



# Water Industry Standard – Rural Customer Service

Draft

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## Amendments to the Water Industry Standard – Rural Customer Service

Version No.	Date effective	Nature of amendment
2	1 July 2023	Amended schedule 1 and inserted new schedule 2 to give effect to updated service standards and targets for GWMWater, Lower Murray Water and Southern Rural Water and a new guaranteed service level scheme for Coliban Water, as approved by the commission on 21 June 2023 as part of the water price review 2023.
3	TBC	Inserted new Part I creating an obligation on water businesses to report non-compliance with these standards to the commission; amended the family violence obligation in clause 10 as approved by the commission on TBC.

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# Part A – Introduction

This industry standard is made under section 4F of the *Water Industry Act 1994 (Vic)* in accordance with the Water Industry Regulatory Order made pursuant to section 4D of the *Water Industry Act 1994 (Vic)*.

## Citation

This industry standard, originally cited as Essential Services Commission 2022, Water Industry Standard – Rural Customer Service, 27 September, which came into effect on 1 March 2023, may now be cited as the Water Industry Standard – Rural Customer Service. This paper comprises version 3 of the Water Industry Standard – Rural Customer Service incorporating amendments made as at TBC 2024.

## Purpose

The purpose of this industry standard is to specify standards and conditions that rural water businesses must comply with in providing regulated supply services and granting licences to customers (unless specifically exempted by this industry standard or by a decision of the Commission) but not bulk supply services or licensing provided to an urban water business.

This industry standard does not apply to supply services provided by urban water businesses covered by the Commission's Water Industry Standard – Urban Customer Service.

Each water business is required to:

- comply with the customer-related standards, procedures and practices set out in this industry standard; and
- develop, issue and comply with a customer charter which meets the procedural and substantive requirements of this industry standard and sets out the water business's service standards.

## Amendment to this industry standard

This industry standard may be amended by the Commission on its own initiative or in response to a proposal by a water business or other stakeholders.

The Commission will not amend this industry standard until water businesses and other stakeholders have had a reasonable opportunity to make representations and those

representations have been considered, in accordance with the Commission's Charter of Consultation and Regulatory Practice.

## **Commencement**

This industry standard regulates water businesses from 1 March 2023.

## **Overarching obligations of water businesses**

Water businesses must ensure that:

- they comply with the customer-related standards, procedures and practices set out in this industry standard
- they develop, issue and comply with a customer charter which meets the procedural and substantive requirements of this industry standard and sets out the water business' service standards
- customers are treated fairly, respectfully and in a manner commensurate with their circumstances
- they proactively engage with their customers to enable each customer to fully enjoy their entitlements as consumers under the *Water Act 1989 (Vic)*, *the Water Industry Act 1994 (Vic)* and this Code
- their customers have appropriate information and incentives to promote water efficiency
- services that they provide comply with the provisions of this Code.

## **Separate written agreements**

A separate written agreement for the provision of a supply service made before 1 July 2007 need not comply with this industry standard.

A separate written agreement for the provision of a supply service made after 1 July 2007 cannot reduce the rights of a customer provided for or implied in this industry standard unless:

- satisfying industry standard requirements is not practical
- the water business expressly identifies any significant departures from this industry standard to the customer.

## **Licences**

A licence issued or granted before 1 July 2007 need not comply with this industry standard.



Subject to any conditions prescribed or fixed under the *Water Act 1989* (Vic) and the *Water Industry Act 1994* (Vic), a licence renewed, issued or granted after 1 July 2007 cannot reduce the rights of a customer provided for or implied in the following clauses of this industry standard:

- Clause 3 relating to works and maintenance
- Clause 5 relating to charges
- Clause 6.2, 6.3, 6.4 and 6.6 relating to billing
- Clause 7 relating to payments
- Clause 9 in relation to payment assistance
- Clause 11 relating to information
- Clause 13 relating to collection

Unless the water business expressly identifies any significant departures from this industry standard to the customer.

# Part B – Quality and Reliability of Services and Supply

## 1. Quality and Reliability of Services

### 1.1. Water supply quality

Where a water business delivers water directly to a customer, the water business must use reasonable endeavours to inform customers of material changes in the quality of supplied water which would be likely to affect the purposes for which the water is used by customers.

### 1.2. Delivery of water and access to drainage services

A water business must ensure that its supply services are provided in accordance with its service standards, except to the extent that:

- (a) the customer does not comply with any applicable requirements of service or supply;
- (b) the customer's infrastructure falls short of the required condition;
- (c) a supply service is provided via private infrastructure;
- (d) there is a drought or an emergency;
- (e) there is an unplanned or planned interruption;
- (f) supply is restricted or suspended in accordance with this industry standard;
- (g) for a drainage service, use of the supply service would exceed applicable limitations of the drainage system;
- (h) exemptions to service standards have been agreed with customers; or
- (i) the *Water Act 1989* (Vic) and the *Water Industry Act 1994* (Vic) provide otherwise.

### 1.3. Water supply rectification

A water business must rectify any deficiency in satisfying clauses 1.1 and 1.2 as soon as possible after it becomes aware of the deficiency, or within a time agreed with the customer.

#### **1.4. Obligation to provide reliable services**

Subject to its Statement of Obligations, a water business must develop and implement plans, programs and processes to manage and maintain its assets to ensure that supply services are provided on a reliable basis.

#### **1.5. Service standards**

Service standards are specified service levels a typical customer can expect to receive from their water business.

A water business must define service standards and specify targets for the following areas:

- (a) assessing and/or processing licencing and other administrative applications;
- (b) responding to correspondence or complaints and providing information for each applicable service;
- (c) providing a reliable water supply; and
- (d) any other customer-related areas

For each applicable supply service, Schedule 1 sets out service standards and associated targets for each water business.<sup>1</sup>

A water business should periodically review its service standards and targets with its customer committee(s) and/or customers.

#### **1.6. Unplanned interruptions**

A water business must have policies and procedures to minimise the impact of unplanned interruptions to supply services (including restoration as soon as possible, and the provision of information).

