

«Listen Engage Act»

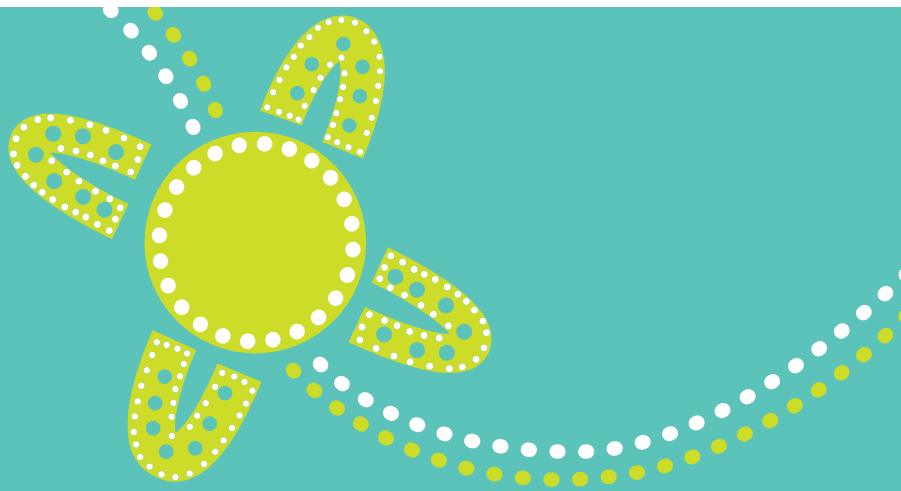
ANNUAL REPORT



Energy & Water
Ombudsman NSW

EWON acknowledges the Traditional Owners of the lands across New South Wales. We pay our respect to Elders past, present and emerging and we offer our thanks to Aboriginal communities who welcome us onto their land.

ngara ngwiya yudi — listen, give, guide



About this report

This Annual Report is published in accordance with the Energy & Water Ombudsman NSW (EWON) Charter and the Benchmarks for Industry-based Customer Dispute Resolution. The Benchmarks are Accessibility, Independence, Fairness, Accountability, Efficiency and Effectiveness.

About our data

The data in this Report is drawn from complaints received by EWON during the 2020/2021 financial year, unless otherwise specified. EWON's open complaint data varies in accordance with complaint progression, and figures in this Report reflect complaint status on 6 July 2021.

About our case studies

Personal information about our customers has been changed to protect their privacy.

Overview

EWON is an industry-based Ombudsman scheme which provides independent, free, informal dispute resolution services to all NSW energy and some water customers. We seek to achieve a fair and reasonable outcome for all complaints and all parties – we are not a consumer advocate, nor do we represent industry.

We investigate a broad spectrum of complaints including:

- > disputed accounts
- > high bills
- > disconnection or restriction of supply
- > payment difficulties
- > reliability and quality of supply
- > connection or transfer issues
- > contract terms
- > marketing practices
- > digital meter issues
- > poor customer service.

Our principal responsibilities as set out in the EWON Charter are to:

- > handle energy and water complaints independently, fairly, informally, efficiently and free of charge to the customer
- > promote EWON to consumers and small business
- > encourage and provide advice to members on good complaint-handling practices to reduce and avoid complaints.

We receive, investigate and resolve customer complaints and disputes and work with energy and water providers to help them improve their processes and deliver consistent, high-quality customer service. We help raise industry standards, build customer confidence and reduce complaints by contributing to the development of energy and water policy through our submissions, reporting and analysis.



This report is printed using plant based toner on FSC® recycled paper.

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Chair's report



Tony Crawford

EWON has completed another busy and productive year where many important milestones were met, including the Board's approval of the 2021–2025 Strategic Plan or Tealprint.

Our Tealprint, named after one of our signature colours, outlines EWON's Charter and Constitution responsibilities and highlights our collective aspirations, including how to maintain effectiveness as an Ombudsman scheme in an increasingly complex energy environment. Our key aspirations include establishing ourselves as leaders in external dispute resolution and as a trusted source of complaints data and insights. I know we are already well on track to reach these goals.

This year the Board also focused on delivering several key recommendations from EWON's Independent Review.

In December we launched EWON's systemic issues report series, *Spotlight On*, a recommendation of the Independent Review. The third report, *Embedded Networks – it's time for change*, explored the lessons learnt from bringing exempt entities into EWON's membership. It is three years since the introduction of mandatory membership for exempt entities and I commend our policy and governance teams for shining a light on what's not working from a regulatory perspective, backed by the unique data from our complaints work.

Reaching customers and vulnerable communities is a fundamental part of EWON's work and the Board was pleased to approve the 2021–2024 Stakeholder Engagement and Communications strategy, which builds on our previous work in this important area. Stakeholder engagement plays a crucial role in increasing awareness of EWON and is integral to our ability to influence policy and form strategic relationships. The strategy identifies further opportunities to build EWON's profile and expand our reach, ensuring all consumers have equal access to EWON's services.

Our Information Technology (IT) Roadmap, designed to ensure EWON's strategic planning and business needs are adequately supported by technology, was endorsed by the Board in October 2020. Several important IT projects were completed, including an organisation-wide laptop rollout to support hybrid working, and a cyber security audit to ensure all customer and member data is kept safe from phishing and scams.

In February 2021, the Board endorsed a two-stage approach to reviewing EWON's funding model. This complex project will involve a review of current principles, including their relevance to the evolving energy environment, to ensure EWON meets the needs of an increasingly diverse membership.

A highlight of the year was the launch of our first Reconciliation Action Plan (RAP), which provides a framework for EWON to support the national reconciliation movement. It acknowledges the work we have done so far but also outlines how we will build on our existing support of Aboriginal and Torres Strait Islander peoples. The plan will be implemented through changes to internal policies but, most importantly, it will be embedded in our day-to-day operations.

EWON is an active member of ANZEWON, the Australia and New Zealand Energy & Water Ombudsman Network. We recently joined our Ombudsman peers to begin a project that will build on current initiatives to collectively establish best practice across our schemes. Each scheme will benefit from the mutual strengths of all ANZEWON participants.

Our Consultative Council Meetings (CCM) moved to an online format during COVID-19 which pleasingly, allowed more members and stakeholders to attend, particularly from regional NSW. The meetings received positive feedback with 96% of respondents rating the CCMs as either excellent or good. This is welcome feedback in a year when much of our stakeholder engagement was conducted online.

I was delighted that industry directors David Stockler and Jane Mills were reappointed to the Board in November 2020, offering welcome continuity during a year in which the Board was rarely able to meet in person because of fluctuating COVID restrictions.

In closing, I would like to thank my Board colleagues for their support and contribution to the strong and effective governance of EWON's affairs. I would also like to thank the Ombudsman, Janine Young, the Management Team and EWON's staff for their significant effort and commitment to deliver EWON's vision and purpose in another challenging year. Together they ensure that EWON continues to demonstrate the hallmarks of a strong and effective Ombudsman scheme.

TONY CRAWFORD
Chair, Energy & Water Ombudsman NSW

Ombudsman's report



Janine Young

This year, more than ever, consumers and stakeholders have needed to be heard. So we listened, engaged and took action. We connected with vulnerable communities both personally and virtually, delivered fair complaint outcomes and informed policy change by delivering reports and submissions backed by our data insights. Hence our Annual Report theme – **Listen, Engage, Act.**

At EWON four strategic objectives underpin our work – expanded awareness, valued membership, best-practice dispute resolution and influential policy contribution. Two key initiatives, which span those objectives, warrant special mention.

Firstly, I was proud to launch our first Reconciliation Action Plan (RAP) in June 2021. Our RAP provides a roadmap for our contribution to reconciliation and builds on our existing support of Aboriginal and Torres Strait Islander peoples.

