

Getting to fair

Breaking down barriers to essential services

Progress report

August 2023



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Dill-ba-din Balluk Biik
– Protect Community and Country.
Artist: Simone Thomson

Acknowledgement

We acknowledge the Traditional Owners of the lands and waterways on which we work and live. We acknowledge all Aboriginal and Torres Strait Islander communities, and pay our respects to Elders past and present.

As the First Peoples of this land, belonging to the world's oldest living cultures, we recognise and value their knowledge, and ongoing role in shaping and enriching the story of Victoria.

Message from the chairperson



I am pleased to present this progress report on our *Getting to fair* strategy aimed at breaking down the barriers Victorians may face in accessing or engaging with regulated essential services.

Two years ago, while COVID-19 and lockdowns were dominating the lives of Victorians, the commission released our *Getting to fair* strategy.

This three-year strategy was informed by in-depth research and consultation with consumers, the community sector, government and regulated businesses. The conversations that informed our strategy have had a lasting impact on how the commission undertakes its functions. I am proud that we are a leader amongst economic regulators in looking beyond a pure 'efficiency' lens, to include an 'equity' one.

In the strategy, we identified 33 actions to improve the experience of consumers experiencing vulnerability through facilitating more responsive, inclusive and accessible essential services. The progress report documents just some of the work that we have undertaken so far. It was pleasing to reflect, two years after releasing the strategy and with the support of the Assistant Treasurer's 2022 ministerial statement of expectations, on the significant progress the commission has taken towards breaking down barriers to inclusion and accessibility with essential services.

The strategy has helped the commission to keep the experiences, needs and expectations of consumers experiencing vulnerability at the centre of its work program and regulatory decisions. At the two-year mark, we have implemented 21 of the 33 actions we committed to undertake.

Cutting across all our work is our focus on building our internal capability to incorporate the voices of consumers. We have done this through deliberative customer panels, advisory panels and focus groups with people who have lived experience of family violence, and through a customer call recordings study.

The commission has taken an active role in building relationships and bringing decision-makers together to address issues in our regulated sectors, through our regular roundtables, leadership forums and targeted engagements across sectors.

Our completed milestones include a review of the family violence provisions in the water standards and the implementation of the energy payment difficulty framework, updated water customer service codes to strengthen consumer support and protections, and expert-led industry resources to support businesses to engage with consumers who may be experiencing family violence.

Since the release of the strategy, I have been pleased to see progress down the shared pathway with regulated businesses, government, community groups and the wider community. For example, on the shared work during the pandemic to support consumers experiencing vulnerability to remain connected to essential services such as energy and water, as well as more inclusive engagement practices among our regulated sectors when developing pricing proposals.

I have also seen progress towards embedding support for consumers who may be experiencing family violence within systems and processes. And I am pleased that other Australian jurisdictions are following the lead of Victoria to implement rules for energy businesses to support consumers who may be affected by family violence.

There is still much work to be done on the strategy. We are energised and motivated by the learnings and insights we have gathered to date and the opportunities to incorporate these as we move through the strategy.

This is just the start of the commission's journey to break down the barriers that block Victorians from accessing regulated essential services. In implementing our *Getting to fair* strategy, we continue to learn that people experiencing vulnerability often perceive barriers accessing essential services as insurmountable, cumulative and repeated across multiple sectors.

I acknowledge the support and contribution of all stakeholders in this critical shared mission and look forward to further progressing this important work together.

Kate Symons

Chairperson

Essential Services Commission

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Getting to fair: Breaking down barriers to essential services

Supporting Victorians experiencing vulnerability is an enduring priority for the Essential Services Commission. We are bringing this to life through progressing the *Getting to fair* strategy.

Launched in August 2021, the strategy provides a three-year roadmap to help the commission to improve the experience of consumers who are experiencing vulnerability by supporting our regulated and administered sectors to provide more responsive, inclusive and accessible services.

The strategy is built around three key objectives: working with consumers, working with regulated businesses, and working on ourselves.



The strategy defines vulnerability as: ‘A person experiencing, or at risk of experiencing, vulnerability is someone who experiences barriers to accessing or engaging in the essential services we regulate or administer.’

Progress report

In the two years since the strategy was launched, the commission has implemented 21 of the 33 actions connected to our objectives. The following table outlines our progress to date, summarising the actions and information about each activity.