#### **1.7. Planned interruptions**

A water business must inform affected customers of the time and duration of any planned interruption to a supply service by their preferred method of communication and, if possible, by SMS, at least five business days in advance.

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<sup>1</sup> In addition to service standards, a water business may establish customer service levels it aims to meet as part of its customer outcome commitments under our PREMO water pricing framework. To find out more about our PREMO water pricing framework see our website at <https://www.esc.vic.gov.au/premo-water-pricing-framework>.

## **2. Guaranteed Service Levels**

- (a) A water business may implement a commission-approved guaranteed service level scheme, where the business pays (or rebates) a pre-determined amount to affected customers when it breaches specified service level obligations.<sup>2</sup>
- (b) Any payment (or rebate) available to customers under the guaranteed service level scheme must be:
  - (i) applied automatically in the event that customer entitlement to the rebate arises; and
  - (ii) applied as soon as practicable after a customer entitlement to the rebate arises.
- (c) A water business is not required to make a payment where the failure to attain the service level obligation arises because of the action or inaction of the customer or a third party. For the avoidance of doubt, third party does not include any person or firm acting on behalf of the water business.

## **3. Works and Maintenance**

### **3.1. Worker identification**

A representative of a water business must not enter a customer's property without appropriate identification.

### **3.2. Keys held by water business**

If a water business holds keys to a customer's premises, the keys must be held in safe custody and returned to the customer upon notification of the customer's vacation of the relevant property or if access is no longer required.

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<sup>2</sup> A guaranteed service level scheme provides incentives for water businesses to make efficient investment decisions, or internalise the costs of making investment decisions that leave some customers with poor service outcomes. It also provides a form of recognition that an individual customer has received relatively poor levels of service.

## **4. Meter readings**

A water business must use reasonable endeavours to ensure that all customers whose properties have a meter which measures volumetric use for billing purposes have an actual meter reading at least once every 12 months.

### **4.1. Customer self-reads**

- (a) A water business must accept a customer self-read, in a method that is approved by the water business after the customer has received a bill based on an estimated read.
- (b) A water business must not charge a customer for a self-read.
- (c) A water business must inform customers in writing:
  - (i) that a self-read is an option, if the customer has received a bill based on an estimated read;
  - (ii) that the customer may request an adjusted bill, if the customer has received a bill based on an estimated read;
  - (iii) of any changes to the customer's payment obligations if the customer requests an adjusted bill; and
  - (iv) of the business' approved methods of the customer self-read.
- (d) Where a customer requests an adjusted bill, the water business must, promptly and at no extra charge, provide the customer with an adjusted bill based on the customer self-read.

### **4.2. Special meter readings**

- (a) A water business may charge a customer an additional fee for a special meter reading outside of the normal billing cycle.
- (b) A water business must not charge a fee to a customer for a special meter reading:
  - (i) if that is a self-read under clause 4.1; or
  - (ii) if the property has a digital meter.
- (c) Upon request by the customer, a water business must determine a customer's outstanding charges outside of the normal billing cycle.

- (d) The water business may calculate the outstanding charges by:
  - (i) accepting a self-read under clause 4.1;
  - (ii) arranging for a special meter reading at a reasonable charge payable by the customer; or
  - (iii) where permitted by the *Water Act 1989* (Vic) and this industry standard providing an estimated bill at no cost to the customer.

#### **4.3. Data and digital water metering**

If a water business has digital metering, it must develop and publish a policy clearly explaining how data collected from digital water meters is managed and used.

### **5. Charges**

#### **5.1. Variation**

- (a) A water business must publicise any variation in charges for supply services or a licence before they take effect and notify customers directly on or with the first bill after the decision to vary the charges has been made. A water business should use the methods it considers most effective to publicise any variation which may include, but are not limited to:
  - (i) prominent website updates;
  - (ii) radio interviews;
  - (iii) social media; and
  - (iv) SMS.
- (b) A water business may calculate a pro rata charge to effect a variation in charges where the variation date falls within a billing period.

#### **5.2. Schedule of charges**

A water business must publish its schedule of approved fees and charges on its website and provide a copy to a customer upon request.

# Part C – Billing

## 6. Billing

### 6.1. Billing frequency

A water business must consult with its customer service committees and customers generally to determine or alter the dates or periods for billing customers.

### 6.2. Issue of bills

- (a) A water business must send (directly, or through an E-bill) a bill to:
  - (i) a customer at the physical or electronic address specified by the customer; or
  - (ii) a customer's agent or representative at the physical or electronic address as specified by the customer.
- (b) If no address has been specified, a water business may send the bill to the physical address of the property in respect of which the charges have been incurred, or to the customer's last known physical or electronic address.

### 6.3. Content of bills

A bill must include:

- (a) the date of issue;
- (b) the customer's billing address and account number;
- (c) the address of the property to which the charges in the bill relate;
- (d) (as applicable) the date on which the meter was read, or if the reading is an estimation, a clear statement that the reading is an estimation;
- (e) (as applicable) the customer's water usage;
- (f) the amount the customer is required to pay;
- (g) an explanation of charges (in accordance with clause 6.4);
- (h) the date by which the customer is required to pay;
- (i) the ways in which the customer can pay the bill;

- (j) information about help that is available if the customer is experiencing difficulties paying;
- (k) details of the water business's enquiry facility, including a 24 hour emergency telephone service number;
- (l) referral to interpreter services offered by the water business;
- (m) any outstanding credit or debit from previous bills;
- (n) the total of any payments made by the customer since the last bill was issued;
- (o) information on concessions available and any concession to which the customer may be entitled;
- (p) if a water business intends to charge interest on outstanding amounts, a clear statement of the rate of interest and from what future date it is to be applied; and
- (q) if the bill relates to a licence, that failure to pay may result in suspension of the licence.

#### **6.4. Explanation of charges**

All charges must be separately itemised, including:

- (a) any service charge to the property;
- (b) any usage charge in connection with the provision of services provided;
- (c) any interest payable on outstanding amounts; and
- (d) any rates and other charges.

