

Getting to fair

Breaking down barriers to essential services

Final report

August 2024



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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 CEO



When we released our three-year *Getting to fair* strategy in 2021, it represented a change that was already underway at the commission. That shift was one of mindset – to treat consumers as people first, and not just passive recipients of essential services, and to identify actions we could take as an organisation to break down the barriers that block access to essential services.

At the time, we committed to not having a strategy that we would ‘set and forget’ but a strategy against which we would monitor our progress and report on. A strategy that would change our way of working.

I am pleased to present this final progress report on our *Getting to fair* strategy. The report demonstrates that we have continued to build our internal capability to incorporate the voices of consumers as well as build relationships to influence positive change for consumers who are experiencing vulnerability.

Completed actions from the last progress report include launching a [Safety by Design partnership](#) at the 2023 Financial Counselling Australia conference. The partnership brings together a team of independent experts in family violence and economic abuse to support consumers experiencing family violence.

Another completed action, to support effective engagement between Victorian water businesses and their First Nations consumers, occurred at our most recent community roundtable held in June this year.

The theme of the roundtable was ‘In conversation’ and featured Rodney Carter, CEO, DJAARA and Damian Wells, Managing Director, Coliban Water who shared their collective insights based on lived experience. Rodney and Damian spoke to the importance of considerate leadership in acknowledging the truth of our history.

Another highlight was our 30th anniversary conference held in April 2024. The theme of the conference was *Markets and Consumers, Efficiency and Fairness*, building on 30 years of economic regulation in Victoria.

Conference speakers discussed building trust through economic regulation and regulating for consumers experiencing vulnerability. The conference demonstrated our journey from an economic regulator focused on efficiency, to a modern economic regulator committed to improving access to essential services for consumers experiencing vulnerability.

At the conclusion of the three-year strategy, I am pleased to say we have completed almost all of the actions we committed to in 2021.

However, it is important to acknowledge that there is more to be done in some areas, particularly the commitments pertaining to First Nations communities. We remain committed to identifying culturally appropriate ways for First Nations communities to directly guide and influence our work, as we move from inclusion to self-determination.

The conclusion of the strategy is not the conclusion of the commission focusing on protecting consumers and breaking down the barriers that block access to essential services. Through this process, the focus has always been directed at embedding our learnings into our work in an ongoing and sustainable way.

Regulating for Victorians who may be experiencing vulnerability will remain a priority for the commission.

Sarah Sheppard
CEO
Essential Services Commission

Contents

Message from the CEO	4
Getting to fair: Breaking down barriers to essential services	6
Getting to fair actions – as at 31 July 2024	
Objective 1: Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work	8
Objective 2: Services we regulate are more responsive, inclusive and accessible	15
Objective 3: The commission is more responsive, inclusive and accessible as an organisation	19