Note:

- The status ‘implemented’ indicates that the work and/or the driving approach is considered to be embedded within the commission.
- Some actions contribute to multiple objectives and have been listed at several points of the report.

Getting to fair actions – as at 30 August 2023

Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Work collaboratively with our regulated sectors to support more effective and targeted engagement with diverse consumer and community groups, including:

1. on the effectiveness of family violence provisions currently in place across our regulated sectors

Sector:



Status:

Implemented

- **29 August 2023:** The commission and the Energy and Water Ombudsman Victoria (EWOV) co-hosted a Family Violence Leaders Forum event to bring energy and water business leaders and community sector violence experts together to discuss organisational responses to family violence.
- **27 July 2023:** Chairperson Kate Symons participated in a panel discussion at the CommBank Financial Abuse Leadership Summit to discuss Prevention by Design with Telecommunications Industry Ombudsman Cynthia Gebert, EWOV Ombudsman Catherine Wolthuizen and Dr Rhys Bollen from the Australian Securities and Investments Commission.
- **July 2022 – July 2023:** The commission commenced the family violence standards in water review 2022 and published our findings report in July 2023. The review was guided by an expert advisory panel of family violence survivor advocates, as well as consultation with water businesses, community organisations, financial counsellors and people with lived experience of family violence.
Web: [Family violence standards in water review 2022 | Essential Services Commission](#)
- **26 May 2022:** The commission published three expert-led industry resources to provide practical guidance to support regulated businesses to respond to and engage with consumers affected by family violence. We hosted an online launch event attended by Safe and Equal CEO Tania Farha and survivor advocate Rebeca Carro. Assistant Treasurer the Hon Danny Pearson MP contributed a video message.
Web: [Family violence resources for businesses | Essential Services Commission](#)



Energy



Water



Victorian Energy
Upgrades



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Transport



Commission
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Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Work collaboratively with our regulated sectors to support more effective and targeted engagement with diverse consumer and community groups, including:

2. with energy retailers and distributors, particularly through the payment difficulty framework implementation review

Sector:



Status:

Implemented

- **18 May 2023:** The commission held a roundtable with energy stakeholders discussing the requirement for retailers to inform customers if they are on the best offer on bills (and related obligations), and life-support protections and obligations.
- **31 May 2022:** The commission published our payment difficulty framework implementation review findings report which showed the value of the framework in supporting Victorians experiencing bill stress. The report also highlighted opportunities for energy retailers to do more to improve the effectiveness of their implementation of the framework.
Web: [Payment difficulty framework implementation review 2021 | Essential Services Commission](#)
- **July – August 2022:** The commission hosted a series of online workshops attended by around 200 energy retailers and consumer representatives to discuss approaches, experiences and practices to better support customers experiencing payment difficulties.
Web: [Workshop notes: Facilitating better practice to support customers in payment difficulty \(esc.vic.gov.au\)](#)

3. with water businesses in establishing prices, service standards and customer codes

Sector:



Status:

Implemented

- **September 2022:** The commission published our Water Industry Standards review final decision. The new standards that came into effect in March 2023 aim to ensure water businesses continue to prioritise early, proactive contact with customers experiencing payment difficulty and offer them tailored support.
Web: [Water codes review | Essential Services Commission](#)



Energy



Water



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Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Work collaboratively with our regulated sectors to support more effective and targeted engagement with diverse consumer and community groups, including:

4. explore opportunities to support intermediaries to advocate on behalf of their clients

Sector:



Status:

In progress

- **11–13 October 2023:** The commission is sponsoring the 2023 Financial Counselling Victoria conference in October. This will be an opportunity to discuss options with financial counsellors.

Web: <https://fcvic.org.au/fcvic-conference/>

5. to improve our engagement with groups representing consumers as part of our compliance and enforcement processes

Sector:



Status:

Implemented

- **Ongoing:** The commission holds regular meetings with consumer groups, including Financial Counselling Victoria, Consumer Action Law Centre and West Justice. We have also presented on the enforcement powers available to the commission and encourage complaints to be made directly to us, which has resulted in active investigations. Further meetings are planned on how consumer advocacy groups, EWOV and the commission can work together to effect cultural change at retailers in the context of vulnerability.