#### **6.5. E-bill**

- (a) A water business may send an E-bill to a customer in any digital format.
- (b) An E-bill must include:
  - (i) a clear and accessible link to the full bill or instructions about how to access the full bill;
  - (ii) the amount payable and the due date;
  - (iii) the methods by which the bill can be paid;
  - (iv) (if applicable) the customer's water usage for the current billing period;



- (v) information about assistance that is available if a customer is experiencing difficulties paying and how to access this assistance; and
  - (vi) information about a water business' customer support policy.
- (c) A water business may include any additional information on the E-bill it considers necessary.

## **6.6. Adjustment of bills**

- (a) A water business may recover from a customer an amount undercharged if:
- (i) except in the case of illegal usage, the amount is limited to the amount undercharged in the four months prior to the water business notifying the customer that undercharging has occurred;
  - (ii) the amount to be recovered is listed as a separate item and is explained on or with the customer's bill; and
  - (iii) it allows the customer to pay the amount to be recovered in instalments over four months or through a water business's flexible payment plan in accordance with clause 7.2.
- (b) A water business must not charge interest on undercharged amounts.
- (c) A water business may identify an amount undercharged as a result of a customer's illegal use of water by estimating, in accordance with the *Water Act 1989* (Vic), the usage for which the customer has not paid. In respect of this amount, a water business may exercise other rights available to it, including rights under clause 14.
- (d) If a water business overcharges a customer, it must inform the customer within 10 business days of becoming aware of the error; and refund or credit the amount overcharged in accordance with the customer's instructions.

# Part D – Payments

## 7. Payments

### 7.1. Payment methods

- (a) A water business must accept payment from customers:
  - (i) in person at a network of agencies or payment outlets;
  - (ii) by mail;
  - (iii) by digital means;
  - (iv) through a facility (if any) provided by a provider of income support (for example Centrelink);
  - (v) by direct debit arrangement in accordance with any agreement between the water business, the customer and the customer's bank; and
  - (vi) in advance.
- (b) A water business must not require customers to agree to direct debit as a condition of providing a supply service or issuing a licence.

### 7.2. Flexible payment plans

- (a) Any flexible payment plan offered by a water business to customers must:
  - (i) state how the amount of the payments has been calculated;
  - (ii) state the period over which the customer will pay the agreed amount; and
  - (iii) specify an amount to be paid in each period; and
  - (iv) be able to be modified, at the request of a customer, to accommodate change in their circumstances, in accordance with the business' customer support policies.
- (b) On establishing a flexible payment plan or a revised plan, the water business must give the customer a schedule of payments showing in writing, showing:
  - (i) the total number of payments to be made to pay the arrears; and
  - (ii) the period over which the payments are to be made; and
  - (iii) the date by which each payment must be made; and

- (iv) the amount of each payment.
- (c) A water business is not required to offer a customer a flexible payment plan if the customer has, in the previous 12 months, had 2 flexible payment plans cancelled due to non-payment unless the customer provides a fair and reasonable assurance (based on the circumstances) to the water business that the customer will comply with the plan.

# Part E – Customer Support and Assistance

## 8. Customer’s chosen representative or support person

A water business must have policies and procedures in place and communicate with a customer’s chosen support person or other representative.

These policies should be published in a clear and accessible manner, and customers should be notified of their right to choose a representative or support person where appropriate.

## 9. Payment assistance

### 9.1. Payment assistance

- (a) A water business must assist customers experiencing payment difficulties in accordance with this clause.
- (b) A water business must adopt an approach that is appropriate to that customer's circumstances on a case-by-case basis in accordance with a customer’s capacity to pay.
- (c) A water business must offer a customer experiencing payment difficulties the following:
  - (i) flexible payment plans in line with clause 7.2;
  - (ii) the option to extend the due date for some or all of an amount owed;
  - (iii) redirection of a bill to another person for payment if that person agrees in writing;
  - (iv) more frequent billing or payment options;
  - (v) information on how to reduce water usage, improve water efficiency and referral to relevant government water efficiency programs; and
  - (vi) where appropriate and available, referral of customers to:
    - I. government funded assistance programs; and/or
    - II. an independent rural financial counsellor at no cost to the customer.

- (d) A water business may offer customers experiencing payment difficulty, without limitation:
  - (i) waiver of late fees or any other fees;
  - (ii) waiver of any interest accrued;
  - (iii) suspension of the accrual of interest;
  - (iv) information of any circumstances in which it will waive or suspend interest payments on outstanding accounts; and/or
  - (v) waiver of debt.

## **9.2. Customer Support policy**

- (a) A water business must have a customer support policy and apply it to small business customers and non-business customers who are identified either by themselves, the water business, an independent accredited rural financial counsellor or a qualified accountant as experiencing payment difficulties.
- (b) Subject to clause 9.2(c), a water business must:
  - (i) publish its customer support policy on its website and make it available to a customer upon request;
  - (ii) keep a copy of its customer support policy at its offices for inspection upon request;
  - (iii) provide its customer support policy in a different language upon a reasonable request to do so; and
  - (iv) assess each customer on a case-by-case basis.
- (c) The customer support policy must:
  - (i) include policies and procedures for:
    - I. early identification of a customer's payment difficulty; and
    - II. determining the internal responsibilities for the management, development, communication and monitoring of the customer support policy;
  - (ii) provide for staff training about the water business' policies and procedures:

- I. staff training must be designed to ensure customers experiencing payment difficulty are treated with sensitivity and respect by water business staff;
- (iii) state when it will exempt customers experiencing payment difficulties from supply restriction, legal action, and additional debt recovery costs, including:
  - I. by waiving any interest accrued prior to the customer being identified as experiencing payment difficulties; and
  - II. exempting the debt from the accrual of interest on overdue amounts whilst a customer is receiving assistance under this policy;
- (iv) state any circumstances in which it will waive or suspend interest payments on outstanding amounts;
- (v) state any circumstances in which it will suspend the sale of debt;
- (vi) offer a range of payment options in accordance with clause 7;
- (vii) offer information and assistance in accordance with clause 9.1;
- (viii) offer information about the water business's dispute resolution policy, and the customer's right to lodge a complaint with EWOV and any other relevant external dispute resolution forum if their hardship claim is not resolved to their satisfaction by the water business;
- (ix) detail the circumstances in which the policy will cease to apply to customers; and
- (x) provide for a review mechanism of the policy and its associated procedures.