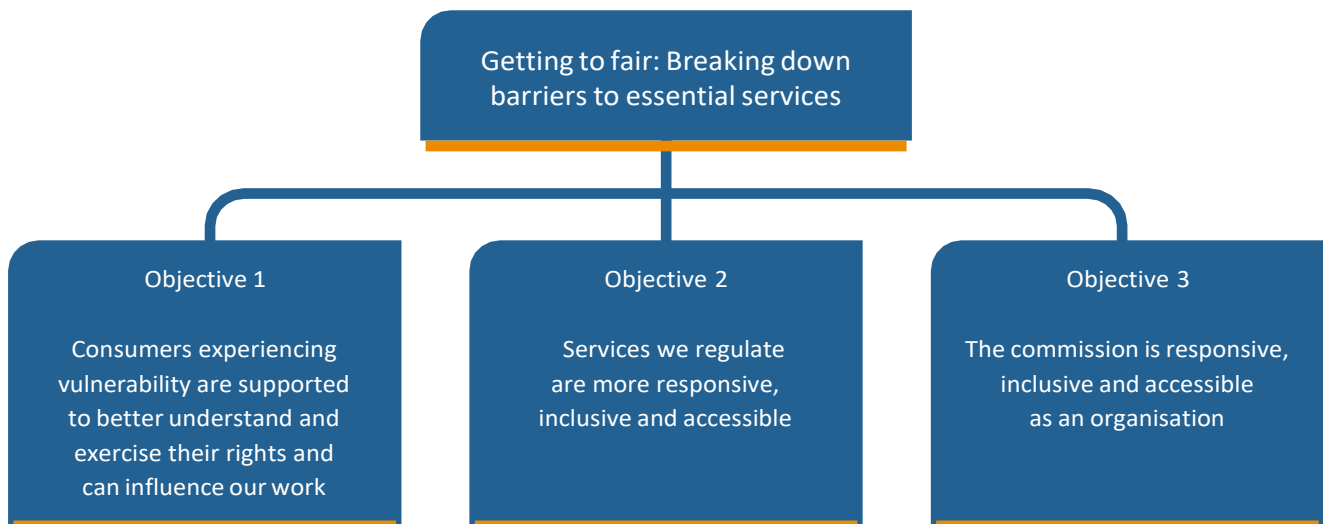


Getting to fair: Breaking down barriers to essential services

Supporting Victorians experiencing vulnerability is an enduring priority for the Essential Services Commission. Over the last three years, we have brought this to life through implementing the *Getting to fair* strategy.

Launched in August 2021, the strategy gave us a three-year roadmap 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.'

Final report


In the three years since the strategy was launched, the commission has implemented or progressed all of the 33 actions listed under our objectives. The following table presents our progress.

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.



Delivery of 'Getting to fair' actions – as at 31 July 2024

Note: The status 'implemented' indicates that the work and/or the driving approach is considered embedded within the commission. For all actions, even those marked as 'implemented', the commission identifies there is scope for further work and improvement. Some actions contribute to multiple objectives and have been listed at a number of points in the report.

Objective 1 actions: Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work					
Action		Sector	Status as at 30 August 2023	Further information	Status
<p>Work collaboratively with our regulated sectors to support more effective and targeted engagement with diverse consumer and community groups, including:</p>	<p>1. on the effectiveness of family violence provisions currently in place across our regulated sectors</p>		<p>Implemented</p>	<ul style="list-style-type: none"> 16 May 2024: Chairperson Kate Symons launched the Safety by Design partnership at the 2024 Financial Counselling Australia conference. The partnership brings together a team of independent experts in family violence and economic abuse. Thriving Communities Partnership, together with Catherine Fitzpatrick (Flequity Ventures), Safe and Equal and the Centre for Women's Economic Safety will develop better practice guides for energy and water businesses to support consumers who are experiencing family violence. 12–13 October 2023: The commission was the Premier Conference Partner for the 2023 Financial Counselling Victoria conference. Chairperson Kate Symons presented on the commission's work, including consumer protections in water and energy and recent compliance and enforcement activities, and highlighted the important role financial counsellors play in our work. 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 June 2023: The commission accepted an enforceable undertaking from a water business over allegations it failed to uphold critical protections in place to support customers affected by family violence. Web: South East Water enters enforceable undertaking over alleged breaches 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 	<p>Implemented</p>

Objective 1 actions:

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

Action	Sector	Status as at 30 August 2023	Further information	Status
			<p>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</p>	
2. with energy retailers and distributors, particularly through the Payment Difficulty Framework review		Implemented	<ul style="list-style-type: none"> July 2024: The commission released the Payment Difficulty Framework Guideline to assist energy retailers and exempt electricity sellers meet their obligations under the framework. The guideline specifies required forms of assistance and provides case studies and best practice examples. Web: https://www.esc.vic.gov.au/electricity-and-gas/codes-guidelines-and-policies/payment-difficulty-framework 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. 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) 31 May 2022: The commission published our Payment Difficulty Framework 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 	Implemented
3. with water businesses in establishing prices, service standards and customer codes		Implemented	<ul style="list-style-type: none"> February 2024: The commission updated the urban and rural Water Industry Standards to strengthen the reporting framework for water businesses, providing improved oversight of compliance with the standards. Amendments were also made to clarify obligations in relation to family violence protections for customers. Web: Reporting obligation introduced in the Water Industry Standards Essential Services Commission 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 	Implemented



