



Victorian Energy Upgrades program

Code of conduct workshop

14 July 2022



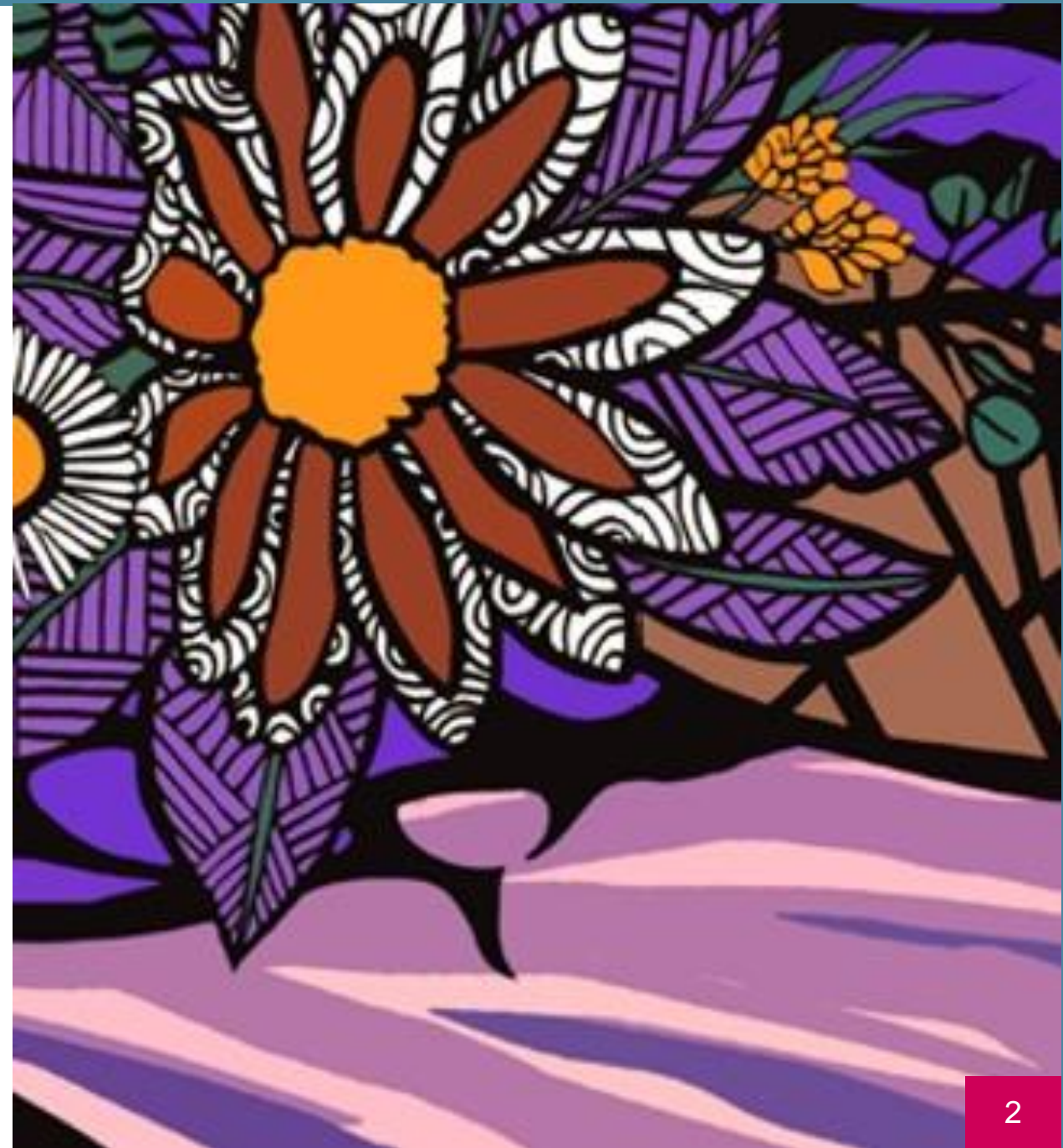
Acknowledgement of country

I would like to acknowledge the Traditional Owners on all of the lands wherever you are today.

I also acknowledge the Traditional Owners of the various lands you are on, and any Aboriginal and Torres Strait Islander people participating today.

I pay my respects to Elders past and present and acknowledge the connection that Indigenous Australians hold to country and culture.

Barrng Djinang artwork by Jade Kennedy.
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Agenda & housekeeping

Time	Item	Speaker/Facilitator
12.00	Welcome and opening remarks	Rebecca Billings Commissioner, Essential Services Commission Sitesh Bhojani Commissioner, Essential Services Commission
12.15	<ul style="list-style-type: none">• Introduction to the code of conduct• Overview of obligations and available supporting materials	Dr German Ferrando-Miguel Manager Planning and Development VEU, Essential Services Commission
12.30	<ul style="list-style-type: none">• Requirements to provide information at lead generation, contracting and installation stages• How accredited persons will work with lead generators and installers to comply	Oliver Cansdell Essential Services Commission
12.45	<ul style="list-style-type: none">• How accredited persons intend to comply with requirements to have a dispute resolution process and help consumers that lodge a complaint	Ben Roberts Project Lead VEU, Essential Services Commission
13.00	Q&A session and online polls	Dr German Ferrando-Miguel Manager Planning and Development VEU, Essential Services Commission
13.25	Summary and concluding remarks	Jeff Cefai Director VEU, Essential Services Commission
13.30	Workshop close	

During this workshop, please:

- keep your microphone muted when not speaking
- put questions into the chat
- raise your hand to ask a question during our Q&A sessions
- participate in the polls

Welcome & opening remarks

"At its heart, the code supports the consumer and the protection of their rights, while outlining the behaviours and standards they should expect from you when carrying out relevant activities."