## 10. Family violence

### 10.1. Family Violence<sup>3</sup> assistance:

- (a) A water business must:
  - (i) provide that all relevant staff with appropriate and ongoing training to:
    - I. identify customers affected by family violence;

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<sup>3</sup> Family violence has the meaning given in section 5 of the *Family Violence Protection Act 2008* (Vic).

- II. deal appropriately with customers affected by family violence; and
  - III. apply the water business's family violence policy and related policies and procedures to customers affected by family violence;
- (ii) support staff affected by family violence, including by providing access to appropriate training, leave, external referrals and counselling;
  - (iii) promote customer safety by securely handling information about those who are affected by family violence, including in a manner that maintains confidentiality;
  - (iv) specify and implement an approach to debt management and recovery where a customer is affected by family violence, including but not limited to:
    - I. the recovery of debt from customers with joint accounts; and
    - II. the circumstances in which debt will be suspended or waived;
  - (v) recognise family violence as a potential cause of payment difficulties under clause 9.1, and address what payment support will apply to customers affected by family violence;
  - (vi) provide a process that avoids customers having to repeat disclosure of their family violence, and provides for continuity of service;
  - (vii) provide a means for referring customers who may be affected by family violence to specialist family violence services; and
  - (viii) publish and maintain on its website information about the assistance and referrals available to customers affected by family violence and how customers may access such assistance.

## **10.2. Family violence policy**

- (a) A water business must have and maintain a family violence policy that outlines how the water business will discharge the obligations in clause 10.1(a)(i) to (vii).
- (b) A water business must:
  - (i) publish its family violence policy on its website and must make it available to customer upon request;
  - (ii) keep a copy of its family violence policy at its office for inspection upon request;

- (iii) provide its family violence policy in a different language upon a reasonable request to do so; and
  - (iv) assess each customer on a case-by-case basis.
- (c) A water business must periodically review the family violence policy and its associated procedures.

## **11. Information**

### **11.1. Enquiries**

A water business must provide the following information (where relevant to a water business's operations) to customers through an enquiry facility:

- (a) account information;
- (b) bill payment options;
- (c) concession entitlements;
- (d) programs available to customers who are having payment difficulties, including the water business' customer support policy;
- (e) information about the water business's complaint handling procedure
- (f) information about EWOV;
- (g) water allocations;
- (h) water ordering;
- (i) licence applications and renewals; and
- (j) applicable fees.

### **11.2. Fees for information or advice**

Unless stated otherwise in this industry standard, a water business must not charge a fee for the provision of information or advice required under this industry standard to customers or others affected by its operations.



### **11.3. Water allocation policy**

A water business must ensure that an up to date copy of its water allocation policy is available at its offices during business hours for inspection upon request and for viewing on its website.

### **11.4. Unauthorised use policy**

A water business must have and comply with policies and procedures for the unauthorised use of water by customers.

### **11.5. Efficient and responsible use of water**

A water business must provide information to customers about the efficient and responsible use of Victoria's water resources and how customers may conserve water.

### **11.6. Billing history**

Upon request by a customer, a water business must provide the customer's account and usage history for the preceding three years within 10 business days, or other period by agreement. A water business may refuse to provide a customer with their account and usage history where the provision of such information is contrary to the information handling procedures set out in the water business's family violence policy and the refusal is not in breach of law.

A water business may impose a reasonable charge for providing a customer's account and usage history held beyond three years in accordance with the relevant Public Record Office Standard General Disposal Schedule for the Records of Water Authorities.

### **11.7. Regulatory information**

A water business must provide to customers upon request any regulatory instruments other than the *Water Act 1989* (Vic), including a copy of this industry standard.

### **11.8. Communication assistance**

- (a) A water business must use reasonable endeavours to determine a customer's preferred method of communication and use it where reasonable.
- (b) A water business must use reasonable endeavours to meet the discrete communications needs of its customers as required on a case-by-case basis.

- (c) A water business must provide, or provide access to, an interpreter service and a Telephone Typewriter (TTY) service for speech and hearing-impaired customers and customers that do not speak English.

### **11.9. Written communication**

Any written communication by a retailer to a customer must be:

- (a) expressed in plain language;
- (b) legible; and
- (c) presented clearly and appropriately having regard to its nature.

### **11.10. Customer obligations**

A water business must use reasonable endeavours to keep each customer informed of the customer's material obligations under the *Water Act 1989* (Vic) and the *Water Industry Act 1994* (Vic).

### **11.11. Privacy**

A water business must outline in its customer charter such obligations and particulars of the water business's privacy practices in accordance with applicable laws.

# Part F – Complaints and Disputes

## 12. Complaints and disputes

### 12.1. Complaints and disputes policy

A water business must have and comply with policies and procedures for the handling of complaints from customers and others affected by the water business's operations.

Without limiting this general obligation, a water business's complaints and disputes policy must provide:

- (a) that if a written reply is requested from a customer the water business will not take longer than 10 business days to respond to an enquiry or complaint; and
- (b) that a reply to a customer's enquiry or complaint must deal with the substance of the enquiry or complaint or tell the customer when they will receive such a reply if the enquiry or complaint is complex; and
- (c) for the reasons for any decision to be given, including details of the legislative or policy basis for the reasons if appropriate; and
- (d) a complaint escalation process that gives a customer:
  - (i) the opportunity to raise the complaint up to the level of a senior manager within the water business's management structure; and
  - (ii) contact details of, and information about referral to, EWOV or another external dispute resolution forum in the event that the customer has raised the complaint to a higher level and is not satisfied with the water business's response;
- (e) that the water business is restricted in its ability to recover an amount of money, the subject of which is in dispute, until the dispute has been resolved; and
- (f) that a customer is informed of the matters in paragraphs (a) to (e).