Energy



Water



Victorian Energy Upgrades



Local government



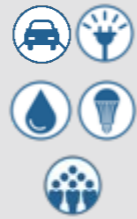
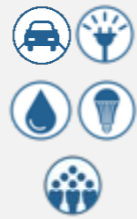


Transport





Commission internal

Objective 1 actions:




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

Action	Sector	Status as at 30 August 2023	Further information	Status
4. explore opportunities to support intermediaries to advocate on behalf of their clients		In progress	<ul style="list-style-type: none"> 26 October 2023: Our 14th community sector roundtable provided the commission and our intermediaries an opportunity to share insights about the lived experiences of consumers experiencing vulnerability in accessing and engaging with essential services. Topics discussed included: Family violence update; Best offer policy; and Local government hardship guidelines. 12–13 October 2023: The commission sponsored the 2023 Financial Counselling Victoria conference, providing a valuable opportunity to discuss options with financial counsellors. Web: https://fcvic.org.au/fcvc-conference/ 	Implemented
5. to improve our engagement with groups representing consumers as part of our compliance and enforcement processes		Implemented	<ul style="list-style-type: none"> Ongoing: The commission holds regular meetings with consumer groups, including Financial Counselling Victoria, Consumer Action Law Centre and WEstjustice. 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 to discuss how consumer advocacy groups, the Energy and Water Ombudsman (Victoria) (EWOV) and the commission can work together to effect cultural change within retailers in the context of vulnerability. Ongoing: The commission hosted three community roundtables in 2022. We engaged regularly with the community sector in the first half of 2023 across numerous consultations, including the 2023–24 solar feed-in tariff, the 2023–24 Victorian Default Offer and the 2023 Water Price Review. In July and August 2023, we conducted a series of stakeholder interviews to seek feedback on our roundtables and how we can continue to improve them. Further community roundtables were held on 26 October 2023, 29 February 2024 and 20 June 2024. 	Implemented
6. on the Victorian Energy Upgrades' engagement program		In progress	<ul style="list-style-type: none"> 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. October 2023: VEU updates were incorporated into the 26 October 2023 community sector roundtable and in Chairperson Kate Symons' speech at the Financial Counsellors Victoria conference (11–13 October). A consumer fact sheet was also developed in time for the conference, providing an overview of the program, consumer rights and how to make a complaint about concerning conduct of participating businesses under the program. 	Implemented
7. on the economic regulation of commercial passenger vehicles		Implemented	<ul style="list-style-type: none"> Throughout 2024: Engaged with community representative bodies on the unbooked taxi fares review, important for vulnerable passengers who may not be able to access alternative transport options and rely on unbooked commercial passenger vehicles for their travel needs. Ongoing: Discussions with Safe Transport Victoria to follow up customer complaints regarding poor taxi driver behaviour including overcharging. 14 July 2023: The commission made a submission to the Commercial Passenger Vehicle fare negotiation consultation supporting amendments to clarify that maximum fare regulation applies to rank and hail taxi services. Web: https://www.esc.vic.gov.au/other-work/submissions-external-consultations-and-reviews. 	Implemented