Secondly, our successful rule change request to the Australian Energy Market Commission (AEMC) which took effect in August, was a first for an Ombudsman scheme. The change to the National Energy Retail Rules, initiated by our Outreach Team listening to how hard it was for customers reliant on home-based, life-support equipment to switch energy provider, has made it easier for customers to access a new medical certificate and change retailer.

Expanded awareness

COVID-19 forced EWON to reach consumers digitally. We launched a social media campaign for Aboriginal and Torres Strait Islander customers, featuring EWON's Aboriginal Ambassador, Sean Choolburra, to coincide with the end of JobKeeper and JobSeeker payments. This was followed by We've Got Your Back, a campaign to help 18-25-year-olds manage their energy and water bills.

I was able to attend the Financial Counselling Australia Conference in Darwin on the lands of the Larrakia people in May. The pre-conference external dispute resolution forum involving energy and water, financial services and telecommunications Ombudsmen, financial counsellors and capability workers from across Australia, provided a great opportunity for two-way engagement and information sharing.

We delivered much of our outreach program online this year which allowed us to attend 588 events, more than double the previous year. The easing of travel restrictions in June meant I could join our Outreach Team on a visit to northern NSW to deliver Community Assistance Days in Tweed Heads, Murwillumbah and Casino. Having been planned for 18 months earlier, it was great to reach these flood and bushfire affected

areas and begin establishing relationships with local Aboriginal communities and organisations.

Valued membership

Membership grew to 318 energy and water company members, up from 201 in the past financial year. Embedded network entities made up a significant percentage. Our fourth member engagement survey, involving 225 organisations, identified significant improvement in EWON's overall effectiveness as an external dispute resolution scheme (up from 59% in 2016 to 69%), as well as our overall effectiveness working with members (up from 57% to 65%).

In June 2021, our new quarterly member newsletter EWONow boosted traffic to our member portal, EWONlink and raised awareness of how members can use this tool to access timely and specific complaints data.

Our member webinars continue to be popular, interactive events that help members stay informed. One specific webinar stood out as a highlight for attendees. Our Aboriginal Community Engagement Officer, Tracey Duncan, hosted a webinar about EWON's cultural protocols and how we use them to engage with Indigenous and non-Indigenous cultures in our work.

Best practice dispute resolution

In July 2021 our Quality Team introduced reviews based on specific issues or complaints areas. The insights obtained identified the need for EWON staff to better understand complex and emerging issues, such as how to help customers experiencing family violence.

Our new staff intranet, The Hub, was launched in August 2020 as part of our Digital Workplace Transformation. Integrated with Microsoft 365 products, it allows greater staff collaboration and contains a comprehensive knowledge base for staff handling complex complaints.

In my second year as Chair of the Australia New Zealand Ombudsman Association, discussions with my peers revealed that many Ombudsman schemes increasingly engage with customers exhibiting challenging behaviours. This is unsurprising

given the current environment, so we've continued to upskill our staff to give them strategies to engage positively with customers and, when needed, to seek assistance, particularly when working from home.

EWON moved to permanent hybrid working arrangements in April, supported by a laptop rollout and strong focus on cyber security.

Influential policy contribution

We initiated a new approach to systemic issues reporting in response to a recommendation of EWON's 2019 Independent Review. The first in our series of Spotlight On reports focused on the unexpected consequences of affordability measures in the National Energy Customer Framework (NECF). We've since published two more Spotlight On reports about the lack of regulation of the supply and billing of hot water in embedded networks, and the lessons learnt from bringing embedded network entities into our jurisdiction.

The Australian Energy Regulator's (AER) Statement of Expectations (SoE), released in April 2020, was a prescient and unprecedented consumer protection intervention. Our SoE reports to the AER and retailers showed energy retailers provided excellent customer support. The SoE has given regulators and retailers a solid toolkit for future crises.

EWON has had another influential year in terms of policy submissions. I've been impressed by the variety of consultations we've been invited to take part in, which demonstrates the importance of our unique complaint data and the expertise of our Policy Team. Submissions included:

- > The Energy Security Board's Post 2025 Market Design: our submission focused on emerging customer needs and dispute resolution, and the ongoing need for free, fair and independent dispute resolution.
- > *The Residential (Land Lease) Communities Act 2013*: we focused the NSW government's attention on customer confusion about utility charges in residential parks, which resulted in energy charges now being addressed separately in the Act.
- > The AEMC's review of the metering services regulatory frameworks: we highlighted that customers are yet to fully benefit from digital meters, and called for an end date to hasten the rollout and benefits across NSW.
- > The AER (Retail) Exempt Selling Guideline and the Electricity Network Service Provider – Registration Exemption Guideline: we recommended closing consumer protection gaps for customers in embedded networks.

Looking ahead

We have begun scoping our Funding Model Reform project, which will involve broad consultation with members and stakeholders during the 2022 financial year to develop a fit-for-purpose funding model that supports our diverse membership.

EWON's ongoing work with the Australian and New Zealand Energy & Water Ombudsman Network continues, with the overarching goal of increased harmonisation and performance optimisation for the benefit of consumers, members and other stakeholders.

The current pace of change for the energy and water sectors is unprecedented. Regulatory frameworks and new technologies have created a complex landscape that is difficult for consumers to navigate. Consumer protections, including external dispute resolution, must be co-designed with emerging energy and water products and regulation to ensure all consumers benefit equally.

Staff and family safety remain our number one priority. Our business continuity plan working group worked tirelessly on top of their normal roles to provide COVID-19 updates and safety plans to staff, ensuring all staff members were well informed, supported and safe. In response, the EWON team continued to display its commitment to service excellence.

I would like to thank the Management Team for its unwavering support, humour and resilience during a tumultuous year. Deputy Ombudsman, Helen Ford, and General Manager Finance and Corporate Services, Bernadette Or, assumed broader leadership responsibilities in the months leading up to Rosa Krilic's appointment as General Manager Dispute Resolution in February 2021. This allowed Rosa to quickly restructure her team while ensuring ongoing efficient and effective complaints management.

Finally, I extend my thanks to the Chair, Tony Crawford, and the Board for their excellent governance, strategic leadership, and for their encouragement, support and guidance during the 2021 financial year.



JANINE YOUNG
Ombudsman, Energy & Water Ombudsman NSW



Case study

Water provider offers \$54,085 goodwill gesture



Category

Level 3 investigation

Issues

Land/property damage/restoration

Outcome

No further investigation

Mr Kovac contacted his water provider after a water-main burst, causing significant damage to his driveway, a retaining wall, garden and the contents in his garage. He submitted a claim to his provider of \$98,474.

The water provider was aware of a previous leak in the area reported by a neighbour's plumber and had attended the site twice but was unable to identify the location of the leak.

The provider engaged an independent loss assessor to inspect the premises and identify damaged areas that were uninsured. Without accepting liability, the provider offered a settlement of \$54,085 as a goodwill gesture based on repair quotes, and referred Mr Kovac to his home insurer for the damaged garage contents. Mr Kovac accepted the \$54,085 but did not wish to claim the rest via insurance so he contacted EWON to review

the provider's denial of his contents claim.

He said several of his neighbours and his neighbour's plumber had reported the leak earlier. However, he believed the burst occurred because the provider had increased the water pressure as part of its inspection work. He argued that the provider's agreement to pay the \$54,085 proved its liability.

The provider's records confirmed the leak was reported two weeks before the main burst and it had attended the site on the same day but could not find the reason for the leak. The provider visited again the day before the main burst but still could not locate the leak.

EWON's review of the provider's customer contract and insurance claims management procedure noted that Mr Kovac was required to claim through his insurer first. The provider was liable only if it could be reasonably proved

that its actions or inactions had caused the water main to burst, given its knowledge under the circumstances.