### 12.2. Resolution of disputes

A water business must use reasonable endeavours to resolve in good faith any dispute directly with its customers and others affected by its operations.

For the purposes of clause 12.1(e), a water business may consider a dispute about non-payment resolved if:

- (a) it has informed the complainant of its decision on the complaint or any internal review of the complaint; and
- (b) 10 business days have passed since the complainant was informed; and
- (c) the complainant has not:
  - (i) sought a further review under this clause; or
  - (ii) lodged a claim with EWOV or another external dispute resolution forum.

A water business must not consider a dispute resolved until any claim lodged with EWOV or another external dispute resolution forum has been finalised.

# Part G - Actions for non-payment

## 13. Collection

### 13.1. Appropriate communication

- (a) All communication relating to collection must be delivered in language and style that is sensitive and appropriate, with a focus on the support available and encouraging customers contact the water business.

### 13.2. Reminder notices

- (a) A water business must send a customer a reminder notice of an unpaid bill, no earlier than two business days after the due date if the bill is not paid by the due date.
- (b) A reminder notice must include:
  - (i) the overdue amount;
  - (ii) the date of issue;
  - (iii) an explanation in plain language of the notice and of why it is being issued;
  - (iv) the date by which payment must be made, which must not be earlier than six business days from the issue date of the reminder notice;
  - (v) a statement that payment of the overdue bill is required to be made by the due date that is specified under clause 13.2(b)(iv);
  - (vi) payment options;
  - (vii) information about payment difficulty assistance available;
  - (viii) a warning of the further action that the water business may take, including (if relevant) referral of any outstanding amount to an external debt collection company for collection; and
  - (ix) details of how to contact the water business.
- (c) A water business may include any additional information in the notice it considers necessary.

### **13.3. Final notices**

- (a) If the reminder notice remains unpaid, a water business must send a customer a final notice within 15 days of the issue date of a reminder notice.
- (b) The final notice must include:
  - (i) the overdue amount;
  - (ii) the date of issue;
  - (iii) an explanation in plain language of the notice and of why it is being issued;
  - (iv) the date by which payment of the final notice must be made to avoid further action, which must not be earlier than six business days after the issue of the final notice;
  - (v) a statement that payment of the overdue bill is required to be made by the date that is specified under clause 13.3(b)(iv);
  - (vi) any assistance that is available to the customer, including contact information for EWOV (including EWOV's telephone number), concessions, government assistance programs and the water business's customer support policy;
  - (vii) a statement that that the water business might be able to recover outstanding amounts at the time of any sale of the customer's property (if the customer is also the property owner);
  - (viii) a statement that if legal or restriction action is taken, the customer may incur additional costs in relation to those actions; and
  - (ix) clear and unambiguous advice about what the customer needs to do to avoid legal action or being restricted from their water supply;
  - (x) the date from which interest (if any) may be applied on outstanding amounts, and the percentage interest rate that may be applied;
  - (xi) details of how to contact the water business; and
  - (xii) information about the applicable fees to remove a restrictor.

### **13.4. Interest on unrecovered amounts**

- (a) Subject to this industry standard, a water business may charge interest on any unpaid amount if:

- (i) a water business fixes and gives notice (of at least 10 business days) of the due date of payment (Due Date);
- (ii) the notification referred to in paragraph (i) indicated that interest will accrue from the Due Date; and
- (iii) any part of the amount payable by the customer is not paid by the Due Date.

### **13.5. Maximum rate of interest that may be charged**

- (a) For the purposes of section 281(1) of the *Water Act 1989 (Vic)* and section 4F(2)(f) of the *Water Industry Act 1994 (Vic)* the maximum rate of interest that may be charged on unrecovered amounts is an annual rate set by the Commission each May based on the 10 year Australian Commonwealth Government Bond Rate plus a margin to be determined by the Commission.
- (b) The interest starts accruing on the day the amount is due and ends on the date all unrecovered amounts of the charge are paid in full, both days inclusive.

### **13.6. Other charges**

Apart from the application of section 274(4A) of the *Water Act 1989 (Vic)* - whereby amounts owed to a rural water business by a customer in relation to a property owned by the customer are a charge on that property - a water business must not impose other charges in respect of outstanding amounts owed by a customer unless approved by the Commission.

### **13.7. Application of funds**

Where possible and/or reasonable in the circumstances all amounts received by a water business from customers must be applied to the debt that has been outstanding the longest.

### **13.8. Dishonoured payment**

- (a) A water business may recover from a customer costs incurred by the water business due to:
  - (i) a customer's cheque being dishonoured; or
  - (ii) a customer having insufficient funds available when paying by direct debit.

## **14. Actions for non-payment**

### **14.1. Suspension**

A water business may suspend a customer's supply service for non-payment if:

- (a) more than 10 business days have elapsed since the issue of a reminder notice referred to in clause 13.2; and
- (b) the customer has been sent a final notice referred to in clause 13.3; and
- (c) the water business or its agent has attempted to contact the customer about the non-payment.

### **14.2. Restriction and legal action to be a measures of last resort**

The restriction of a customer's water supply for non-payment and legal action for non-payment must be measures of last resort.

### **14.3. Limits on suspension, restriction and legal action**

A water business must not commence legal action or take steps to suspend or restrict a customer's supply service due to non-payment if:

- (a) 15 business days have not elapsed since the water business send its most recent Final Notice to which the debt relates.
- (b) the customer is receiving any form of assistance for payment difficulties under this industry standard;
- (c) the amount owed by the customer is less than \$300;
- (d) the customer is eligible for and has lodged an application for a government funded concession relating to amounts charged by a water business and the application is outstanding; or
- (e) the amount in dispute is subject to an unresolved complaint procedure in accordance with a water business' complaints policy.

This clause does not restrict a water business' rights under the *Water Act 1989* (Vic) and the *Water Industry Act 1994* (Vic) to pursue a debt owed to it by a person who is no longer a customer.



