

Singtel Optus Pty Ltd

Compliance with obligations under
Section 28 of the Telecommunications
(Emergency Call Service)
Determination 2019

Phase 2 Memorandum

16 September 2024

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1. Background

1.1 Purpose

On 06 May 2024, EY issued an ASAE 3100 Limited Assurance Report (“the report”) to Optus regarding its compliance with Section 28 of the Telecommunications (Emergency Call Service) Determination 2019. EY has found that nothing has come to its attention that causes it to believe that the statement that Optus has complied with the Determination is in all material respects not fairly represented. As part of that report, EY performed control testing of design effectiveness, as detailed in Appendix C of the report, and identified one (1) control deviation related to welfare check training.

The purpose of this memorandum is to assess whether Optus has sufficiently addressed the control deviation noted in Phase 1.

1.2 2023 Optus Outage

On 8 November 2023, there was a significant network outage which impacted Optus’ networks (“the Outage”). Following the Outage Optus (as the Carriage Service Provider) undertook welfare checks on customers whom Optus identified on 8 November 2023 had made unsuccessful emergency calls as required by Section 28 of the Telecommunications (Emergency Call Service) Determination 2019 (the “Determination”). Optus has since identified there were additional customers who made calls that did not reach the Emergency Call Person during the Outage on whom a welfare check was not undertaken.

Optus has since made changes to its welfare check process and seeks an independent review from Ernst and Young (“EY”). Optus has committed to implementing any recommendations of this independent review and share the findings with the Australian Communications and Media Authority (ACMA) and the Senate Committees.

1.3 The Determination

The requirements of the Determination are outlined as follows:

(1) A carriage service provider must, as soon as practicable after:

(a) becoming aware of a significant network outage that adversely affects a controlled network or controlled facility that the provider owns or operates; or

(b) being notified of a significant network outage under paragraph 27(2)(b),

undertake, or arrange to be undertaken, a welfare check on an end-user who made an unsuccessful emergency call during the outage using an emergency telephone service supplied by the carriage service provider.

(2) Subsection (1) does not apply where:

(a) the carriage service provider cannot identify that the end-user has made the unsuccessful emergency call;

(b) the carriage service provider is satisfied that the end-user subsequently made a successful emergency call; or

(c) the end-user made the unsuccessful emergency call using a public mobile telecommunications service, and the location of the customer equipment from which the call was made has changed since the call was made.

1.4 Scope and Approach

The scope of the independent review includes an assessment of Optus' current activities and processes as it relates to the Determination, in accordance with the requirements of the agreed Statement of Work. As per the agreed Statement of Work:

We will perform the following key procedures/activities in two (2) stages:

Stage 1

- Identify the current processes and controls Optus has in place to perform welfare checks and provide an assurance opinion on its compliance with section 28 of the Determination.
- Make recommendations to improve those processes and controls for performing welfare checks identified in 1, as are necessary, to ensure compliance with the obligations in section 28 of the Determination in the form of a recommendations report.

Stage 2

- By no later than 3 months of notification from Optus that the recommendations have been implemented, provide a brief report of our assessment validating whether recommendations have been implemented, and, where relevant, whether they have been successfully tested.

Given the circumstances of the engagement, in performing the procedures listed above we:

- ▶ Through discussion, enquiries, and observation, obtained an understanding of Optus' compliance framework and internal control environment to meet the requirements of the Determination, as evaluated against the criteria outlined in Appendix A and Appendix B ("Criteria").
- ▶ Through discussion, enquiries, observation and walk throughs, obtained an understanding of Optus' relevant welfare check activities that are undertaken to meet the Determination, as evaluated against the Criteria.
- ▶ Documented any control deviations identified in the design effectiveness testing as evaluated against Optus' compliance with the Criteria.

Limitations on Stage 2 Scope

The Services undertaken for this memorandum are advisory in nature. EY has not rendered an assurance report or opinion under the Agreement, nor will the Services constitute an audit, review, or other form of assurance, as those terms are identified by the Australian Auditing and Assurance Standards Board (AUASB). Accordingly, we do not express any form of assurance on accounting matters, financial statements, or other financial information or internal controls as part of this report.

2. Optus Remediation

Following EY's assessment of Optus' welfare check process against the Criteria as at 18th April 2024, EY performed control testing of design effectiveness as detailed in Appendix C of the report. EY identified (1) one control deviation related to welfare check training as detailed below.

Deviation No: 1	Issue Type: Design
Related Control and Control Description	C.14 All relevant Network and Frontline personnel identified in the end-to-end welfare check review process are provided with formal, ongoing training on welfare check regulatory requirements and any changes to the standard operating procedures. Optus is responsible for identifying a complete and accurate list of personnel, facilitating training sessions timely and monitoring training completion rates.
Finding	<u>Lack of Formal Training Plan and Monitoring</u> Welfare check training sessions are provided on an ad-hoc basis for relevant Network and Frontline personnel. However, as the welfare check process is routinely updated for improvements, there is a lack of a formal training plan to consistently equip staff on an ongoing basis. Additionally, there is inadequate monitoring to ensure training completion and consistent welfare check outcomes. Refer <i>Appendix C</i> for details on the control.
Risk	Insufficient and inconsistently monitored training on the welfare check process can lead to a lack of awareness regarding the latest standard operating procedures and regulatory requirements. This lack of awareness may result in inconsistent welfare check outcomes and potential non-compliance with the Criteria.

On 12 August 2024, Optus provided evidence of remediation actions for the control deviation EY identified related to welfare check training. Based on the control test procedures below, EY determined that Optus' welfare check training control is designed effectively as at 12 August 2024, with no deviations noted.

Details of EY recommendations	EY Control Test Procedures	Control Test Result
Optus should develop and implement a comprehensive formal training plan for the welfare check process. Key actions should include: a) Identifying a complete and accurate list of all in-scope roles/job titles at Optus and any external parties that require welfare check training.	Inspected the Triple Zero Welfare Check Train & Test Tracker to determine whether all in-scope stakeholders are identified for welfare check training.	No deviations noted.
b) Developing and deploying welfare training sessions routinely for all new and existing personnel in the identified roles, using a standardised curriculum	Inspected the latest network SOP to determine whether formal training is enforced on	No deviations noted.

that is routinely updated to reflect the latest standard operating procedures and regulatory requirements.	a periodic basis for in-scope stakeholders. Inspected evidence of the training materials used to determine whether the curriculum reflect the latest operating procedures and regulatory requirements.	
c) Establishing a centralised forum (E.g., SharePoint) where the latest Standard Operating Procedures, and any other relevant useful resources (E.g., quick user guide document), can be accessed by all new and existing personnel in the identified roles.	Enquired with VP of Networks Operations and Senior Director of Complex and Vulnerable Care, to confirm whether centralised forums and appropriate access rights have been set up.	No deviations noted.
d) Establishing a system to record and monitor the training status of all personnel, ensuring that training completion rates are satisfactory.	Inspected the Triple Zero Welfare Check Train & Test Tracker to determine whether training status and completion rates are satisfactory.	No deviations noted.
e) Implementing a feedback mechanism to assess the effectiveness of the training and making necessary adjustments based on feedback and changes in regulations or procedures.	Inspected the latest network SOP to determine whether a feedback mechanism and periodic review is in place to facilitate continuous improvement of the standardised curriculum.	No deviations noted.
f) Setting up a periodic review and audit process to ensure the training program's ongoing relevance and effectiveness.		No deviations noted.

3. Conclusion

Based on the control test procedures performed in Section 2 of this memorandum, EY determined that Optus has sufficiently addressed the control deviation related to welfare check training.