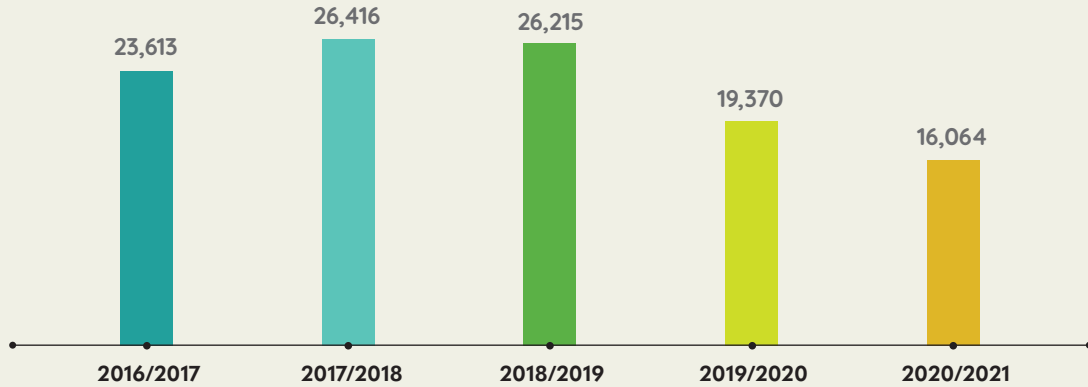
Our investigation concluded that the provider could not have reasonably foreseen or prevented the burst and that its goodwill decision to pay part of the claim did not prove liability. We asked Mr Kovac to prove the value of his claim but he could not.

We found there were insufficient grounds for further investigation and recommended Mr Kovac claim through his home and contents insurance. We advised that his provider would contribute to the insurance excess and no claims bonus as a goodwill gesture, if the insurer honoured the claim. We advised him that if he believed his insurer had not honoured the terms of his insurance policy, he could contact the Australian Financial Complaints Authority.

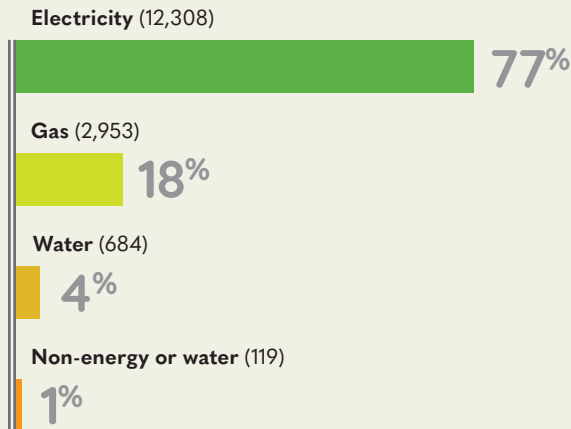
The big picture

Complaints received

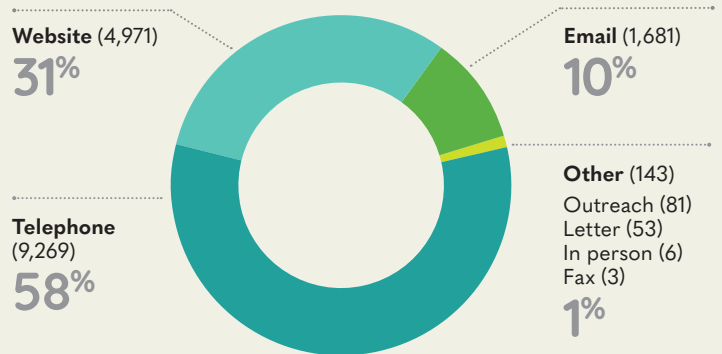
from 2016/2017 to 2020/2021



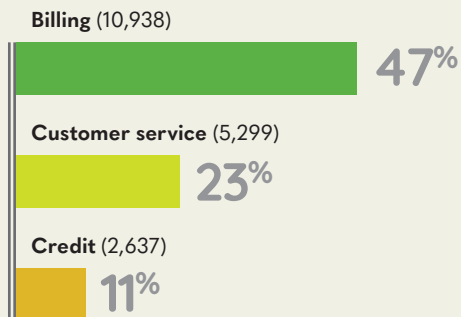
Complaints by electricity, gas and water



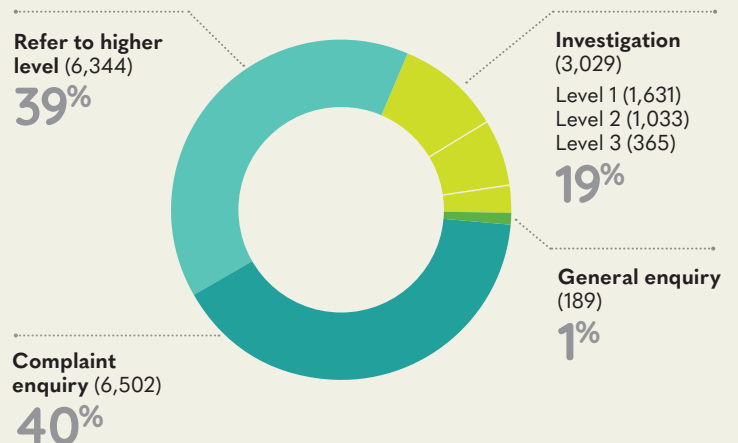
How we receive complaints



Top three primary issues



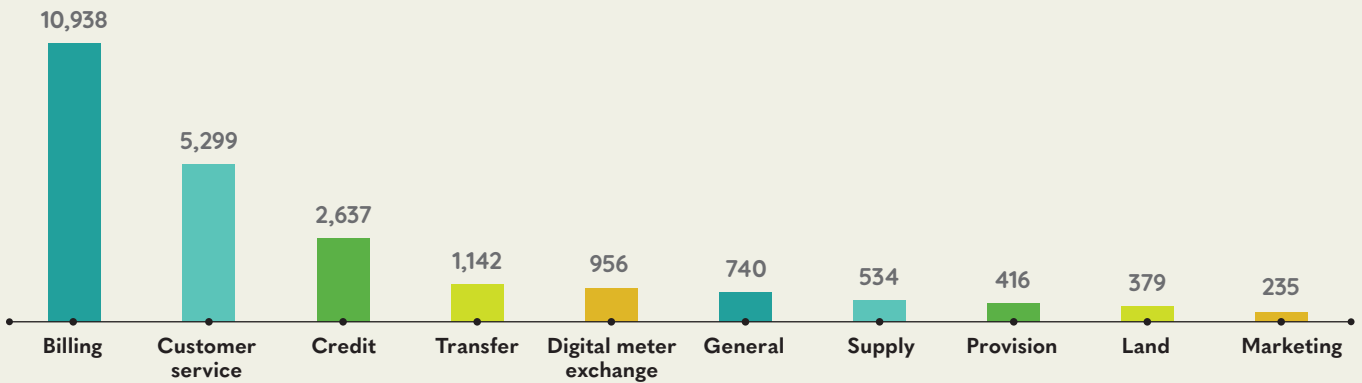
Complaints received by level



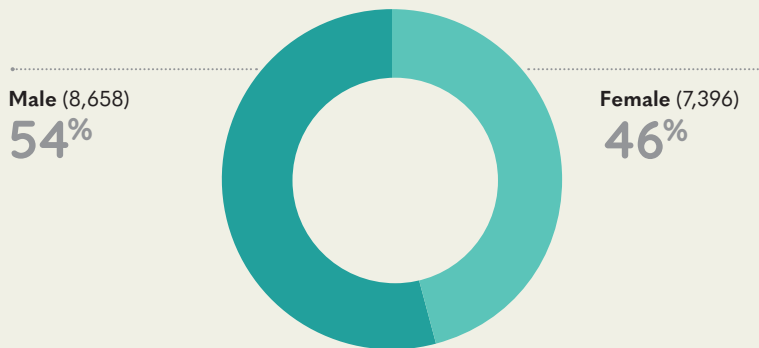


Complaints received by primary issue

Customers often raise more than one issue

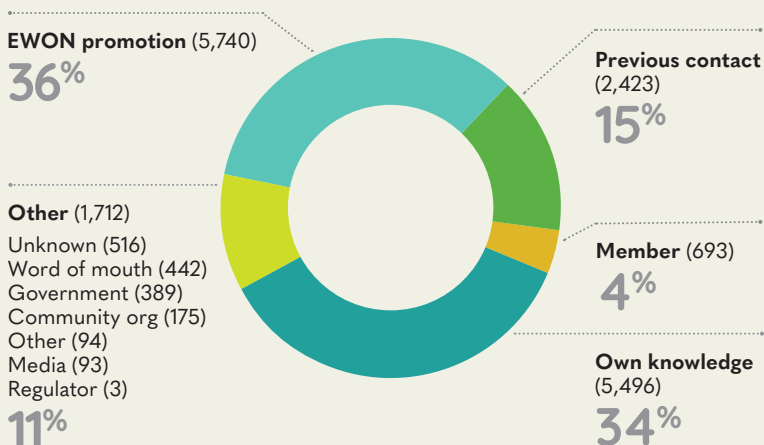


Complaints by gender



Unspecified: 10 complaints

How customers heard about us



Explanation of terms

General enquiry

A customer contact that may be about an energy or water matter but is not a complaint. In some cases, it may be out of our jurisdiction.

