain statistics (without identifying any individual) about the numbers and types of complaints received and how they were dealt with.

We also have reporting obligations under the Code, which are designed to ensure that our activities are transparent and accountable:

- ◆ We are required to include a statement in our Annual Report on our compliance with the Code.
- ◆ We have to make a report each year to the independent Code Reviewer, who is appointed to evaluate LPA's performance against the standards set out in the Code.

We will also review and update this Policy as necessary. Please contact us at any time if you have any comments or suggestions in relation to the Policy.