#### **14.4. Additional limits on restriction**

A water business must not take steps to suspend or restrict a customer's supply service due to non-payment if:

- (a) it is a Friday, public holiday, weekend, day before a public holiday, or after 3.00pm;  
or
- (b) it is a day of total fire ban declared by the Country Fire Authority and the Country Fire Authority has rated the fire danger in the area in which the property is located as 'Severe', 'Extreme' or 'Code Red'.

#### **14.5. Restriction and legal action**

A water business may take legal action or restrict a customer's supply service for non-payment if:

- (a) the water business has complied with the steps in clause 14.1; and
- (b) the customer has been notified of the proposed restriction or legal action in accordance with clauses 13.2 and 13.3 and the associated costs, including the cost of removing a restrictor; and
- (c) the customer has:
  - (i) been offered a flexible payment plan under clause 7.2 and the customer has refused or has failed to respond; or
  - (ii) agreed to a flexible payment plan and has failed to comply with the arrangement.

#### **14.6. Removal of restrictions**

A water business must restore a supply service suspended or restricted under this clause 14 within 24 hours of becoming aware of the reason for suspension or restriction no longer persisting.

# Part H – Customer Charters

## 15. Requirement For Charter

### 15.1. Purpose of charter

A water business must develop and issue a customer charter to inform customers about their material obligations under the *Water Act 1989* (Vic), and of the obligations of the water business to its customers.

The charter will set out the terms and conditions for the supply of a supply service and issuing or granting a licence (together with any supplementary terms that the parties may expressly agree).

### 15.2. Multiple charters

A water business may have more than one charter with the approval of the Commission.

### 15.3. Consultation

A water business must consult with its customers, before adopting or varying a customer charter. Consultation with a customer service committee constitutes consultation with customers for the purpose of this clause.

### 15.4. Submission for assessment

Before adopting a charter or any variation to a charter, a water business must submit it to the Commission, with details of customer consultation undertaken, for the Commission to review it and assess compliance of the charter with this industry standard and the water business's service standards.

### 15.5. Required amendment

A water business must amend its charter at the request of the Commission to:

- (a) deal with matters raised by the Commission as a result of its assessment under clause 15.4; and/or
- (b) update the charter to reflect an amendment to this industry standard or the water business's service standards.

## 16. Content Of Charter

A water business must set out in its charter:

- (a) information about or explaining each of the standards and conditions in Part B to Part G of this industry standard (including, where relevant, the detail of the standards and conditions which are set out in the water business' service standards); and
- (b) all material rights and responsibilities of the water business and its customers in relation to supply services and licensing activities, relevant to or performed by the water business.

In particular, and without limiting this general obligation, the charter must include:

- (c) where this industry standard requires a water business to have a policy or provide information, an indication of how the policy or information may be obtained;
- (d) an explanation of the water business's rights and obligations in respect of:
  - (i) supply service provision and the issuing or granting of licences;
  - (ii) the number of days from the issue of a bill by which it must be paid;
  - (iii) actions it may take for non-compliance with this industry standard, the *Water Act 1989 (Vic)* or the *Water Industry Act 1994 (Vic)*;
  - (iv) temporary or permanent suspension or restriction of supply services;
  - (v) actions taken by the water business to meet its obligations to protect the environment; and
  - (vi) privacy;
- (e) a description and explanation of the water business's practices and processes in respect of:
  - (i) the types of charges for provision of a supply service and issuing or granting licences;
  - (ii) how the water business will deal with complaints and disputes, including contact details for EWOV;
  - (iii) billing, payments and collection; and

- (iv) service standards and targets it intends to meet in relation to reliability of supply and the rectification of supply services and issuing or granting licences; and
- (f) information about how services may be affected and any penalties that may apply under applicable drought, emergency, or permanent water saving plans; and
- (g) information about how the water business will deal with customers (including joint account holders) affected by family violence, including the handling of customer information, billing and debt management.

## **17. Publication of Charter**

### **17.1. Availability of charter**

A water business must publish its charter(s) on its website and must make a copy available to a customer upon request.

A water business must keep a copy of its charter(s) at its offices for inspection upon request.

### **17.2. Summary of charter**

A water business may summarise or otherwise communicate the contents of its charter if the summary document at least addresses:

- (a) the issuing of bills;
- (b) the types of charges;
- (c) the payment of accounts;
- (d) concessions and assistance available to customers;
- (e) key service standards (for example, quality and reliability);
- (f) the maintenance responsibilities of the water business;
- (g) guaranteed service levels (if applicable);
- (h) enquiry and complaint handling details, including contact details for EWOV;
- (i) privacy information in accordance with privacy legislation;
- (j) contact details of the water business; and

(k) where a copy of the water business's charter may be obtained.

### **17.3. Provision of charter or summary**

- (a) A water business must provide a copy of the charter or a summary of the charter:
- (i) to existing customers with the first bill after it has been approved by the Commission in accordance with clause 15.4;
  - (ii) to new customers within one month of becoming registered with the water business in respect of a property; and
  - (iii) in a form that is easy to understand for all customers if providing a summary of the charter.
- (b) A water business must publish, and provide upon request, its customer charter in languages other than English to the extent required under the guidelines issued by the Victorian Multicultural Commission.<sup>4</sup>

### **17.4. Notification of variation**

If a water business materially changes its customer charter, it must inform each customer on or with the next bill sent to the customer that the charter has changed and that details of the change are available on its website or upon request.

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<sup>4</sup> Current guidelines are titled "Improving the Use of Translating and Interpreting Services: A Guide to Victorian Government Policy and Procedure".

# Part I – Reporting to the Essential Services Commission

## 18. Obligation to report non-compliance to the Essential Services Commission

- (a) A water business must have adequate procedures, policies and practices in place to identify non-compliance with these standards in a timely and efficient manner.
- (b) When a water business identifies potential or actual non-compliance with these standards that may have a material adverse impact, the water business must report that identification in writing to the Commission in a timely manner.