- **Ongoing:** The commission hosted three community roundtables in 2022. We engaged regularly with this stakeholder group in the first half of 2023 across a number of consultations, including the 2023–24 solar feed-in tariff, 2023–24 Victorian Default Offer and 2023 water price reviews. In July and August, we conducted a series of stakeholder interviews to seek feedback on our roundtables and how we can continue to improve them. An in-person community roundtable is planned for October 2023.

6. on the Victorian Energy Upgrades' engagement program

Sector:



Status:

In progress

- **Ongoing:** The commission hosted a dedicated Victorian Energy Upgrades (VEU) program code of conduct workshop for consumer groups in September 2022 – this was the first time the commission engaged this group of stakeholders on the program. This has opened an opportunity for ongoing engagement with this group either as part of the community sector roundtables or via dedicated VEU outreaches.



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Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Work collaboratively with our regulated sectors to support more effective and targeted engagement with diverse consumer and community groups, including:

7. on the economic regulation of commercial passenger vehicles.

Sector:



Status:

Implemented

- **14 July 2023:** The commission made a submission to Commercial Passenger Vehicle fare negotiation consultation supporting amendments to clarify that maximum fare regulation applies to rank and hail taxi services.

Web: [Submissions to external consultations and reviews | Essential Services Commission](#)

Develop a better understanding of First Nations consumers (acknowledging Aboriginal self-determination as a guiding principle). In doing so we will:

8. better understand the relationship First Nations people have with country

Sector:



Status:

In progress

- **12 July 2023:** The commission invited Wurundjeri and Yorta-Yorta Elder Aunty Zeta Thomson to perform a Welcome to Country to mark the unveiling of a new artwork for our office, 'Dill-ba-din Balluk Biik - Protect Community and Country' by Wurundjeri Woi-Wurrung/Yorta-Yorta artist Simone Thomson. This coincided with the naming of our meeting rooms in Woi-Wurrung, the local language of the Wurundjeri people, whose land our office is located on. Aunty Gail from the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation provided the meeting room translations and audio recordings to support staff with pronunciation.
- **November 2022 – May 2023:** Commissioners, the executive team and over 50 staff attended online and in-person cultural capability training delivered by Museums Victoria.



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Victorian Energy Upgrades



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Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Develop a better understanding of First Nations consumers (acknowledging Aboriginal self-determination as a guiding principle). In doing so we will:

9. explore and adopt culturally appropriate ways for First Nations communities to directly guide and influence our work

Sector:



Status:

In progress

- **August 2023:** The commission is procuring services from a 100% Aboriginal owned and operated business to support the development of an engagement strategy and the delivery of informative sessions to engage with First Nations communities during the final stage of the development of the Land Access Code of Practice.
- **Throughout 2021–2022:** The commission held regular roundtables with the community sector to discuss issues affecting customers of energy and water businesses. Roundtable meetings also including attendance from a specialist Aboriginal and Torres Strait Islander advocacy organisation.
- **July – December 2021:** The commission undertook extensive community consultation including with Aboriginal Victorians, older Victorians and culturally and linguistically diverse Victorians to determine whether Telstra Energy (Retail) Pty Ltd’s licence application to sell gas and electricity was in the long-term interests of Victorian consumers. In granting the licences, the commission imposed additional conditions on Telstra Energy to protect consumers.
Web: [Telstra Energy – application for electricity and gas retail licences | Essential Services Commission](#)

10. support effective engagement between water businesses and their First Nations consumers and community through our regulatory role.

Sector:



Status:

In progress

- **September 2021 / November 2021:** The commission ran two workshops for Victoria’s water businesses to outline our expectations around inclusive engagement with First Nations people and customers experiencing vulnerability for the 2023 Water Price Review.
Web: [Water price review 2023 | Essential Services Commission](#)



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Water



Victorian Energy Upgrades



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Transport



Commission internal

Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Pursue better practice communication and engagement in our work, including:

11. investigate ways to build stronger relationships with diverse consumer groups as part of the review of our stakeholder engagement framework to ensure we hear from a variety of perspectives

Sector:



Status:

Implemented

- The commission is focused on reviewing and expanding our engagement and relationships with consumer and community groups so that our consultations, communications and decisions include and reflect the voices of the communities we serve. This includes:
 - addressing feedback received through our annual stakeholder survey
 - reviewing our community sector roundtables and energy leaders’ forums in consultation with stakeholders
 - participating in speaking opportunities and conferences to hear from consumers about their experiences and concerns and be part of the conversation
 - creating space and giving a platform to diverse consumers voices in our consultations and engagement
 - creating different engagement opportunities to meet the needs of consumers – online and in person, public consultations, regional visits, one on one meetings
 - partnering with aligned organisations on consumer protections awareness campaigns.