Sitesh Bhojani, Commissioner, Essential Services Commission



ESSENTIAL SERVICES COMMISSION

Introduction to the code

Dr German Ferrando-Miguel, Manager
Planning and Development

VEU code of conduct: Overview and objectives

The VEU program code of conduct came into effect on 1 July 2022

Outlines circumstances under which a certificate cannot be created. It applies before, during and after installation and certificate creation/registration

Provides a minimum standard of service consumers can expect when they participate in the Victorian Energy Upgrades program

- It is consistent with current best practice; and
- existing legislative requirements (e.g., through Australian consumer law).

Includes obligations for accredited persons and scheme participants conducting regulated actions in relation to prescribed activities

VEU code of conduct: Key legal aspects

Schedule 6 of the Victorian Energy Efficiency Target Regulations 2018

- **Prescribed activities** – energy efficiency activities recognised under the Victorian Energy Upgrades program to reduce greenhouse gas emissions.
- **Accredited person (AP)** – a person or organisation approved by the commission to create certificates for a range of prescribed activities.
- **Scheme participants**
 - any person (other than an AP) who undertakes, or claims to undertake any (or any part of a) prescribed activity.
 - anyone who undertakes any regulated action
- **Regulated actions include:**
 - lead generation and marketing for a prescribed activity;
 - entering into a contract for a prescribed activity;
 - undertaking any part of a prescribed activity; and
 - any after-sales services or follow-on activities related to a prescribed activity.

VEU code of conduct: take home message

- **APs are accountable: Need to ensure scheme participants comply**
- **Need to respect consumer**
 - do not call register or do not knock
 - professional behaviour, no bullying, no misleading
- **Need to engage consumer**
 - be identified and provide information
 - explain the product and installation process, who will be involved
 - ensure they understand costs and can authorise installation
- **Need to support consumer**
 - keep schedules, minimise disruptions
 - after-sale services
 - provide help, resolve complaints

VEU code of conduct: supporting industry

- We have published [VEET Code of Conduct guideline](#)
- We have published the ESC [consumer information resource](#)
- We will be conducting further workshops:
 - AP focused workshops (small-medium APs, large/aggregator APs)
 - Scheme participant focused workshop
 - Consumer focused workshop
- We will be engaging with multiple organisations with links to scheme participants to spread the word about CoC requirements

Provision of information

Oliver Cansdell, Advisor



Provision of information: regulation 14(a)

“An accredited person or scheme participant carrying out lead generation or marketing activities...**must give the person the name of the accredited person who will be creating the certificate...**”

Compliance with this regulation **requires accredited persons and scheme participants to know who they are generating leads for**, in advance of those leads being generated.

It is the responsibility of the accredited person to ensure that they, scheme participants acting on their behalf and *any other scheme participant* engaging in regulated actions have complied with the code (regulation 5).

Provision of information: regulation 14(a)

In order to comply with the code, the commission expects accredited persons to only conduct prescribed activities for consumers who have been made aware that they will be creating a certificate for those activities.

This is to ensure that consumers:

- **know who they will be engaging with** as part of their upgrades
 - **have access to a dispute resolution process** from the beginning of their interactions with the Victorian Energy Upgrades program, and
- and to help the commission **identify which activities relate to which** (if any) **certificate being created** for an upgrade.

Provision of information: regulations 13-15, 17-18, 21

The code requires **other information to be provided to consumers** by those interacting with them as part of the Victorian Energy Upgrades program, especially at the lead generation and marketing, and contracting stages.

This includes specific information about:

- the VEU program (regulation 13),
- the prescribed activity being undertaken (regulation 14),
- the installation (regulation 15),
- their rights as consumers (regulation 17),
- any terms and conditions for the contract they are entering into (regulation 18), and
- who will be undertaking the prescribed activity (regulation 21).

Provision of information: regulations 13-15, 17-18, 21

Regulation 13(g) requires accredited persons and scheme participants carrying out lead generation and marketing activities to offer consumers a copy of the **'VEET scheme consumer factsheet'**.

This factsheet is available on [DELWP's website](#).

Regardless of whether consumers accept this factsheet, other information must be provided to consumers when conducting lead generation or marketing activities. This includes giving **clear and accurate information about the Victorian Energy Upgrades program**.

An additional resource is available on [the commission website](#) to assist with this.

Accredited persons and scheme participants should know and understand their obligations to provide consumers with information at all stages and be prepared to demonstrate their compliance.



Consumer assistance and dispute resolution

Ben Roberts, Project Lead

Dispute resolution: regulation 28-29

All accredited persons **must** have a clear and effective framework in place to deal with consumer complaints.

This framework must include:

- an **accessible internal process** to handle complaints (including those brought on behalf of a consumer);
- the provision of **information to consumers** about this internal process;
- **information on other avenues for the consumer** if the complaint is not resolved by the accredited person; (including Consumer Affairs Victoria, ACMA and ESC's own dispute resolution and support services);
- information and assistance to the consumer if their complaint is not covered by the framework.

Complaints to accredited persons must be handled in a **timely and fair manner**.

Dispute resolution: regulation 28-29

Accredited persons should be able to demonstrate that they have:

- Supplied consumers with the right information,
- Dealt with their complaints in an appropriate and timely way, and
- Assisted them in the event that their complaint is not covered by the framework (i.e. if their complaint is not related to the code of conduct or a prescribed activity).






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Concluding remarks

Jeff Cefai, Director VEU

Contact us

	www.esc.vic.gov.au
	/company/essential-services-commission
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