



# Victorian Energy Upgrades program

Code of conduct workshop

18 August 2022



# Acknowledgement of country

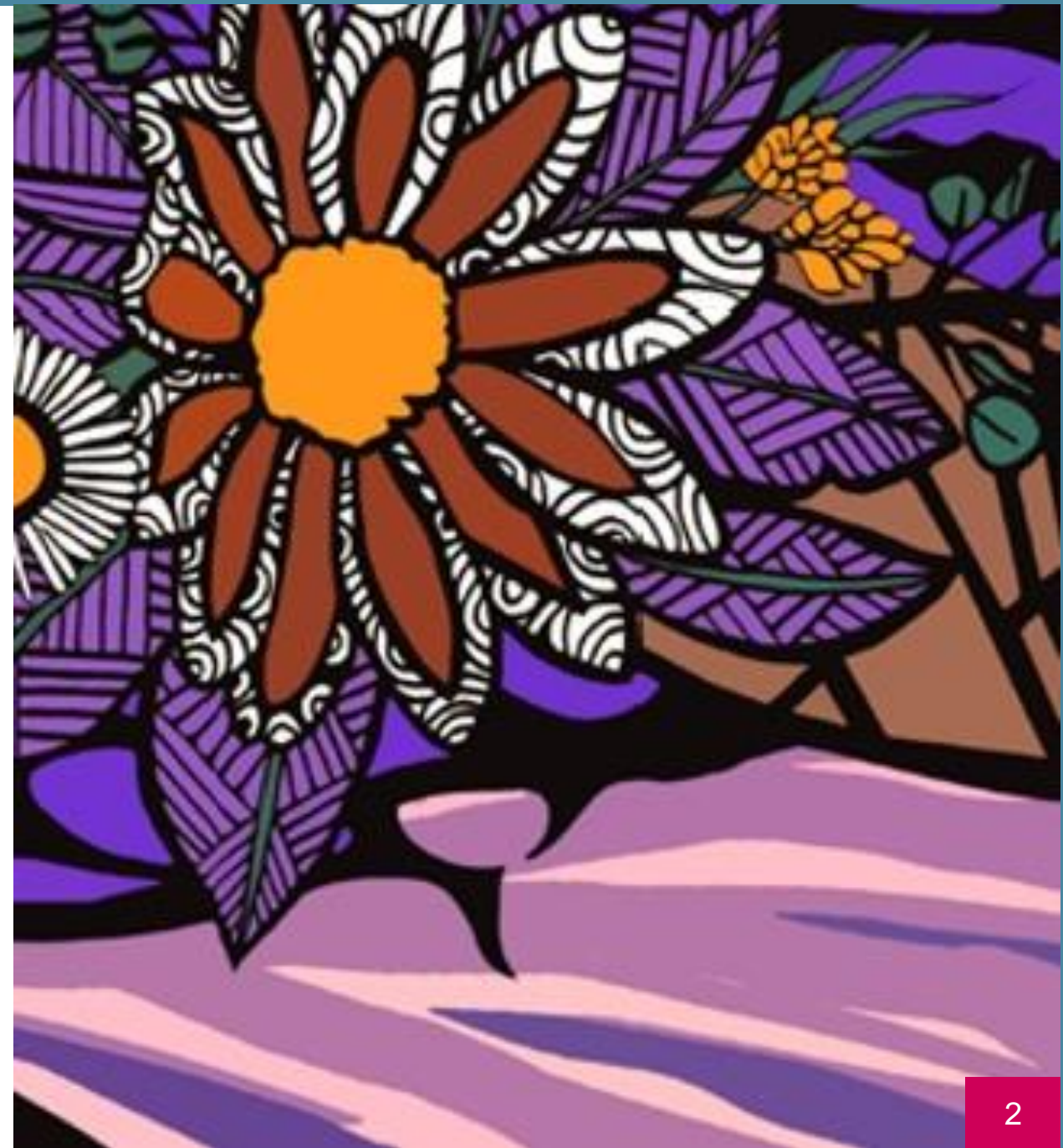
I acknowledge the Traditional Owners of the land on which we are meeting.

I am coming to you from the lands of Naarm (Melbourne) home to the Wurundjeri people of the Kulin nation.

I pay my respects to their elders, past and present, and the elders from other communities who may be here today.

I also acknowledge the Traditional Owners of the lands you are on today, and any First Nations Australians who are attending our workshop today.

Barring Djinang artwork by Jade Kennedy.  
Reproduced with permission.







# Agenda

Time	Item	Speaker
14.00	Acknowledgement of country Agenda and housekeeping	<b>Josephine Daly</b> , Engagement Lead, Essential Services Commission (ESC)
14.05	Welcome and opening remarks	<b>Commissioner Rebecca Billings</b>
14.10	The Victorian Energy Upgrades program code of conduct	<b>Gabrielle Henry</b> Executive Director, VEU, ESC
14.20	Working together towards compliance <ul style="list-style-type: none"><li>• Lead generation and marketing</li><li>• Entering into a contract</li><li>• Installation</li><li>• Post completion</li></ul>	<b>Ben Roberts</b> Code of Conduct Project Lead, VEU, ESC  <b>Ollie Cansdell</b> Advisor, VEU, ESC
14.40	Q&A session – please submit your questions in the chat	<b>Josephine Daly</b> , Engagement Lead, ESC
14.55	Summary, concluding remarks and survey	<b>Commissioner Rebecca Billings</b>
15.00	Close	

# Housekeeping

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
-  complete our feedback survey



# Welcome and opening remarks

Commissioner Rebecca Billings



# Victorian Energy Upgrades program code of conduct

Gabrielle Henry, Executive Director

# Purpose of the code of conduct

Victorian Energy Upgrades program code of conduct:

- **regulates** how accredited persons and scheme participants carry out activities under the program
- ensures accredited persons and scheme participants **provide sufficient information** to consumers
- ensures accredited persons have **processes** in place to handle **consumers' complaints**.

