

Complaints handling procedures

We are committed to delivering quality service and ask you to contact us if you are dissatisfied with any aspect of our service.

If you wish to complain about ITSA's level of service

We encourage you to initially contact the ITSA employee you have been dealing with in order to resolve your issue. If you are unable to raise the issue with the person you have been dealing with, or you are not satisfied with their response, ask to speak to that employee's direct manager or site leader.

To find out more about lodging a complaint with ITSA, you should ask our staff or refer to our publication *ITSA's Complaint handling procedures*, which is available on our website at www.itsa.gov.au.

Although we encourage you to use the above procedure, you have the right at any time to complain to the Commonwealth Ombudsman on 1300 362 072.

Feedback

We also encourage and welcome positive feedback about our service and employees.

You can provide feedback by visiting www.itsa.gov.au and selecting the enquiry/feedback/complaints tab on the home page, you can call us on 1300 364 785, or you can email your feedback to charter@itsa.gov.au.

HOW TO CONTACT US

For all enquiries call **1300 364 785**
or visit www.itsa.gov.au or send
an email to info@itsa.gov.au

Office hours 8:30am-5pm



Australian Government
Insolvency and Trustee Service Australia

To people contemplating
bankruptcy or one of
its alternatives

What you can expect from us and what we expect from you

Who we are

ITSA is responsible for regulating and administering the personal insolvency system in accordance with the *Bankruptcy Act 1966*. Our purpose is to provide a personal insolvency system that minimises the impact of financial failure on the community, produces equitable outcomes for debtors and creditors and enjoys public confidence through application of business laws, regulation and trustee services..

The Bankruptcy Act creates the roles of the Inspector-General in Bankruptcy, Official Receivers and the Official Trustee. ITSA performs all of these roles. ITSA is not responsible for company insolvency law and practice (which is the responsibility of the Australian Securities and Investments Commission).

Who our clients are

- 1 Debtors – individuals who are considering options to deal with unmanageable debt, or individuals who are currently using one of the options provided by the *Bankruptcy Act 1966*.
- 2 Creditors – individuals or organisations who are owed monies and are contemplating using personal insolvency options to recover their debts, or are currently involved in a personal insolvency administration.
- 3 Others – people or organisations who provide information, guidance and other services to debtors and creditors and the community, including registered insolvency practitioners, financial counsellors and legal practitioners; and people who want to obtain information about an individual's solvency status from the public record.

What you can expect from us

- 1 We will help you obtain information to enable you to make an informed decision about appropriate options for relief from your unmanageable debts.
- 2 We will provide you with information about:
 - your available options
 - W the consequences of entering into any type of personal insolvency administration
 - what you can and cannot keep if you enter bankruptcy, a personal insolvency agreement or a debt agreement;
 - what you can and cannot do if you enter bankruptcy, a personal insolvency agreement or debt agreement; and
 - how to contact financial counsellors, registered trustees and registered debt agreement administrators.
- 3 We will, upon acceptance of your bankruptcy, personal insolvency agreement or debt agreement proposal (regardless of whether or not it is accepted by your creditors):
 - enter your name and personal information on the public record (NPII)
 - promptly notify your creditors
 - make your relevant information available to credit reference companies for recording on commercial credit reference records, and to other organisations.
- 4 We will act as your trustee or administrator if you have not nominated one, or occasionally we may refer your administration to a registered trustee or administrator to act for you.

What we expect from you

- 1 You will seek financial counselling or advice from other appropriate sources before you lodge your application for a personal insolvency administration with us.
- 2 You will read the prescribed information and other material given to you about the options available to deal with unmanageable debt.
- 3 You will understand the need for us to balance the sometimes conflicting expectations of the various parties in an administration or bankruptcy.
- 4 You will behave in a polite and courteous manner and not use threatening, offensive or abusive language or behaviour with our staff, even though your circumstances may be distressing.
- 5 If we are handling your personal insolvency administration as your trustee or administrator, you will:
 - fully and accurately disclose your affairs
 - promptly carry out our instructions (e.g. to deliver assets for sale or pay income contributions)
 - keep us promptly informed during the term of your administration of:
 - any changes to your name, address or day-time telephone number
 - any changes in your income or employment
 - any gifts, bequests, or other money or assets you receive
- 6 You will comply with the obligations and restrictions imposed. You should understand that breaking these laws may result in extension of your bankruptcy or a criminal prosecution.