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Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Pursue better practice communication and engagement in our work, including:

12. improve consumer facing information to better meet the diverse needs of consumers in understanding their rights, including in the Victorian Energy Upgrades program

Sector:



Status:

Implemented

- **July 2023:** Consumer [fact sheets for guaranteed service level payment scheme](#); [multi-language fact sheets](#) and [animated video](#) about consumer rights and protection in embedded networks.
- **June 2023:** Communications to support [Mojo Power East](#) and [QEnergy](#) customer Retailer of Last Resort (RoLR) processes; 2023 water price review final decision individual media releases (x14) and audio grabs for radio.
- **June 2023:** Landowners [Making a Land Access Code of Practice fact sheet](#) about the land access draft decision and release of a survey on Engage Victoria as an alternative to lodging a submission to provide feedback on the Making a Land Access Code of Practice Draft Decision to facilitate engagement.
- **May 2023:** 2023–24 Victorian Default Offer [final decision fact sheet](#), [energy consumer support fact sheet](#), audio grabs for radio.
- **March 2023:** 2023–24 Victorian Default Offer [draft decision fact sheet](#), [energy consumer support fact sheet](#), audio grabs for radio.
- **February 2023:** release of a survey on Engage Victoria as an alternative to lodging a submission to provide feedback on the Making a Land Access Code of Practice Consultation Paper.
- **February 2023:** 2023 water price review draft decision individual media releases (x14) and interactive customer fact sheets (x14) and audio grabs for radio; 2023-24 solar feed-in tariff final decision [explainer articles](#).
- **September 2022:** Communications to support [Elysian Energy](#) customer RoLR process.
- **July – August 2022:** VEU code of conduct [industry](#) and [consumer](#) communications and engagement program; communications to support [Power Club Limited](#) customer RoLR process.
- **June 2022:** [Important consumer information about energy retailer obligations in Victoria](#); [VEU code of conduct](#) communications.
- **May 2022:** Communications to support [Weston Energy](#) customer RoLR process.
- The commission will continue its focus on producing effective communications supported by plain English training.



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Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Pursue better practice communication and engagement in our work, including:

13. address accessibility and inclusion of customer-facing information through the implementation of the digital strategy.

Sector:



Status:

Implemented

- **August 2023:** August 1 energy price change [social media campaign](#); solar feed-in tariff [video](#).
- **July 2023:** Energy compliance and enforcement priorities [social media campaign](#) and captioned [long/short videos](#) and transcript; captioned [animated video](#).
- **May 2023:** 2023–24 Victorian Default Offer final decision captioned [video message from the chairperson](#).
- **March 2023:** 2023–24 Victorian Default Offer draft decision captioned [video message from the chairperson](#).
- **February 2023:** 2023–24 solar feed-in tariff final decision captioned videos ([the 2023–24 tariffs](#); [what's driving the changes](#); [tips to make the most out of your solar](#)).
- **July – August 2022:** 1 [August 1 energy price change](#) social media campaign.

Include the voice of the consumer to better inform our work in:

14. Our reforms and monitoring of the energy market, including the effectiveness of the payment difficulty framework

Sector:



Status:

Implemented

- **March – August 2023:** The commission proactively engaged with climate action groups and individuals on our review of the gas code and encouraged them to make submissions to our issues paper.
- **May 2022 – August 2022:** The commission published our payment difficulty framework implementation review findings report which showed the value of the framework in supporting Victorians experiencing bill stress.
Web: [Payment difficulty framework implementation review 2021 | Essential Services Commission](#)
- **July – August 2022:** The commission hosted a series of online workshops attended by more than 200 energy retailers and consumer representatives to discuss approaches, experiences and practices to better support customers experiencing payment difficulties.
Web: [Workshop notes: Facilitating better practice to support customers in payment difficulty \(esc.vic.gov.au\)](#)



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Objective 1 actions:

Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action

Include the voice of the consumer to better inform our work in:

15. The outcomes of the review of the water customer service codes

Sector:



Status:

Implemented

- **March 2022:** The commission hosted a community panel to provide input into the water codes review. Twenty-seven Victorians from a range of backgrounds came together over three sessions to make recommendations to the commission about the customer service codes. Their discussions focused on the impacts on those who may be experiencing vulnerability and many shared stories from their own lived experience. The panel also discussed how water businesses can work with people experiencing financial stress and the processes currently in place. The panel met three times and presented their findings to commissioners and commission staff.