Complaint enquiry

A request for information or assistance, including where the customer has not contacted their provider, that can be settled or referred quickly to a provider's contact centre or a referral agency.

Refer to higher level (RHL)

A complaint referred to the energy/water provider's specialist dispute resolution team.

Investigation

A complaint EWON investigates aiming to negotiate an agreed outcome because, via direct customer contact or via our RHL process, it could not be resolved by the energy/water provider.

About us

EWON Board

The EWON Board is responsible for corporate governance, budget approval and strategic direction. The Board comprises an independent chair, five industry directors and five community directors.

There were no changes to Board membership. David Stockler (nominated by water members) and Jane Mills (nominated by energy retailers) completed their first terms as industry directors and were re-elected at the November 2020 AGM.

EWON Consultative Council

Consultative Council Meetings are part of EWON's constitutional framework. They offer a forum for consumer and small business representatives, our members and other stakeholders to meet, raise issues and put forward their views. The meetings allow us to update and consult with attendees, all of whom are key stakeholders. The outcomes of these consultations contribute to our planning. We hold Consultative Council Meetings twice a year. This year they were held on 12 November 2020 and 22 April 2021. See [page 55](#) for more information about these meetings.

EWON Operational Advisory Group

The Exempt Entity and Water Industry Competition Act Operational Advisory Group gives embedded networks and small water providers a voice within EWON. It was established in accordance with constitutional changes in June 2018 and met quarterly this year.

Tony Crawford
Chair

Kate Temby
Community
Director

Iain Maitland
Community
Director

Robyn Evans
Community
Director

Craig Memery
Community
Director

Rod Stowe
Community
Director



The Benchmarks

EWON measures its performance against the Australian Government's Benchmarks for Industry-based Customer Dispute Resolution (CDR Benchmarks) which encourage best-practice, industry-based customer dispute resolution:



Our strategic objectives

Our four strategic objectives set our direction, ensuring we continue to provide high-quality, independent advice, information and dispute resolution to NSW energy and some water consumers. They ensure we identify and address systemic issues, expand our reach across NSW, work with members and contribute high-quality policy submissions. Our strategic objectives are:

Expanded awareness

Valued membership

Best practice dispute resolution

Influential policy contribution

David Stockler
Industry Director

Ian Israelsohn
Industry Director

Rob Amphlett Lewis
Industry Director

Jane Mills
Industry Director

Chris Ryan
Industry Director



Our team

EWON has three core teams working under the leadership of the Ombudsman, which enable us to meet our Charter responsibilities and continue to be effective and adaptable in the rapidly changing environment.

Our teams



Structural changes made in 2020/2021 include:

1. General Manager Investigations title changed to General Manager Dispute Resolution to align with the team’s function
2. Investigations merged two teams (reduced from four to three) to increase resources in the frontline Initial Response Team
3. Facilities and Administration Officer now reports to the Finance Operations Manager
4. Business Improvement Analyst now reports to General Manager Finance and Corporate Services and works closely with Information & Data Team on organisation-wide improvements

Janine Young
Ombudsman



Helen Ford
Deputy Ombudsman



Bernadette Or
General Manager
Finance and Corporate
Services



Rosa Krilic
General Manager
Dispute Resolution







Our Reconciliation Action Plan

EWON's first Reconciliation Action Plan (RAP) was endorsed by Reconciliation Australia in June 2021. Our Reflect RAP is the first in a series of four plans (Reflect, Innovate, Stretch, Elevate) that will provide a framework for everyone at EWON to support the national reconciliation movement.

Our Reflect RAP demonstrates our commitment to closing the gap between Aboriginal and Torres Strait Islander communities and non-Indigenous people across NSW. It is the roadmap for our contribution to reconciliation and will be fully implemented by June 2022.

EWON's journey towards reconciliation started more than 10 years ago when we employed an Aboriginal Community Engagement Officer to establish an Aboriginal Community Outreach Program for communities across NSW. We have continually expanded our focus by introducing cultural awareness training for all staff, developing culturally appropriate EWON resources and celebrating significant Aboriginal and Torres Strait Islander events throughout each year.

Our Reflect RAP acknowledges the work we have done so far but also outlines how we will increase our support of Aboriginal and Torres Strait Islander peoples. It will involve changes to EWON policies but, most importantly, it will be embedded in our day-to-day operations.

Our commitments

We are committed to:

- > increasing and enhancing access to our services for Aboriginal and Torres Strait Islander peoples
- > ensuring the services we offer to Aboriginal and Torres Strait Islander peoples are provided in the most effective and appropriate way, based on our growing understanding of their needs and cultural practices
- > increasing EWON staff awareness, understanding and acceptance of Aboriginal and Torres Strait Islander cultures and the issues they face
- > enhancing our work with Aboriginal and Torres Strait Islanders by expanding our stakeholder networks, building partnerships and collaborating with organisations that work with communities across NSW.

Some of the practical actions the Ombudsman, Management Team and EWON staff will be working on to bring the RAP to life are:

- > Research best practice and principles that support partnerships with Aboriginal and Torres Strait Islander stakeholders and organisations.
- > Identify EWON members our organisation can engage with on our reconciliation journey.
- > Engage Aboriginal and Torres Strait Islander businesses for EWON's business opportunities.
- > Introduce cultural protocols to new employees as part of the induction program.
- > Develop a business case for Aboriginal and Torres Strait Islander employment in our organisation.
- > Investigate how to increase Aboriginal and Torres Strait Islander employment through exchanges and graduate/youth programs.
- > Explore options for a specific queue for Aboriginal and Torres Strait Islander customers through our telephone complaints system.
- > Expand a 'soft' referral process for Aboriginal and Torres Strait Islander peoples who access EWON (i.e. refer to Legal Aid for legal matters or Revenue NSW for fines and licensing requests).
- > Increase Investigation Officers' knowledge of Aboriginal and Torres Strait Islander organisations and helplines.

We have started this by buying resources for outreach events through Supply Nation.

We have started this already, with our Aboriginal Community Engagement Officer running cultural protocols training.



“ Aboriginal and Torres Strait Island communities are minority people, and my work celebrates our culture but also speaks to the problems we face. A lot of my work explores the themes of social justice and equality. The work EWON does give people a voice. I support and am passionate about all work that adds to equality, brings the community up, and helps make people’s lives or experiences easier. ”

—Maddison Gibbs

Always Was Always Will Be

EWON chose an artwork by Barkindji woman Maddison Gibbs to illustrate our Reflect RAP. Maddison describes her work as an acknowledgement of the country on which we meet, live and play, a celebration of the oldest and most intricate societies in the world, and the connectedness we still share with the land and all living things on it.

EWON's first national energy rule change

A win for life-support customers

Enabling easier retailer choice for customers using life-support equipment is one example of how we Listen, Engage and Act.