# Part J - Definitions

## 19. Definitions

**billing period** means any period for which a customer's bill is calculated.

**business day** means a day that is not:

- (a) a Saturday or Sunday; or
- (b) a public holiday appointed under the *Public Holidays Act 1993* (Vic).

**Commission** means the Essential Services Commission established under the *Essential Services Commission Act 2001* (Vic).

**complaint** means a written or verbal expression of dissatisfaction about an action, proposed action or failure to act by a water business, its employees or contractors, requiring a resolution (as per AS/NZS 10002:2022).

**customer** means a person who:

- (a) seeks a supply of water from a water business;
- (b) applies for, or is the holder of, a licence; or
- (c) has a private or other right to water under the *Water Act 1989* (Vic) or the *Water Industry Act 1994* (Vic),

but does not include a "regulated entity" as defined in Part 1A of the *Water Industry Act 1994* (Vic) or a holder of a "bulk entitlement" as defined in the *Water Act 1989* (Vic).

**digital format** means a digital communication method that is provided by a water business for the purpose of the sending of bills and other service related communications with the agreement of the customer.

**domestic and stock use** has the meaning given to that term by the *Water Act 1989* (Vic).

**E-bill** means a bill that meets the requirements of clause 6.5 of this industry standard.

**electronic address** means an e-mail or internet address supplied by a customer to a water business for the purposes of the receipt of bills and other service related communications.

**enquiry** means a written or verbal approach by a customer which can be satisfied by the water business providing written or verbal information, advice, assistance, clarification, explanation or referral about a matter.

**enquiry facility** means a telephone call centre, a SMS or MMS service, or on-line information facility or an over-the-counter information service.

**EWOV** means the Energy and Water Ombudsman (Victoria).

**external dispute resolution forum** includes Consumer Affairs Victoria and the Victorian Civil and Administrative Tribunal.

**flexible payment plan** means a plan agreed between a water business and a customer in relation to amounts owing to the water business, which complies with the requirements of clause 7.2.

**financial year** means a year ending 30 June.

**irrigation service** means a service (including, for the avoidance of doubt, an irrigation drainage service and a drainage diversion service) supplied pursuant to Part 11 of the *Water Act 1989 (Vic)*.

**licence** means a water share, licence or registration issued or granted under Part 3A, Part 4 or Part 4B of the *Water Act 1989 (Vic)* (but not a bulk entitlement),

**licensing** means activities of a water business relating to a licence.

**planned interruption** means an interruption for which the water business has provided the required notification to the customer of at least five business days in advance.

**reasonable charge** means a fee or charge that is approved or specified by the Commission in accordance with clauses 10 and 11 of the Water Industry Regulatory Order.

**regional water business** means a Regional Urban Water Authority within the meaning of the *Water Industry Act 1994 (Vic)*.

**restriction** means the water business' installation of a device to limit the flow of water from the meter to a customer's property due to non-payment by a customer.

**self-read** means a reliable method of water meter reading selected and undertaken by a customer for their property that is approved by the water business.

**small business customer** means a non-employing business (including sole proprietorships and partnerships without employees) or a business employing fewer than 20 people which has an active Australian Business Number.

**'Statement of Obligations'** means obligations for a water business issued by the Minister for Water under section 4I of the *Water Industry Act 1994 (Vic)*, in relation to the performance of water business's functions and the exercise of its powers.



**supply service** means a water supply service provided by a water business to a customer and includes an irrigation service and any other supply of water for domestic and stock use but does not include the activities of a water business relating to licences.

**suspension** means the suspension of customer access to any water ordering or request system, including rejecting a water order received by a water business.

**system** means a water business's physical infrastructure for providing a supply service.

**TTY service** means a facility to enable a deaf or hearing impaired person to communicate by telephone through the use of a telephone typewriter.

**unplanned interruption** means an interruption where the customer has not received notification from the water business or where a planned interruption exceeds the duration estimated.

**urban water business** means a regional water business or Greater Western Water, South East Water Corporation, Yarra Valley Water Corporation and their successors.

**water business** means:

- (a) a Rural Water Authority (as defined in Part 1A of the *Water Industry Act 1994* (Vic));
- (b) Lower Murray Water Authority and Grampians-Wimmera Mallee Water Authority;
- (c) a regional water business in so far as it is providing a supply service which is not regulated by the Commission's "Water Industry Standard - Urban Customer Service" (relating to drinking water, non-potable water, recycled water and sewerage services);
- (d) Melbourne Water Corporation in relation to its licensing activities, and each of their successors and assigns.

# Schedule 1 – Service Standards

For the purposes of clause 1.5, the following standards have been specified by the Commission with associated targets set by each of the following businesses.

## Goulburn-Murray Water

Service standard	2020-21	2021-22	2022-23	2023-24
<b>Customer Service – Licensing and Administration</b>				
Processing allocation trade applications within 5 business days	90%	90%	90%	90%
Processing water share applications within 10 business days	95%	95%	95%	95%
Processing change of ownership applications within 10 business days	90%	90%	90%	90%
<b>Customer Service Standards – General Administration</b>				
Customer service complaints to Energy Water Ombudsman Victoria (per 1000 customers)	1.0	1.0	1.0	1.0
Complaints process managed to the satisfaction of the customer	85%	85%	85%	85%
We respond to complaints in writing within three business days	100%	100%	100%	100%
Telephone calls answered within 60 seconds	85%	85%	85%	85%
Rate of first point resolution (for phone calls)	64%	66%	68%	70%
<b>Diversion Service Standards</b>				
Our diversions customers have access to the water resource monitoring data they need within two weeks of it being submitted	90%	90%	90%	90%