Web: [Water codes review | Essential Services Commission](#)

16. The effectiveness of family violence provisions currently in place across our regulated sectors, work in collaboration with the community and government stakeholders to promote better industry practice.

Sector:



Status:

In progress

- **29 August 2023:** The commission and EWOV co-hosted a Family Violence Leaders Forum event to bring energy and water business leaders and community sector violence experts together to discuss organisational responses to family violence.
- **July 2022 – July 2023:** The commission commenced the family violence standards in water review 2022 and published our findings report in July 2023. The review was guided by an expert advisory panel of family violence survivor advocates, as well as consultation with water businesses, community organisations, financial counsellors and people with lived experience of family violence.

Web: [Family violence standards in water review 2022 | Essential Services Commission](#)



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Objective 2 actions:
Services we regulate are more responsive, inclusive and accessible

Action

Support better practice in delivering services to consumers experiencing vulnerability in our regulated sectors, including:

17. a review of the effectiveness of the payment difficulty framework, focusing on implementation

Sector:



Status:

Implemented

- **July – August 2022:** Following the publication of the payment difficulty framework implementation review findings report, the commission hosted a series of online workshops attended by more than 200 energy retailers and consumer representatives to discuss approaches, experiences and practices to better support customers experiencing payment difficulties.

Web: [Workshop notes: Facilitating better practice to support customers in payment difficulty \(esc.vic.gov.au\)](https://www.esc.vic.gov.au/workshop-notes-facilitating-better-practice-to-support-customers-in-payment-difficulty)

18. enhancing outcomes for water consumers in our review of the water customer service codes

Sector:



Status:

Implemented

- **September 2022:** The commission updated the water customer service codes to strengthen support and protections for Victorian consumers, particularly those facing financial difficulties. The new standards set out the minimum service requirements water businesses must meet, covering billing, payment difficulty support, and limits on debt collection. They also set out minimum standards of service quality and reliability. We heard early contact and tailored support for customers having trouble paying their bills were key factors in helping them to manage payments and avoid a debt building up. The new standards prioritise proactive and sensitive communication by water businesses with their customers and help to ensure debt recovery action through water restrictions and legal action remains a last resort.

Web: [Water codes review | Essential Services Commission](#)

19. a review of the effectiveness of family violence provisions currently in place across our regulated sectors, and work in collaboration with community and government stakeholders to promote better industry practice

Sector:



Status:

Implemented

- **July 2022 – July 2023:** The commission commenced the family violence standards in water review 2022 and published our findings report in July 2023. The review was guided by an expert advisory panel of family violence survivor advocates, as well as consultation with water businesses, community organisations, financial counsellors and people with lived experience of family violence.

Web: [Family violence standards in water review 2022 | Essential Services Commission](#)



Energy



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Victorian Energy Upgrades



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Commission internal

Objective 2 actions:
Services we regulate are more responsive, inclusive and accessible

Action

Support better practice in delivering services to consumers experiencing vulnerability in our regulated sectors, including:

20. using industry education to support better practice approaches for energy retailers and distributors to have a consistent understanding of vulnerability, and how to better communicate with consumers experiencing barriers to access

Sector:



Status:

Implemented

- **July – August 2022:** Following the publication of the payment difficulty framework implementation review findings report, the commission hosted a series of online workshops attended by more than 200 energy retailers and consumer representatives to discuss approaches, experiences and practices to better support customers experiencing payment difficulties.

Web: [Workshop notes: Facilitating better practice to support customers in payment difficulty \(esc.vic.gov.au\)](https://www.esc.vic.gov.au/workshop-notes-facilitating-better-practice-to-support-customers-in-payment-difficulty)

21. supporting more universal and inclusive engagement practices by water businesses when preparing their submissions to us

Sector:



Status:

Implemented

- **September 2021 / November 2021:** The commission ran two workshops for Victoria's water businesses to outline our expectations around inclusive engagement with First Nations people and customers experiencing vulnerability for the 2023 water price review.