EWON submitted a request to the Australian Energy Market Commission (AEMC) to simplify the process for customers using life-support equipment who want to shop around for better energy deals. The change to the National Energy Retail Rules means that life-support customers can re-use the medical documents required when switching retailers for up to four years, and retailers are required to return these documents upon request.

Previously, every time life-support customers moved house or changed retailer, they had to get a new medical certificate from a doctor. Through outreach activities, we learnt this made it difficult for customers to change providers.

This is the first rule change request from an energy Ombudsman scheme, and it highlights how our direct engagement with customers can produce substantial policy change.

Listen

During one of EWON's community engagement events with a disability support group in Blacktown, organised by the Physical Disabilities Council of NSW, our staff heard customer concerns about switching retailers. The group explained how stressful and expensive it was – involving doctor appointments, special transport and duplication of past completed paperwork. These obstacles deterred them from shopping around for the best energy contract, so unless they were moving house, it was easier to stay with the same retailer.

Engage

Our community engagement staff relayed this information to our Ombudsman and Policy Team who explored options to address the inequity.

Act

In June 2020, EWON submitted a request to change the relevant National Energy Rule. After energy sector-wide consultation in 2020, in February 2021, the AEMC announced the change to the Rule would take effect from 1 August 2021.

Case study

High gas bill amended after multiple issues revealed



Category
Level 3

Issues
Billing/rebate or concession error, high or disputed bill, payment difficulties

Outcome
Negotiated resolution

Mr Bhatti was surprised to receive a gas bill for \$8,954. He had lived at his property for 12 years and had agreed to a contract with a 22% discount, which he did not think he had received. He had a pension card but didn't think the rebate had been applied to his account. Mr Bhatti asked EWON to review the disputed bill, as well as the rates and discounts applied to his account.

When EWON contacted the retailer and reviewed all the information, it appeared he was on a standing offer, not the 22% discount he thought,

and there was no record of agreement to a 22% discount offer. We also discovered the retailer had issued a back bill in February 2021, for a period in December 2011, which was before Mr Bhatti moved to the property.

Further information from the retailer showed it had also billed for a period outside the nine-month limit set out in the National Energy Retail Rules. The NSW gas rebate had been applied from May 2018 to October 2020 but we identified an error resulting in considerably higher consumption from November

2019 to January 2020. This was inconsistent with historical and current consumption. The network agreed to adjust the figures based on current consumption levels. The retailer then reversed and re-issued bills from May 2018 to April 2021.

The retailer applied a credit of \$3,471 to Mr Bhatti's account and reversed seven late payment fees totalling \$84. The retailer also offered a \$400 customer service credit to resolve the complaint, which Mr Bhatti accepted.



Engaging across NSW

EWON's community engagement program reduces complaints to us and our members by educating consumers, small businesses and community workers about energy and water issues. We also use our program to raise community awareness about complaint-handling processes and affordability programs offered by our member energy and water providers.

The program gives us an important opportunity to learn firsthand about issues affecting consumers and we often become aware of issues emerging in the community before they are identified through our complaints handling. We share this information with our Policy Team and other EWON staff to ensure these concerns are raised in our submissions and stakeholder engagement.

Despite the challenges of not being able to physically connect with communities during most of 2020/2021, we more than doubled our engagement with consumers, community workers and advocates compared with last year by delivering events online rather than face-to-face.

At the start of 2021, we finally got back on the road and into communities after months of virtual engagement. We developed a COVID-19 Safety Plan and took a cautious and flexible approach when planning outreach days, with staff and customer safety always our highest priority.

Our partnerships with other organisations offer customers access to a wide variety of services and support and can help increase awareness of our events. Some of the organisations we have worked with this year include:

- > energy and water providers
- > Australian Financial Complaints Authority
- > Revenue NSW
- > Rapid Relief Team
- > Legal Aid NSW
- > Service NSW
- > NSW Trustee & Guardian
- > St Vincent de Paul Society
- > Salvation Army
- > community and multicultural agencies.



588

outreach activities



203

events for community workers



80

activities with Culturally and Linguistically Diverse communities



86

activities with Aboriginal and Torres Strait Islander communities



184

activities with remote and regional communities



14

events aimed at small business owners



28

events aimed at social housing tenants



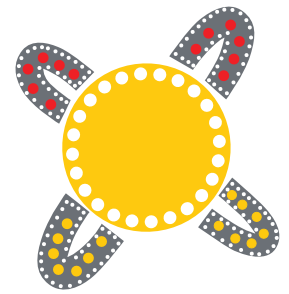
31

events aimed at seniors



17

events with people with disabilities or their supporters



Our engagement with Aboriginal and Torres Strait Islander communities

EWON's community engagement enables us to build and strengthen links with Aboriginal and Torres Strait Islander communities, their leaders and the agencies and services that work with them. We make sure our services are accessible to all Aboriginal and Torres Strait Islander communities in NSW.

Reaching Aboriginal and Torres Strait Islander customers during lockdown was particularly difficult. We postponed all face-to-face outreach between March 2020 and February 2021 and then again in early June 2021.

During the first part of 2021, we took a cautious and flexible approach to committing to outreach events when we got back on the road. EWON's Aboriginal Community Engagement Officer joined two regional outreach trips in February and June to begin building relationships with Aboriginal communities in northern and far northern NSW. The trip resulted in an invitation to attend the annual Kinship Festival in Murwillumbah which brings together Western Bundjalung, Wiyable, Nganduwal, Brimibal and Galibal clans.

Let's yarn

In March 2021, EWON hosted an online meeting introduced by the Ombudsman for Aboriginal and Torres Strait Islander community workers to yarn about the challenges of reaching their communities during the pandemic. Nearly 40 stakeholders from organisations including Relationships Australia, the Tenant Support and Education Project, Innari Support Services, Tribal Warrior Association, Guthrie House, Revenue NSW, Service NSW, Anti-Discrimination NSW, and Services Australia attended – and asked EWON to host these meetings regularly.

Cultural protocols

In 2019/2020, EWON developed a cultural protocols program to help our staff better understand and appreciate Aboriginal and Torres Strait Islander cultures, and how to respectfully and effectively interact and work with people in communities.

During 2020/2021, we extended the program internally and externally by delivering:

- > training to new employees as part of their induction program – a Reconciliation Action Plan deliverable
- > specific training to the Investigations Team, including case studies of Aboriginal and Torres Strait Islander customers
- > a webinar for EWON's members that was positively received with all attendees rating the presentation as either excellent or good.



Member webinar feedback

“It would be great to be able to give this training to each and every one of our customer-facing agents.”

“I learnt about being patient and listening and some terminology to be mindful of such as Sorry Business. The webinar was well presented and the information provided was linked to actual scenarios, which was very helpful.”

Good Service Mob

EWON is part of the Good Service Mob, a collaboration of Indigenous and non-Indigenous staff from complaint-handling agencies that help Aboriginal and Torres Strait Islander consumers in NSW.

Established 16 years ago, it aims to ensure all Aboriginal and Torres Strait Islander communities are aware of their rights as consumers, and the free services available to help them.

The Good Service Mob re-evaluated how to connect community workers with access to technology to community members without internet or home computers. We held two online forums that allowed community workers to pass on critical information to the communities they work with.

Trangie Local Aboriginal Land Council

In May 2021, we delivered a tenant workshop to Local Aboriginal Land Council (LALC) members at Trangie. The theme was *Are you being energy efficient?* and the topics included reducing bills, saving energy and water, and help for consumers having financial problems.

We also attended Trangie's Community Information Fun Day which promoted services such as EWON. More than 80 people attended.