Objective 1 actions:
Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work


Action	Sector	Status as at 30 August 2023	Further information	Status	
<p>Develop a better understanding of First Nations consumers (acknowledging Aboriginal self-determination as a guiding principle). In doing so we will:</p>	<p>8. better understand the relationship First Nations people have with country</p>		<p>In progress</p>	<ul style="list-style-type: none"> • November 2022 – June 2024: Commissioners, the executive team and over 208 staff attended online and in-person cultural capability training delivered by Museums Victoria, with a further four sessions delivered to new staff in 2024. We are currently exploring the next iteration of First Nations capability offerings across the commission for staff. • 12 July 2023 – November 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 Smith from the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation provided the meeting room translations and audio recordings to support staff with pronunciation. A Welcome to Country sign at Reception and new room name signs featuring Simone Thomson's artwork were installed in November. • 19 June 2023: Path to Treaty presentation to all staff by the First People's Assembly. 	<p>Implemented</p>
	<p>9. explore and adopt culturally appropriate ways for First Nations communities to directly guide and influence our work</p>		<p>In progress</p>	<ul style="list-style-type: none"> • June 2024: The commission hosted a Community Sector Roundtable with Rodney Carter, CEO, Dja Dja Wurrung Clans Aboriginal Corporation (DJAARA) and Damian Wells, Managing Director of Coliban Water. The session focused on best practice engagement with Traditional Owner Corporations. • April 2024: Central contact list of First Nations led organisations created to support the building of relationships across the commission, and project teams brought into discussion about most suitable groups to approach when looking to engage with First Nations people. • April 2024: The commission's 30-year anniversary event included a panel on consumer vulnerability where Aunty Esme Bamblett, CEO of the Victorian Aboriginal Advancement League, spoke about the barriers for First Nations consumers in accessing essential services. • October 2023: Invitations to the community sector roundtable were extended to the First Nations Clean Network, the Victorian Aboriginal Legal Service and the Victorian Aboriginal Advancement League ahead of our 14th Community Sector Roundtable. Aunty Esme, CEO of the Victorian Aboriginal Advancement League was able to attend and share her observations on barriers to access for First Nations people. • August 2023: The commission procured services from Speaking in Colour, a 100 per cent 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. Given external factors (such as activities in advance of the Australian Indigenous Voice referendum and its outcome), it was not possible to hold informative sessions before the release of the Land Access Code of Practice. Recommendations for the development of an engagement strategy going forward were provided as part of a draft final report, which is currently being revised. • 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 	<p>Implemented</p>

Objective 1 actions:
Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work





Action	Sector	Status as at 30 August 2023	Further information	Status
			conditions on Telstra Energy to protect consumers. Web: Telstra Energy – application for electricity and gas retail licences Essential Services Commission	
		In progress	<ul style="list-style-type: none"> July 2023: The commission published final decisions for 14 water businesses as part of the 2023 Water Price Review. These decisions on maximum prices included consideration of the quality and influence of water business engagement with First Nations customers. October 2021, October 2022: The commission issued Guidance to 16 water businesses as part of the 2023 Water Price Review and the 2024 Water price review, that included expectations on water business engagement with First Nations customers. 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 	Implemented
Pursue better practice communication and engagement in our work. Including:		Implemented	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	Implemented
		Implemented	<ul style="list-style-type: none"> June 2024: Social media posts to raise awareness of our energy and Victorian Energy Upgrades program compliance and enforcement priorities 2024–25 and how consumers can report concerns. Also shared via community/consumer organisations. May 2024: Updated resources on our website about consumer rights under the Victorian Energy Upgrades program telemarketing and door knocking bans. These were also shared on social media and via community/consumer organisations. 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. 	Implemented

Objective 1 actions:

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

Action	Sector	Status as at 30 August 2023	Further information	Status
			<ul style="list-style-type: none"> • 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. 	
13. address accessibility and inclusion of customer-facing information through the implementation of the digital strategy		Implemented	<ul style="list-style-type: none"> • July 2024: Consumer rights and energy retailers' obligations in relation to discounting practices social media campaign • June 2024: Tips to avoid bill shock in winter social media campaign • Throughout 2023–2024: a range of digital communications training and tools related to accessibility and inclusion were delivered for staff including – plain language tip sheets; tools for accessible communication; introduction to digital accessibility; 'Excessive acronyms can alienate your audience – here's what you can do'; and how to make digital content accessible. • October 23 – Apr 24: Reviewed and improved visibility of consumer information on the commission website. • December 2023: Website Accessibility review completed by external supplier Monsido, regular website accessibility scans scheduled. • 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 	Implemented