Web: [Water price review 2023 | Essential Services Commission](https://www.essential.vic.gov.au/water-price-review-2023)



Energy



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Commission internal

Objective 2 actions:
Services we regulate are more responsive, inclusive and accessible

Action

Support better practice in delivering services to consumers experiencing vulnerability in our regulated sectors, including:

22. working with accredited providers and the Department of Energy, Environment and Climate Action to expand the Victorian Energy Upgrades program to better reach diverse consumer groups

Sector:



Status:

In progress

- **July 2022 – September 2022:** The commission hosted a series of online VEU code of conduct workshops for industry and consumer groups to discuss the program and code of conduct objectives, benefits, compliance requirements and consumer rights and avenues for complaints. These workshops were supported by new consumer resource fact sheets and industry guidance reference tools.

Web: [Your consumer rights in the Victorian Energy Upgrades program | Essential Services Commission](#)

23. identifying and promoting best practice approaches to consumer outcomes through our collaborative work with the local government sector.

Sector:



Status:

In progress

- **February 2023:** The commission submitted its initial views on a hardship guideline for the local government sector, including principles we consider underpin an effective approach to ratepayers experiencing hardship.

Web: [Submissions to external consultations and reviews | Essential Services Commission](#)

- Participating in local government industry events to highlight better practice customer support initiatives.



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Commission internal

Objective 2 actions:
Services we regulate are more responsive, inclusive and accessible

Action

Support better practice in delivering services to consumers experiencing vulnerability in our regulated sectors, including:

24. Include consideration of consumer vulnerability as an enduring priority in our compliance and enforcement work.

Sector:



Status:

Implemented

- **July 2023:** Protecting customers experiencing vulnerability is an enduring priority in the commission’s strategic compliance and enforcement priorities for 2023–24.
Web: [Our energy compliance and enforcement priorities | Essential Services Commission](#)
- **Throughout 2022–2023:** Since the release of our *Getting to fair* strategy, the commission has taken strong enforcement action against energy businesses who have allegedly broken the rules on key protections for customers experiencing vulnerability:
 - **June 2023:** Jemena Electricity Networks (VIC) Ltd paid over \$795,000 in penalties for allegedly failing to comply with obligations that protect Victorian energy customers who need life-support equipment, and who are affected by a planned power outage.
 - **April 2023:** AusNet Services Electricity Services Pty Ltd paid over \$40,000 in penalties for allegedly failing to notify customers, including a life-support customer, of a planned interruption.
 - **July 2022:** Origin Energy Electricity Limited paid over \$70,000 in penalties for allegedly breaching rules that protect Victorians relying on electricity for life support, and rules that assist customers who are facing bill stress.
 - **August 2022:** The commission accepted an enforceable undertaking from AGL Sales Pty Ltd over allegations that it failed to provide adequate providing payment assistance to customers, and failed to comply with rules relating to the disconnection of customers energy.
 - **January 2023:** Alinta Energy Retail Sales Pty Ltd paid over \$380,000 in penalties for allegedly breaching rules that protect Victorians who are experiencing payment difficulty.
 - **February 2023:** The commission accepted a court enforceable undertaking from Momentum Energy Pty Ltd over allegations it unlawfully disconnected electricity to the home of a family violence victim-survivor experiencing financial difficulties.
 - **July 2022:** Customers experiencing vulnerability included as an ‘enduring’ energy compliance and enforcement priority.
Web: [Our energy compliance and enforcement priorities | Essential Services Commission](#)



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Victorian Energy Upgrades



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Objective 2 actions:
Services we regulate are more responsive, inclusive and accessible

Action

Support better practice in delivering services to consumers experiencing vulnerability in our regulated sectors, including:

25. Monitor our regulated markets through qualitative and quantitative data to better understand how consumers experiencing vulnerability interact in the sectors we regulate.

Sector:

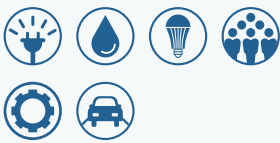


Status:
In progress

- **March 2022:** The commission reported routinely on the support the water and energy businesses have been providing customers during the coronavirus pandemic.
Web: [Water customer support during the coronavirus pandemic](#)
Web: [Energy customer support during the coronavirus pandemic](#)
- **May 2022:** The [two-year review](#) reports on the changes in support water customers accessed during the period.
- **May 2022:** The commission released a findings report on in its [review of the implementation of the payment difficulty framework](#), including a report on call recordings of energy customers receiving assistance from their retailer.
- **2022–2023:** The commission continues to publicly report on the experience of energy customers experiencing vulnerability via its [Victorian Energy Market Reports](#). This includes articles and information focused on:
 - information on the number of customers receiving support for payment difficulty, including [data dashboards](#) updated on a quarterly basis
 - new regular reporting on the number of customers receiving government grants for energy bills
 - economic analysis of the energy prices paid by Victorian consumers.