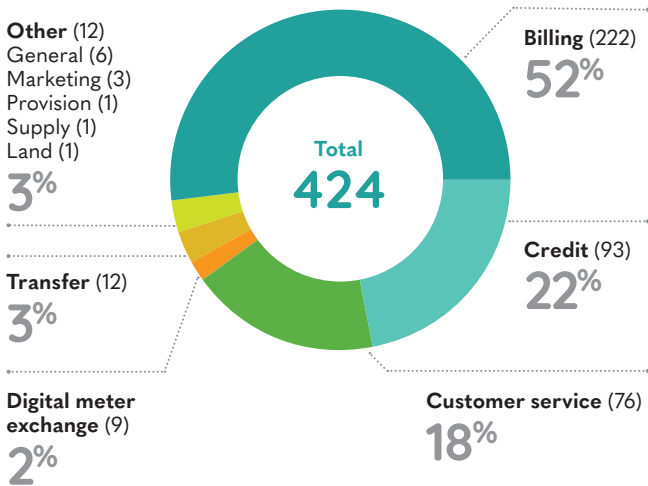
Thank you so much for being part of the Trangie Family Fun Day, Tracey ... thank you for everything you organised and for everything you did on the day. Small towns need people like you, working in services who care, make them feel important and included!

—A thank you note from Trangie LALC

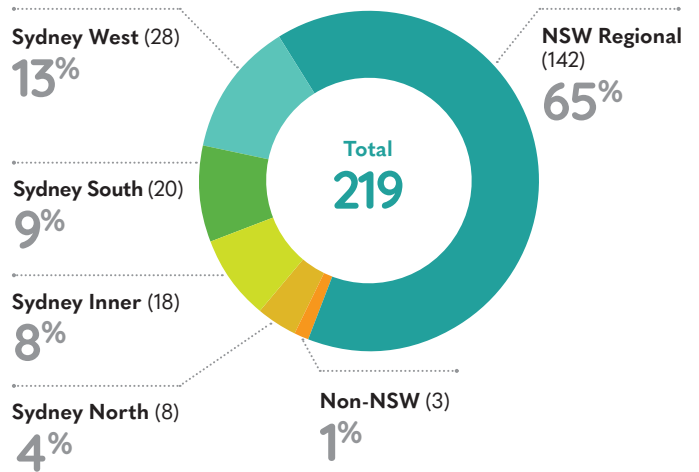


Performance at Trangie's
Community Information
Fun Day.

Top issues raised by Aboriginal and Torres Strait Islander customers



Complaints from Aboriginal and Torres Strait Islander customers



Case study

Customer with severe mental illness owes \$13,000



Category
Level 1

Issues
Payment difficulties/payment arrangement declined, current arrears

Outcome
Negotiated resolution

Ms Foley, an Aboriginal customer, received a letter from her retailer stating she owed \$13,292 on her electricity account, which had been closed. She couldn't pay the bill, so asked a financial counsellor for advice. The counsellor contacted her retailer and asked that the balance be waived on compassionate grounds because Ms Foley was suffering from severe mental illness. The retailer declined so the financial counsellor contacted EWON.

When we contacted the retailer, our investigation found her fortnightly electricity usage was high. We discovered Ms Foley had been identified for a customer assistance program and had several payment plans. But the payments she had made were insufficient and infrequent, and she had failed to keep her retailer informed of her situation. Her retailer had already waived \$2,213 in usage charges.

After negotiations, the retailer agreed to postpone the debt

recovery action for three months. Her retailer said that it would cover half of the arrears if she could pay the other half up front to reduce the balance to zero. If this was not possible, it agreed to reduce the outstanding balance by \$2,000 if she agreed to a two-year payment plan.

Raising awareness across NSW



EWON's Communications Team works to increase awareness of our services and educate consumers and their advocates about energy and water issues. It is critical that energy and water consumers are aware of their right to access EWON's service if something goes wrong, particularly when they cannot get help through their provider or other channels.

Our communication activities include:

- > working with and responding to media
- > promoting outreach events across NSW
- > producing consumer resources and developing campaigns
- > maintaining our digital channels.

Throughout 2020/2021, the team rolled out a number of initiatives to promote our services and educate consumers.

EWON's communications team updated the translated fact sheets into 40 languages.

Our youth campaign - We've Got Your Back

As part of our 2020/2021 Business Plan, we expanded our target audiences to include young people, particularly those navigating the energy and water markets for the first time.

In May 2021, we launched our first digital youth campaign We've Got Your Back. It aimed to help 18-25-year-olds manage their bills. Our in-house-designed ads ran on Facebook and Instagram, combined

with promotional ads on Google. Focusing on young couples, students and renters, the messaging reached almost 700,000 people which resulted in 1,000 visits to our website.

Our social media kit was shared with almost 2,000 community organisations and we delivered tailored presentations for community workers helping young clients in financial difficulty.



COVID-19 campaign for Aboriginal and Torres Strait Islander peoples

After a successful 2019/2020 social media campaign aimed at helping consumers understand the affordability options available during COVID-19, we launched a campaign for Aboriginal and Torres Strait Islander peoples to coincide with JobSeeker and JobKeeper payments ending. The six-week campaign ran on Facebook and Instagram in October, featuring EWON’s Aboriginal Ambassador, Sean Choolburra. The messaging focused on the help available for consumers struggling to pay bills and reached more than 180,000 people.



Measuring awareness

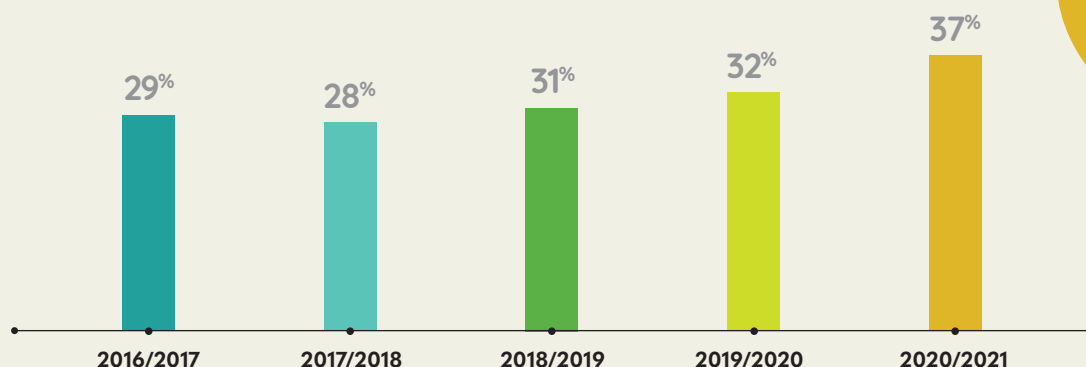
We use Energy Consumers Australia’s (ECA) Consumer Sentiment Survey to track awareness of EWON.

ECA’s half-yearly survey includes two questions which measure the level of unprompted and prompted awareness of energy Ombudsman services. In 2020/2021, 575 people responded to the December 2020 survey and 599 people to the June 2021 survey.

The first question measures unprompted awareness by asking: “If you had a complaint about your electricity or gas services, which you could not resolve by talking to your retailer or network company, who would you contact?” The percentage of respondents who gave an Ombudsman-related answer fell from 32% in 2019/2020 to 29% in 2020/2021. The percentage of those who specifically mentioned energy/industry Ombudsman rose slightly from 8% in 2019/2020 to 9% in 2020/2021.

Question two measures prompted awareness and asks: “How familiar are you with an organisation called the Energy Ombudsman in NSW, which assists with complaints about energy?” This figure rose from 32% in 2019/2020 to 37% in 2020/2021. We continue to develop outreach and communication strategies which build consumer awareness of our service – so when people need us, they know we are here.

Percentage of people who responded that they were familiar or very familiar with the term Energy Ombudsman in NSW



Thank you for all your assistance in resolving this matter. I appreciate all of your time and effort to support me in dealing with this large bill. It is a very positive outcome.
—Customer

Community engagement

Assisting communities affected by flood, bushfires and drought

In February we partnered with the Service NSW Mobile Bus and travelled to Tabulam, Deepwater, Drake and Ashford to help customers in a region previously hard hit by bushfires, drought and floods.