Objective 1 actions:
Consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work

Action	Sector	Status as at 30 August 2023	Further information	Status	
			<ul style="list-style-type: none"> 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: 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		Implemented	<ul style="list-style-type: none"> June – July 2024: The commission began its public consultation on the review of the Energy Retail Code of Practice. The review proposes changes to strengthen key energy consumer protections, including for consumers experiencing family violence and payment difficulty. The commission hosted a public information session attended by over 100 stakeholders and received responses to a consumer-focused online survey. 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 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) 	Implemented
	15. The outcomes of the review of the water customer service codes		Implemented	<ul style="list-style-type: none"> 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 	Implemented
	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	 	In progress	<ul style="list-style-type: none"> February 2024: Recruited a panel of family violence survivor advocates to inform the development of reporting requirements for the Water Industry Standards, to ensure that the potential impacts on customers affected by family violence are clearly understood and reflected in the expectations we set for water businesses. November – December 2023: The commission consulted on amendments to the Water Industry Standards that are part of a series of measures to strengthen and provide consistency in how water businesses interpret their compliance obligations. The proposed amendments are to: <ul style="list-style-type: none"> - Introduce a new obligation on water businesses to report to us in a timely manner when they identify an actual or potential non-compliance in relation to the Water Industry Standards. 	Implemented



Objective 1 actions:

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





Action	Sector	Status as at 30 August 2023	Further information	Status
			<ul style="list-style-type: none"> - Amend 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. <p>It is proposed the amendments will take effect from 1 March 2024.</p> <ul style="list-style-type: none"> • 24 November 2023: Commissioners and staff participated in the annual Walk Against Family Violence with leaders from the water, energy and community sectors to demonstrate our shared commitment to delivering family violence protections for customers accessing essential services. Joining us on the walk included colleagues from South East Water, East Gippsland Water, Yarra Valley Water, Greater Western Water, Barwon Water, VicWater, AGL, Origin Energy, Simply Energy, Energy Locals, Consumer Action Law Centre, Thriving Communities Partnership and EWOV. The annual Walk Against Family Violence marks the commencement of the United Nations' 16 Days of Activism Against Gender-Based Violence, a global campaign for the prevention and elimination of violence against women and girls. • 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 	

Objective 2 actions:



Services we regulate are more responsive, inclusive and accessible

Action	Sector	Status 31 Aug 23	Further information	Status
<p>Support better practice in delivering services to consumers experiencing vulnerability in our regulated sectors. Including:</p>	17. a review of the effectiveness of the Payment Difficulty Framework, focusing on implementation	 Implemented	<ul style="list-style-type: none"> • July – August 2022: Following the publication of the Payment Difficulty Framework 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) 	Implemented
	18. enhancing outcomes for water consumers in our review of the water customer service codes	 Implemented	<ul style="list-style-type: none"> • 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 that 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 	Implemented

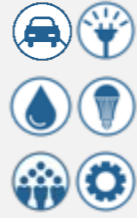
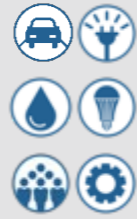
Objective 2 actions:
Services we regulate are more responsive, inclusive and accessible