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Service standard	2020-21	2021-22	2022-23	2023-24
Access to unregulated stream flows is managed in accordance with restriction triggers in local management rules (existing)	100%	100%	100%	100%
Customer access to groundwater is managed through seasonal allocations which are announced in accordance with relevant management plans	100%	100%	100%	100%
Customers receive notification in writing (through SMS, email or written letters) within 24 hours	100%	100%	100%	100%
<b>Water Districts Service Standards</b>				
Supply interruptions do not exceed 96 hours	100%	100%	100%	100%
<b>Pumped Irrigation Service Standards</b>				
Irrigation orders delivered on day requested	98%	98%	98%	98%
Supply interruptions do not exceed eight hours in the summer months and 48 hours in the winter (modified to reflect new summer and winterspecific performance measures)	80%	80%	80%	80%
Notification by SMS within two hours when there is a supply interruption and again when it is restored	100%	100%	100%	100%
<b>Water Delivery Services Standards for GMID Irrigators</b>				
% of orders delivered on day requested	95%	95%	95%	95%
Flow rate is within 10 per cent of the order	80%	80%	80%	80%
<b>Drainage Services Standards</b>				
Drains are maintained to a level that they are available to remove run-off	98%	98%	98%	98%

Service standard	2020-21	2021-22	2022-23	2023-24
<b>Bulk Water Services Standards</b>				
Up to 100 per cent of design storage capacity	100%	100%	100%	100%
Percentage of time a customer demand can be met	99%	99%	99%	99%
<b>Bulk Water Services Standards Network Delivery Efficiency</b>				
Customers are informed of seasonal determinations as per the defined time frames	100%	100%	100%	100%
Customers are informed about risk of spill announcements as per the defined time frames	100%	100%	100%	100%
Minimum flow rates are maintained in accordance with specifications in the relevant bulk entitlements	98%	98%	98%	98%
Water delivered to customer properties through the closed piped network as a percentage of water extracted	92%	92%	92%	92%
Water delivered to customer properties through the open channel network as a percentage of water extracted	85%	85%	85%	85%

Note: Numbers have been rounded

## GMMWater

Service Standard	2023-24	2024-25	2025-26	2026-27	2027-28
Maximum number of days of unavailability of D&S Supply Systems for continuous periods (days)	3	3	3	3	3
Number of days to process temporary transfer of water allowance volumes (days)	15	15	15	15	15
Number of days to process new applications or permanent transfer of groundwater licences, supply-by-agreement licences, water allowance volumes (days)	60	60	60	60	60
Number of days to process applications for renewal of groundwater licences (days)	40	40	40	40	40
Number of days to process new applications for surface diversion licenses (days)	22	22	22	22	22
Number of days to process applications for renewal of surface diversion and supply-by-agreement volumes (days)	60	60	60	60	60
Responding to enquiry or complaint (business days)	10	10	10	10	10

## Lower Murray Water

### Rural water supply service standards

	2023-24	2024-25	2025-26	2026-27	2027-28
Maximum number channel bursts and leaks (per 100km) - Merbein	151	151	151	151	151
Maximum number channel bursts and leaks (per 100km) – Red Cliffs	61	61	61	61	61
Maximum number channel bursts and leaks (per 100km) - Robinvale	10	10	10	10	10
Maximum number channel bursts and leaks (per 100km) - Millewa	7	7	7	7	7
Maximum number channel bursts and leaks (per 100km) - Mildura	142	142	142	142	142

### Rural service standards – Customer service and complaints

	2023-24	2024-25	2025-26	2026-27	2027-28
<b>Customer service</b>					
Average time for calls to be answered in operations / contact room	60 seconds	60 seconds	60 seconds	60 seconds	60 seconds
Maximum time to process a property Information Statement (upon receipt of fully completed application and payment) (10 days)	10 business days	10 business days	10 business days	10 business days	10 business days
Average time to make Water Use licences determination (30 days)	90%	90%	90%	90%	90%
Average processing time to transfer of water use licences between LMW Customers (10 days)	90%	90%	90%	90%	90%
Average processing time for permanent transfer of water shares between LMW Customers (10 days)	85%	85%	85%	85%	85%

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Service Standard	2023-24	2024-25	2025-26	2026-27	2027-28
Average processing time for amendment to works licence (30 days)	90%	90%	90%	90%	90%
<b>Complaints</b>					
Maximum time for initial respond to a complaint or enquiry	10 business days	10 business days	10 business days	10 business days	10 business days

## Southern Rural Water

Service Standard	2023-24	2024-25	2025-26	2026-27	2027-28
Applications that do not require public notification completed within:					
• allocation trades, divide a water share (days)	3	3	3	3	3
• licence transfers (on sale of land), water share transfers, information statements, subdivisions (days)	7	7	7	7	7
• farm dam licences, take and use licences (days)	60	60	60	60	60
Maximum time to respond to correspondence or a complaint (days)	10	10	10	10	10
Water is delivered	On agreed day	On agreed day	On agreed day	On agreed day	On agreed day
Maximum disruption time in the Macalister Irrigation District	10 consecutive days	10 consecutive days	10 consecutive days	10 consecutive days	10 consecutive days
Maximum disruption time in the Bacchus Marsh and Werribee Irrigation Districts	3 consecutive days	3 consecutive days	3 consecutive days	3 consecutive days	3 consecutive days
Bulk Entitlement orders delivered	On agreed days	On agreed days	On agreed days	On agreed days	On agreed days
Maximum number of days water cannot be supplied due to high salinity ( $\leq 1,800$ ) or blue green algae in the Werribee Irrigation District	5 consecutive days	5 consecutive days	5 consecutive days	5 consecutive days	5 consecutive days

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Service Standard	2023-24	2024-25	2025-26	2026-27	2027-28
Minimum amount of new permanent water shares offered for sale in the Macalister Irrigation District	1000ML per annum	1000ML per annum	1000ML per annum	1000ML per annum	1000ML per annum
Maximum time properties are inundated after a 1:50 rainfall event in the Macalister and Werribee Irrigation Districts	24 hours	24 hours	24 hours	24 hours	24 hours

# Schedule 2 – Approved guaranteed service level schemes

For the purposes of clause 2, the service level obligations and corresponding payments for the following water businesses are commission-approved guaranteed service level schemes.

## Coliban Water

Service level obligation	Payment (\$)
Rural customers less than 100% water allocation	Infrastructure Charge refund (% unallocated)