In May, we travelled to Wingham and Kempsey to join the Sydney-based Rapid Relief Team who were holding Farmers Community Connect events providing assistance to flood-affected farmers. Sixteen trucks carrying 1,379 bales of hay and silage were a welcome sight as they travelled in convoy to the Mid North Coast towns. The events also brought together a range of other community services to support the farmers and their families.

In June, we brought together 16 government and non-government organisations including Northern Rivers Community Gateway, Revenue NSW, Department of Primary Industries' Rural Recovery Support Service, and the Health Care Complaints Commission to deliver community assistance days in Tweed Heads, Murwillumbah and Casino. This trip was EWON's first opportunity in more than 18 months to reach these flood and bushfire affected areas and establish relationships with local Aboriginal communities and organisations. More than 100 people attended and we were able to help customers with numerous enquiries, including how to obtain rebates and set up payment plans.

Seniors

Seniors often tell us they have difficulty understanding the complex nature of the energy and water industries. Many are concerned about affordability and some say they avoid using heating, cooling and cooking appliances because they are concerned about bills. In our information sessions, we ensure seniors know about the rebates they may be entitled to, how to find the best energy deal, and how to obtain discounts.

Each year, EWON arranges a marquee at the Royal Easter Show's Seniors Day and invites other services to participate. This year we were joined by Legal Aid NSW, the Seniors Rights Service, the NSW Trustee & Guardian, the Australian Financial Complaints Authority, the Telecommunications Industry Ombudsman, the NSW Ombudsman and Sydney Water. Seniors said they valued the opportunity to discuss their concerns face-to-face and obtain information and help in one place.

In April 2021, we partnered with Gundagai Neighbourhood Centre and Snowy Valleys and Albury City Councils to host face-to-face community assistance days in Tumbarumba, Gundagai and Albury as part of the NSW Seniors Festival.

Culturally and Linguistically Diverse consumers

Raising awareness of our service among Culturally and Linguistically Diverse (CALD) communities is a key focus for EWON. We work with community workers, interpreters and bilingual staff and use translated fact sheets and plain English presentations to reach diverse communities.

We have developed a multicultural strategy that documents our commitment to ensure that customers with culturally and linguistically diverse backgrounds have equal access to our dispute resolution services.

Our objectives include:

- > promoting the telephone interpreting service
- > providing accessible resources to people with CALD backgrounds via promotional material and our website
- > targeting areas with a high CALD population through our outreach program.

EWON held 75 outreach activities with multicultural consumers and community workers this financial year. At multicultural interagency meetings we provide support and hear how we can better engage with community workers by providing resources and information, attending events and raising issues of concern.

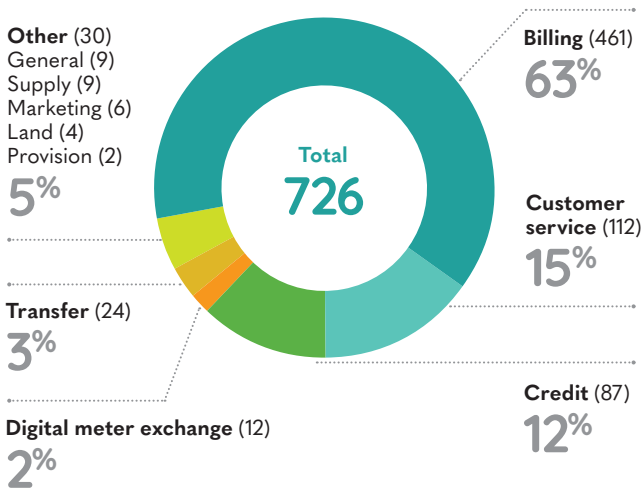
We also participated in the online migrant information day attended by 1,650 consumers, and via phone bookings continued our monthly energy and water bill support days at SydWest Multicultural Service at Blacktown.

In addition, our Community Engagement Officer is a member of multicultural inter-agency forums in Fairfield, The Hills, Blacktown, Parramatta and northern Sydney local government areas which keeps EWON aware of the issues multicultural community workers are addressing.

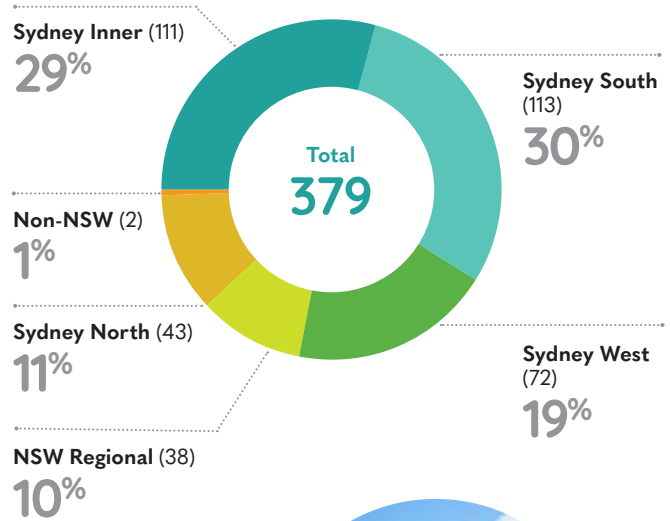


Trucks at Wingham, carrying hay and silage for Mid North Coast towns.

Top issues raised by CALD customers



Complaints from CALD customers



Case study

New digital meter leads to high bills



Category
Level 3

Issues
Digital meter exchange/billing error/
controlled load connection fault,
disputed high bill

Outcome
Negotiated resolution

Mr Todd is an elderly man who lives on his own in a three-bedroom house. When he installed solar panels on his roof, he anticipated his quarterly bills of \$1,000 would decrease. However, over five months, he received bills totalling \$7,398. His daughter contacted the retailer to dispute the sum but was told the bill was correct and payable.

Mr Todd's daughter contacted EWON and explained that after the solar installation, the retailer had changed her father's meter to a digital meter. But there was no *controlled load tariff as it was all charged on his general peak usage. EWON reviewed

the bill and confirmed the solar readings were being applied.

EWON obtained information from the retailer and confirmed the daughter's advice about the controlled load issue. The retailer then asked the meter provider to re-program the meter. When EWON then reviewed the meter data, we found the network was still recording the controlled load usage all day, rather than at designated times. Despite this, the meter provider continued to insist the meter had been re-programmed.

The retailer organised for the meter provider to re-attend the site and inspect Mr Todd's

meter. The meter provider found the installed meter was not able to record controlled load usage. So the meter was replaced and programmed to record domestic and controlled load usage.

After the meter replacement, the retailer re-issued the bill and agreed to apply a \$600 credit. It offered Mr Todd a customer service gesture of \$400, applied a credit of \$128 for the missed pay-on-time discount, and \$95 for a re-billing error.

*Controlled load is electricity supplied to specific appliances that are often metered separately. A controlled load tariff is generally lower as these appliances operate during off-peak hours (usually overnight).

Community engagement

Community workers

Community workers and financial counsellors are an important link between EWON and vulnerable consumers as they advocate for consumers who are in debt or facing disconnection. In 2020/2021, we participated in a range of community events, meetings, expos and forums, and presented to many community organisations.

Our regular quarterly newsletter, EWONews, distributed to more than 4,000 subscribers, includes information and events for community workers.

We also provide energy and water articles for community agencies' newsletters and publications. In 2020/2021, 30 agencies published the articles with an estimated reach of more than 20,000 people.

Our staff also engage with interagency community workers and legal advocates to promote our service and listen to the needs of specific geographic areas. These meetings increase community engagement, capacity building and awareness.

People with disabilities

This year EWON presented to community workers helping customers with disabilities in Blacktown and the Blue Mountains and hosted a webinar for Muscular Dystrophy NSW.

We also partnered with Hunter Water at the Hunter Disability Expo to reach consumers with disabilities, their carers and families. The expo, one of the largest free disability expos in NSW, is over two days with 120 exhibitors and more than 500 attendees.