Accredited persons are at the centre of a compliance framework that regulates their conduct, **and** that of scheme participants.

## What is a scheme participant?

Any person (other than an accredited person) who undertakes any, or part of any, upgrade on behalf of an accredited person, even if the accredited person's accreditation is suspended, expired or cancelled, or if their actions do not meet the full requirements of a prescribed activity.

Anyone claiming to undertake any part of a prescribed activity on behalf of an accredited person is also a scheme participant.

# VEU code of conduct: key terms

- **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
  - any after-sales services or follow-on activities related to a prescribed activity.



# General obligations for scheme participants under the code

**Accredited persons are responsible to ensure scheme participants comply with the code of conduct however:**

To achieve this, scheme participants should:

- work with accredited persons, so they know the code has been complied with
- demonstrate (to accredited persons, the commission etc.) how they have complied with the code.

Non-compliance by scheme participants means certificates cannot be created for the upgrade, which could impact accredited person's business with you.



# Working together towards compliance

Ben Roberts, Project Lead

Ollie Cansdell, Advisor

# Working together towards compliance

1. Code of conduct applies to accredited persons and scheme participants
2. Certificates **cannot** be created where non-compliance identified
3. Successful compliance requires collaboration to ensure consumers remain front and centre

## Accredited persons and scheme participants

- ✓ Systems, processes and procedures, including dispute/complaints resolution
- ✓ Documentation and evidence
- ✓ Contractual arrangements and obligations

## Industry and the commission

- ✓ Clarification and explanation
- ✓ Complaint investigations and other compliance/enforcement tools
- ✓ Reporting of known offenders or incidents of non-compliance



# Working together towards compliance

As a scheme participant generating leads and marketing, you must...

Wear identification at all times, including details of who they work for and the relevant accredited person.

Leave residential premises immediately on establishing no one 18 or older is present.

Not engage in high pressure tactics such as bullying, inappropriate questions or calling a number registered on the 'Do Not Call' Register.

Not generate leads or market if 'No door-knocking' signs are displayed.

Lead generation

Marketing

Give the required information about the Victorian Energy Upgrade program to all consumers.\*

Leave / hang up immediately if asked.

Give the required information about your activities.



Provide all other necessary and appropriate information to consumers.

\* This includes telling consumers that you do not work for the ESC or the Victorian Government, and offering a copy of [the VEET Scheme Consumer Factsheet](#).

# Working together towards compliance

As a scheme participant entering a contract with consumers, you must...

Provide consumers with a statement of their rights and obligations, including under:

- the Act\*
- the [VEET Regulations](#)
- Australian Consumer Law.

Give clear and accurate information about the terms and conditions of the contract.

Ensure the consumer understands and consents to the prescribed activity taking place.

Entering into a contract

Make the schedule of activities clear, including when all installation, replacement and decommissioning activities will occur and be completed.

Give the consumer information about the person who will undertake (any part of) the prescribed activity.



\* The [Victorian Energy Efficiency Target Act 2007](#).

# Working together towards compliance

As a scheme participant undertaking prescribed activities, you must...

Leave residential premises immediately on establishing no one 18 or older is present.

Give notice to surrounding residents if access to their property, or their essential services, will be impacted by the prescribed activity.

Ensure that all activities commence, are undertaken and completed at the time agreed with consumers, including all installation, replacement and decommissioning.

Give consumers information on:

- who undertook the activities
- the AP creating the certificate
- their dispute resolution framework
- any product instructions and warranties.

Undertaking  
prescribed  
activities



Undertake all activities in accordance with the [VEET Regulations](#) and [Secretary's Specifications](#).

# Working together towards compliance

**Accredited persons** are also obligated to:

- notify consumers if a product or service delivered as part of the VEU program **does not** comply with certain requirements (Code of conduct Part 6)
- have a dispute resolution process in place (Code of conduct Part 7)

**Scheme participants** should work with accredited persons to correct non-complying products and services

Be aware of accredited persons' dispute resolution processes - provide to consumers:

- lead generation and marketing; and
- on completion of the upgrade



# Open Q&A

Josephine Daly,  
Engagement Lead



# Concluding remarks

Commissioner Rebecca Billings

# Contact us

	<a href="http://www.esc.vic.gov.au">www.esc.vic.gov.au</a>
	<a href="mailto:veu@esc.vic.gov.au">veu@esc.vic.gov.au</a>
	(03) 9032 1310
	<a href="https://www.linkedin.com/company/essential-services-commission">/company/essential-services-commission</a>
	<a href="https://twitter.com/EssentialVic">@EssentialVic</a>

This presentation is for general informational purposes only. It does not alter or replace any obligations contained in the Victorian Energy Upgrades Code of Conduct or any relevant law. The Essential Services Commission has made every effort to ensure the quality of the information and accuracy as at the time of publication and provides this information in good faith, however it makes no representation or warranty of any kind, express or implied regarding the accuracy, adequacy, validity or completeness of the information. It is not a substitute for legal advice and we encourage you to consult with appropriate legal professionals.