

Family violence resources review
Essential Services Commission
Level 37, 2 Lonsdale Street
Melbourne VIC 3000

By email: energy.submissions@esc.vic.gov.au

Submission: Family violence resources review

Thank you for the opportunity to provide a submission in response to the family violence resources review draft decision.

Momentum Energy is a 100% Australian-owned and operated energy retailer. We pride ourselves on competitive pricing, innovation and outstanding customer service. We retail electricity in Victoria, New South Wales, South Australia, Queensland, the ACT, and on the Bass Strait Islands. We offer competitive rates to both residential and business customers along with a range of innovative energy products and services. We also retail natural gas to Victorian customers.

Momentum Energy is owned by Hydro Tasmania, Australia's largest producer of renewable energy.

Introduction

Family violence is a systemic issue that needs to be addressed holistically if it is to have a lasting effect on victim-survivors and decreasing their chances of becoming the next statistic. The Royal Commission into Family Violence, and in particular recommendation 109 embodies this sentiment. The ESC in responding to recommendation 109 has undergone a substantial task to not only implement changes to The Energy Retail Code (the Code), but to support and facilitate change within the energy sector. Momentum applauds the approach and dedicated time the ESC has taken with this task. We note, and appreciate the inclusion of the water industry into the discussions so that we as a body can learn by experience. It is from this breadth of knowledge and consultation that we raise a few matters with regards to the draft decision.

Better Practice Guideline

We recognise that the minimum requirements are in part, non-prescriptive to allow for the level of flexibility the nature of family violence requires. However, when considering how to navigate these changes within the business, the guidelines will act as an imperative instrument and voice of the learnings undertaken in this journey. To follow, we propose a few requirements that may lend themselves to further clarification or key examples, and suggest that further consideration is given to training requirements and how they could align with the guidelines.

a) Definition 'former customer'

We acknowledge that allocating a timeframe to when a customer is no longer a customer is extremely difficult in this space. There was some discussion as to using a default listing timeframe (at the maximum 7 years) but also why this presented issues. It would be useful in the guideline if the ESC could address the 'former customer' and how this may appear in practice, so to obtain a better understanding of the expectation on staff but also on our systems.

b) Communication preferences

Section 106G(5) of the Code reads as though regardless of the communication preference of the customer, the retailer is to take it as surpassing any other communication requirements within the Code. There was a level of discussion around this and whether if the customer requests no communication at all how this is applied, with for example, the requirement to send a bill. Whether the section is re-worded, or guidance is provided, further clarification on this section would ensure retailers are able to manage communication requests, and our obligations in the best possible manner.

c) On going 'engagement'

It is not specifically called out in the draft decision, but implied that the customer must have on-going engagement to receive assistance. When we take into consideration the complexities a customer experiencing family violence is grappling with, it appears less evident (then perhaps with PDF entitlements) when to consider a customer as non-engaging. If the guidelines can provide examples of what 'non engagement' might look like, and comparatively what may not be actions of non-engagement, it may assist in clarifying the differences between the processes in place following the Payment Difficulty Framework (PDF).

d) Evidence

We agree that in most cases, evidence of family violence should not be required. However, in those instances where evidence may be requested we feel examples, as well as what appropriate evidence might look like would be extremely helpful. As I'm sure the ESC understands, the last thing retailers want to do is re-traumatise the customer in anyway, and having those examples will enable the business to better interpret and understand the meaning behind this section of the Code.

e) Referral Services

The draft proposes to require energy retailers to maintain a list of external support services. As we understand that a comprehensive list may not be the most effective, we recommend the ESC considers being more prescriptive so to allow for consistency across retailers. We would also like to highlight the potential use of Ask Izzy as a key reference tool, being that it provides the most accurate and far reaching information tailored to the user, based on their situation and needs in that moment.

f) Training

Training is the backbone of ensuring a successful role out of the new changes, as well as ensuring the wellbeing of our employees. We do query though the level of detail the Code has gone to in comparison to both recommendation 109 and the water industry changes. We understand feedback from the water industry indicated IT staff should be trained to ensure that system capability is built with these issues in mind. While we appreciate these insights we consider it largely unnecessary for our IT and system employees to be trained, particularly in; *c) identifying affected customers and d) how to engage appropriately and effectively with affected customers*. Similarly, a contractor for system developments makes changes under the direction of the business who will be trained and/or understand the requirements, therefore protecting any consequential changes occurring.

We feel that per recommendation 109 providing comprehensive training to customer facing staff is imperative. However, we feel it would be more appropriate and viable for businesses to train additional staff, particularly in *c) identifying affected customers, and d) how to engage appropriately and effectively with affected customers*, as better practice guidance and at the discretion of the business.

Family violence affects us all, whether directly or indirectly and we recognise that this is not just a code amendment, but an industry response to a national movement to reshape the landscape that is family violence. These changes align with our business ethos and policy directions, and we thank the ESC for their measured and compassionate approach to this regulatory change.

If you wish to discuss this submission in further detail, please contact Melissa McAuliffe on [REDACTED]
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