Action	Sector	Status 31 Aug 23	Further information	Status
			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		Implemented	<ul style="list-style-type: none"> May 2024: The commission announced the Safety by Design partnership to support industry practice on building safer systems and processes for consumers affected by family violence. The partnership brings together Thriving Communities Australia, Catherine Fitzpatrick (Flequity Ventures), Safe and Equal and the Centre for Women's Economic Safety to develop better practice guides for energy and water businesses to support consumers who are experiencing 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 	Implemented
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		Implemented	<ul style="list-style-type: none"> May – June 2023: The commission sought and received feedback from energy industry stakeholders and consumer groups on its Payment Difficulty Framework Guideline. The guideline supports industry to comply with the framework and includes examples of better practice. The examples and case studies in the guideline were also informed by experiences shared from consumer groups who directly support consumers. July – August 2022: Following the publication of the Payment Difficulty Framework 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) 	Implemented
21. supporting more universal and inclusive engagement practices by water businesses when preparing their submissions to us		Implemented	<ul style="list-style-type: none"> 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 	Implemented
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		In progress	<ul style="list-style-type: none"> July 2024: The Department of Energy, Environment and Climate Action (DEECA) are updating their webpage communications. The commission is progressing updates to guidance material and communications regarding consumer rights. May 2024: The Victorian Government announced a Department of Energy, Environment and Climate Action-led review of the Victorian Energy Upgrades program. The commission will provide research, input and advice to support this review. 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 	In progress

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





Action	Sector	Status 31 Aug 23	Further information	Status
23. identifying and promoting best practice approaches to consumer outcomes through our collaborative work with the local government sector		In progress	<ul style="list-style-type: none"> March 2024: As part of preparing advice to the Minister for Local Government on the maximum interest rate for late payment of rates and charges, the commission held a webinar with councils on contemporary approaches to engaging with ratepayers experiencing vulnerability. September 2023: The commission submitted further feedback to Local Government Victoria's consultation on the draft ministerial guidelines relating to the payment of rates and charges. Our submission highlighted opportunities to improve the draft guideline to align with our initial advice, the recommendations from the Victorian Ombudsman's 2021 investigation into how local councils respond to ratepayers in financial hardship and the local government rating system review. Web: Submissions to external consultations and reviews Essential Services Commission March 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 Throughout 2023: we participated in numerous local government industry events to highlight better practice customer support initiatives. 	Implemented
24. Include consideration of consumer vulnerability as an enduring priority in our compliance and enforcement work.		Implemented	<ul style="list-style-type: none"> June 2024: Protecting customers experiencing vulnerability is one of the commission's compliance and enforcement priorities for 2024–25. Web: Our energy compliance and enforcement priorities Essential Services Commission June 2023: The commission accepted an enforceable undertaking from a water business over allegations it failed to uphold critical protections in place to support customers affected by family violence. Throughout 2022–2023: Since the release of our <i>Getting to fair</i> strategy, the commission has taken strong enforcement action against energy businesses who have allegedly broken the rules on key protections for customers experiencing vulnerability: <ul style="list-style-type: none"> 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. 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. 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. 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. 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. July 2022: Customers experiencing vulnerability included as an 'enduring' energy compliance and enforcement priority. Web: Our energy compliance and enforcement priorities Essential Services Commission 	Implemented

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

Action	Sector	Status 31 Aug 23	Further information	Status
25. Monitor our regulated markets through qualitative and quantitative data to better understand how consumers experiencing vulnerability interact in the sectors we regulate.		In progress	<ul style="list-style-type: none"> • 2022–2024: 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: <ul style="list-style-type: none"> ○ 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. • December 2023: The commission released its annual water performance report for 2022–23 which includes data on assistance provided to customers experiencing payment difficulty such as installment plans and grants. • May 2023: The commission released its biennial outcomes of local government rate capping report. It was the first time the commission included information on overdue rates. We are looking at what other information on ratepayers experiencing vulnerability could be provided in future reports. • 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 • 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. • May 2022: The two-year review reports on the changes in support water customers accessed during the period. • 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. 	Implemented
26. Provide advice to government on consumers' experience of vulnerability as it relates to our administered and regulated sectors.		Implemented	<ul style="list-style-type: none"> • Ongoing: The commission has provided submissions to government about consumers' experience of vulnerability in a range of sectors including local government, energy and water. 	Implemented

Objective 3 actions:

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

Action	Sector	Status 31 Aug 23	Further information	Status	
<p>Demonstrate best practice as an organisation to be more responsive, inclusive, and accessible. Including:</p>	27. promoting greater use of social procurement across the organisation		Implemented	<ul style="list-style-type: none"> October 2023 – June 2024: The commission partnered with FareShare to conduct three shifts of corporate volunteering involving over 30 staff, who assisted in preparing and packaging food for community members in need. This partnership continued in 2024. September 2023: The commission commenced a partnership with the Asylum Seeker Resource Centre to utilise our Board Room / large meeting rooms when required by their Board and Executive team for 'away days'. August 2023: For the last few 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 the 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 per cent of the assessment criteria in all tender evaluations at the commission. 	Implemented
	28. ensuring we are consistent in our approach to equity, access, and inclusion in recruitment and induction		Implemented	<ul style="list-style-type: none"> March 2024: Recruitment and induction processes and templates were reviewed in line with diversity and inclusion principles to ensure the candidate experience is accessible and centred on candidate care, considering adjustments and experiences. August 2023: The commission has reviewed and updated its recruitment policy and training for hiring managers. 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. 	Implemented
	29. building organisational capacity and awareness in using universal and inclusive engagement in our stakeholder engagement work		Implemented	<ul style="list-style-type: none"> July 2024: Internal Inclusive Language Guide launched, as a resource for staff to utilise, ensuring that our interactions with consumers are accessible, inclusive and culturally safe. April 2024: The commission's 30-year anniversary event included a panel on consumer vulnerability and inclusive design. Speakers Martin Coppack (Fair by Design, UK) and Ciara Sterling (Thriving Communities Australia) discussed the value of lived experience engagement and how to build it into project design. Ongoing: Engagement training for staff continues to be delivered through a combination of internal and external tools and programs. 	Implemented
	30. meeting our obligations under the <i>Gender Equality Act 2020</i>		Implemented	<ul style="list-style-type: none"> February 2024: Our 2021–2022 Progress reporting and workplace audit was submitted (20 February) to the Commission for Gender Equality in the Public Sector against the 7-workplace gender equality indicators and our Gender Equality Action Plan 2022–2025. 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 	Implemented



Energy



Water



Victorian Energy Upgrades






Local government



Transport



Commission internal

Objective 3 actions: The commission is more responsive, inclusive and accessible as an organisation					
Action	Sector	Status 31 Aug 23	Further information	Status	
	31. develop a policy on when and how we remunerate participants in our engagement processes		In progress	<ul style="list-style-type: none"> July 2024: The commission recognises the significance and value of ensuring our work is informed by diverse community and consumer voices and lived experience. The commission reviewed paid participation policies and guidelines and developed an organisational approach. This is 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 in our engagement processes. 	Implemented
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		In progress	<ul style="list-style-type: none"> July 2024: Endorsement for development of Aboriginal Inclusion Action Plan to better influence outcomes for our Aboriginal staff and community, with a holistic focus across internal and external activities (Building Aboriginal Cultural Capability and <i>Getting to fair</i> evolution). December 2023: The newly appointed Diversity, Equity and Inclusion (DEI) lead is developing an approach to DEI across 2024–2026, including a refresh to the current building Aboriginal cultural capability action plan, which provides our pathway to self-determination. August 2023: The commission is recruiting for a DEI project officer who will work with an external specialist and the DEI Committee to develop a plan. 	In progress
	33. build cultural safety across the organisation		In progress	<ul style="list-style-type: none"> June 2024: Four more cultural awareness training sessions completed, with a further 90 employees attending since our latest cohort. Future training opportunities in this space are currently being explored. December 2023: A 2024 learning calendar is currently under development, which will include a focus on DEI capability, with specific focuses on building cultural safety in line with the building Aboriginal self-determination plan. November 2022 – May 2023: Commissioners, the executive team and over 208 staff attended online and in-person cultural capability training delivered by Museums Victoria. 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. 	In progress