26. Provide advice to government on consumers’ experience of vulnerability as it relates to our administered and regulated sectors.

Sector:



Status:
Implemented

- The commission has provided submissions to government about consumers’ experience of vulnerability in a range of sectors including local government, energy and water.



Energy



Water



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Transport



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Objective 3 actions:

The commission is more responsive, inclusive and accessible as an organisation

Action

Demonstrate best practice as an organisation to be more responsive, inclusive, and accessible, including:

27. promoting greater use of social procurement across the organisation

Sector:



Status:

Implemented

- **August 2023:** For the last two years, the commission has engaged ColourSpace, a social enterprise, to exhibit quarterly rotating artwork at our office to support a diverse artist community. Other social procurements include nationally accredited Indigenous building firm Rork Projects and caterers Mabu Mabu, STREAT and Asylum Seeker Resource Centre.
- **February 2022:** The commission has adopted the Department of Treasury and Finance's social procurement strategy including the use of social enterprises for catering, rotating artwork and events. Social procurement factors of gender, equality, social enterprises, environmental credentials and First Nations supply chain form at least five percent of the assessment criteria in all tender evaluations at commission.

28. ensuring we are consistent in our approach to equity, access, and inclusion in recruitment and induction

Sector:



Status:

Implemented

- **August 2023:** The commission has reviewed and updated its recruitment policy, training for hiring managers, supporting materials on diversity and inclusion considerations in recruitment, and refinements to induction and onboarding activities to be more inclusive.
- **March 2023:** The commission supports the asylum seeker and refugee internship program, including a summer placement in our finance and business support team; alongside a range of Victorian public service (VPS) mentoring schemes.

29. building organisational capacity and awareness in using universal and inclusive engagement in our stakeholder engagement work

Sector:



Status:

Implemented

- Ongoing engagement training for staff delivered through a combination of internal and external tools and program.



Energy



Water



Victorian Energy Upgrades



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Commission internal

Objective 3 actions:

The commission is more responsive, inclusive and accessible as an organisation

Action

Demonstrate best practice as an organisation to be more responsive, inclusive, and accessible, including:

30. meeting our obligations under the *Gender Equality Act 2020*

Sector:



Status:

Implemented

- **August 2023:** The next reporting update to the Gender Equality Commissioner is March 2024 for all VPS agencies.

- **September 2022:** The commission renewed our commitment to working towards gender equality and enhancing the experience of our diverse workforce and stakeholders with the launch of our board endorsed 2021–2025 gender equality action plan.

Web: [Gender equality action plan | Essential Services Commission](#)

31. develop a policy on when and how we remunerate participants in our engagement processes.

Sector:



Status:

In progress

- **August 2023:** The commission recognises the significance and value of ensuring our work is informed by diverse community and consumer voices and lived experience. In addition to our current arrangements to acknowledge the time commitment and valuable, specialised and expert contributions from stakeholders we ask to be involved in our engagement processes, the commission is reviewing paid participation policies as one of the ways we can recognise the value of the lived expertise as well as the time, input and costs incurred because of participation.

Develop a better understanding of First Nations Victorians (acknowledging Aboriginal self-determination as the guiding principle). In doing so we will:

32. develop and publish our plan to move from inclusion to self-determination

Sector:



Status:

In progress

- **August 2023:** The commission is recruiting for a Diversity, Equity and Inclusion (DE&I) project officer who will work with an external specialist and the DE&I Committee to develop a plan.

33. build cultural safety across the organisation.

Sector:



Status:

In progress

- **December 2022:** The commission finalised our Building Aboriginal Cultural Capability Action Plan 2022–25 to help us to become an organisation that is aware, respectful and inclusive of Aboriginal people and their history and aim to provide a culturally safe environment for all.

- **November 2022 – May 2023:** Commissioners, the executive team and over 50 staff attended online and in-person cultural capability training delivered by Museums Victoria.



Energy



Water



Victorian Energy Upgrades



Local Government



Transport



Commission internal



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