

18 December 2023

Marcus Crudden  
Executive Director, Price Monitoring and Regulation  
Essential Service Commission  
Level 8, 570 Bourke Street  
MELBOURNE VIC 3000

Via Email: [REDACTED]  
cc: [water@esc.vic.gov.au](mailto:water@esc.vic.gov.au)

Dear Marcus,

### **Proposed changes to Water Industry Standards**

We welcome the opportunity to review and provide feedback on the following proposed amendments to the Water Industry Standards:

- Introducing a new obligation on water businesses to report in a timely manner when they identify an actual or potential non-compliance in relation to the Water Industry Standards.
- Amending the current family violence clause to make it clear that a water business must take action to assist customers affected by family violence, in addition to having a family violence policy.

We support the intention of the proposed amendments and additions to the Water Industry Standards. They align with our 2030 Strategy vision of 'thriving communities and caring for Country' by ensuring we support, respect, and take action to protect our customers and staff.

While we support the proposed changes' intention, we seek further clarity on the scope and scale of the changes as they could pose resourcing and timing risks to implement by 1 March 2024. Without clarity or guidance for each change we cannot assess the resourcing impacts. Our specific queries for each proposed change are included in Attachment 1.

We are concerned about the speed of implementation and restricted consultation times, which were within the shorter timeframe recommended in the Commission's 'Stakeholder Engagement Framework' (four weeks occurring in the end-of-year slow-down period). The Commission is proposing to implement the Standards, before developing guidelines that are critical to implementation. We are concerned that rapid implementation, does not allow water businesses sufficient time to adapt monitoring and reporting policies and processes.

We recommend that there is a transition period of another 6-12 months to allow for:

- Engagement with water businesses to collaboratively develop guidelines that support the new obligation to report non-compliance by defining materiality, breach thresholds and criteria to ensure that the changes are fit for purpose, meet their intended outcomes and allow for implementation without excessive red tape.
- Water businesses to conduct internal audits for all water standard clause reporting, processes, frequency, and resources, and make any required changes aligned with the guidelines and any subsequent changes required to our Charters and Board approval.

Greater Western Water is implementing a new Billing and Collections system due to go live in March 2024. This transformation is planned to uplift our capability (including technology) with all associated processes and procedures currently being rewritten for the new system. Between now and March 2024, we have limited capability to make process changes in areas that interact with the billing system. A transition period allows time to implement and align to revised reporting and policy obligations.

We recommend that the Commission consider whether the resources and cost impacts of increasing reporting and monitoring could outweigh the benefits to customers and articulate how customers will benefit from the Commissions earlier intervention, beyond the current voluntary reporting processes. For reporting aimed at tracking compliance issues across the sector better, we suggest that periodic reporting would be sufficient, and a more efficient solution.

We thank the Commission for the opportunity to provide feedback and believe that collaboration will achieve the best results and protections for our customers. The water sector manages critical risks daily, from construction, water quality, cyber and privacy, supported by robust risk management and reporting processes to ensure our customers and staff are safe. It would be helpful to know what information and guidance the Commission proposes to provide water businesses to improve current practices and better support customers.

We look forward to continuing to work with you through implementing the changes and continuously improving our approaches and systems to support vulnerable customers, communities and staff.

If you have any further questions or queries, please do not hesitate to contact Jakin Ravalico, Manager, Price Submission and Regulation, on [REDACTED] or via email [REDACTED].

Yours sincerely,



MAREE LANG  
Managing Director  
Greater Western Water



**Attachment 1: GWW feedback on proposed changes to the Water Industry Standards**

Revised/new customer service code standard	GWW comment
<p>Part G – Reporting to the Essential Services Commission</p> <p>25. Obligation to report non-compliance to the Essential Services Commission</p> <p>(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.</p> <p>(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.</p>	<p><b>To enable GWW to plan and implement the proposed new customer service code, we seek greater clarity on the following:</b></p> <ul style="list-style-type: none"> <li>• Defining the term 'timely manner'.</li> <li>• Defining what 'material adverse impacts' means and to whom (customers, industry, the sector) and how we can ensure this is consistent across water businesses.</li> <li>• Defining 'potential non-compliance' as this would translate to the material impact. A potential non-compliance could relate to any existing risk, which GWW already has robust monitoring and mitigation processes in place.</li> <li>• Will each business's procedures, policies, and practices be reviewed by the Commission to determine if they are adequate and consistent across the industry?</li> <li>• Determining the threshold for breaches and consideration for the time to complete the assessment and report within a 'timely manner'.</li> <li>• Understanding if the proposed change will have more regard for some existing clauses than others. For example, if bill-related and family violence breaches would be categorised differently, as well as the reporting and notification responses.</li> <li>• If the new standard relates to all water standard clauses, as this would vary in materiality and business impacts.</li> </ul>

11. Family Violence

11.1 Family violence assistance

(a) A water business must:

(i) provide all relevant staff with appropriate and ongoing training to:  
I. identify customers affected by family violence;

II. deal appropriately with customers affected by family violence; and

III. apply the water business' 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 and as an eligibility criterion for access to the water business' customer support policy under clause 10.2 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

GWW audited our current family violence practices and policies in July 2023, with audit results provided to the ESC. GWW has robust risk management approaches and customer support programs already in place. The proposed changes would formalise our existing processes, but there is a concern that the increased standards and the resources required to implement and maintain would potentially remove focus and time from our customers.

customers affected by family violence and how customers may access such assistance.

#### 11.2 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 11.1(a)(i) to (vii).

(b) A water business must:

(i) publish its family violence policy on its website and must make it available to a customer upon request;

(ii) keep a copy of its family violence policy at its offices 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.