We promoted life-support rebates and the rule change for life-support customers that came into effect this year. EWON was invited to hold an online booth at the Future Choices Virtual Transition Expo for Students with Disability. Our site was visited by 42 students and we established relationships with Cerebral Palsy Alliance and GradWISE.

Bring Your Bills Days

EWON's signature Bring Your Bills Days started in 2013 and have continued to grow, with an increasing number of services offered and consumers attending. They act as a one-stop shop for consumers experiencing affordability issues. Our Investigations Officers, sometimes with the help of interpreters, listen to customer concerns, review their bills, and liaise with providers to resolve issues. We often find customers are more willing to keep engaging directly with their providers after EWON has brought them together. During COVID-19 we used phone bookings for these services.

During the year, we also hosted 25 face-to-face and virtual Bring Your Bills days in areas where we had identified a need. These were held at the request of community agencies, and expanded our work in regional areas. This year we held events in regions including:

- > Blacktown City Council
- > Central Coast Council
- > Dungog Shire Council
- > MidCoast Council
- > Newcastle City Council
- > Richmond Valley Council
- > Shoalhaven City Council
- > Singleton Council
- > Snowy Monaro Regional Council
- > Tweed Shire Council



Top: EWON partnered with Murwillumbah Community Centre to host Community Assistance Days in June.
Left: EWON met with Community Workers from Dubbo, Forbes and Orange regions.

Housing tenants

Tenants can be particularly vulnerable as their limited control over energy and water efficiency in their homes can lead to high bills. Public and private rental properties may have poor insulation or be poorly maintained, which can also lead to higher electricity costs. In addition, tenants often complain about problems with common hot water systems.

In October 2020, EWON held two virtual tenant support days, one on the Mid North Coast with Compass Housing Services and Community Housing NSW, and one on the South Coast with Southern Cross Community Housing. We were joined by 22 energy and water providers, and government and non-government agencies which provided holistic assistance to tenants in Bomaderry, Nowra, Merimbula, Cooma, Ulladulla, Batemans Bay and the Mid North Coast.

“Communication with EWON representatives was always outstanding. The Community Engagement Officers supported open channels of communication with our team and encouraged us to reach out with queries or concerns leading up to and throughout the event. They were incredibly professional and worked to the highest standards to support participants of the event.”

—Southern Cross Community Housing

Member involvement in outreach

EWON started inviting members to our Bring Your Bills Days in 2016/2017. Their involvement has grown because of the benefits for them and their customers. We find the member staff who attend these events learn more about the challenges customers face and the impacts of some of their processes. Customers are able to resolve issues with their retailers on the spot, knowing that EWON is there to help if they are not satisfied with the outcome. Retailers can also refer customers to other services, including Centrelink and Energy Accounts Payment Assistance (EAPA) providers. Retailers also work together on the day to resolve problems such as customers transferring from one provider to another.

EWON partnered with Hunter Water to deliver a virtual Bring Your Bills Day and community expo in Newcastle in July 2020. Other participants included Alinta Energy, EnergyAustralia, Origin Energy, Red Energy, the Telecommunications Industry Ombudsman, Revenue NSW, Legal Aid NSW, NSW Trustee & Guardian, Australian Financial Complaints Authority, Financial Counselling Hunter Valley Project, Hunter Tenants Advice & Advocacy Service, Newcastle City

Council, The Salvation Army, St Vincent de Paul and Compass Housing Services.

This year we also partnered with Sydney Water to host 15 webinars about energy and water issues for consumers and community workers. Three sessions were offered with an interpreter. The sessions were hosted by councils in Blacktown, Blue Mountains, Burwood, Fairfield, Canterbury-Bankstown, Ku-ring-gai and Hornsby, Parramatta and Sutherland.



Member virtual information session feedback

“Sydney Water has participated in various virtual information sessions with EWON and built wider community networks and relationships with service providers. We have managed to target and support various culturally and linguistically diverse communities, and in partnership with EWON and other community agencies raise awareness of Sydney Water’s hardship assistance and support available.”

—Sydney Water

Thank you for your perseverance in this matter, and thanks to all staff members for following through as promised. Extremely happy with service provided by EWON and all the staff members involved in every step.
—Customer

Complaints and enquiries



191

General enquiries



6,514

Complaint enquiries



6,360

Refer to higher level

General enquiry

Sometimes customers contact us with an energy or water enquiry. They may also call about something outside our jurisdiction, such as a problem with a landlord or phone provider. When this occurs, we note their call and refer them to the most appropriate organisation. We finalise these complaints as general enquiries.

Complaint enquiry

Customers may contact us with issues that we can address immediately, such as a request for referral to an agency that distributes Energy Accounts Payment Assistance vouchers. Another query may be whether a fee or charge on their account is genuine.

A customer may also contact us with a complaint about their provider that they have not yet raised with their provider. In these cases, we give general advice and information about rights and responsibilities. We refer customers to their provider to resolve the problem without our further involvement. But they can contact us again if they are not satisfied with their provider's response. These complaints are resolved as complaint enquiries.

Refer to higher level

Customers often contact us about complaints they have tried unsuccessfully to resolve with their providers, usually at a contact centre level. We offer to refer them to their provider's specialist dispute resolution team. If the customer agrees, we give advice and information about their rights and responsibilities and categorise these complaints as 'refer to higher level' (RHL).

The provider's specialist team is required to contact the customer directly within five days to begin investigating the complaint. We tell the customer they can return to us if they are not satisfied with the outcome or haven't been contacted by the provider within five days.

This gives the provider another opportunity to resolve the customer's problem directly. It also gives the customer a chance to have their complaint reviewed by senior staff in the specialist team.



Outcomes

Facilitated resolutions

Most facilitated resolutions happen when EWON gets involved early to re-connect customers and providers to continue their negotiations to resolve a complaint. Because of our early involvement, this process is often successful in achieving an outcome for both parties.

Negotiated resolutions

Negotiated resolutions involve a full investigation to negotiate a fair and reasonable outcome for both parties.

No further investigation

We finalise complaints on the grounds of 'no further investigation' when our investigation finds there is no basis for further investigation. This occurs most often when a customer does not accept what we assess to be, a fair and reasonable outcome, and as a result we form the view that no further investigation is warranted.

Prior to a complaint being finalised on a 'no further investigation – fair offer' basis, we send the customer an Assessment Report detailing the rationale for our decision. This provides the customer with a final opportunity to present information to support their position. When this is not provided, or the additional information does not change our view, we finalise the investigation with advice to the customer that they can request an internal review of our decision within 28 days of receiving our finalisation advice.

In a small number of complaints where the customer withdraws their complaint or does not stay in contact with us, we finalise investigations on the basis of no further investigation – complaint withdrawn or no further contact.

Binding decisions

Investigations are escalated to the Ombudsman for a binding decision when an investigation remains unresolved and the energy/water provider's final resolution offer does not meet the merits of the complaint. The Ombudsman then decides the outcome of the investigation complaint.

In 2020/2021 no binding decisions were made by the Ombudsman.



Investigations

EWON investigates complaints that cannot be resolved between the customer and the provider.

We also investigate complaints when customers return to us when they have been referred to their provider's specialist dispute resolution team (RHL) but are not satisfied with the response and complaints where urgency or circumstances such as disconnection or significant vulnerability are involved.

An investigation involves obtaining the facts and circumstances from both parties. We analyse information from the provider, such as metering data, energy contracts, telephone call transcripts / recordings and correspondence between the customer and their provider. We also review legislative provisions, undertake research, in some cases make site visits and if necessary, consult independent experts. If appropriate, we offer to refer the customer to other services such as community agencies, financial counselling and tenant advisory services.

Investigated complaints are categorised by level. Level 1 complaints are usually resolved within 240 minutes of investigation. The investigation usually involves collecting information and talking with the customer and provider several times.

When a complaint cannot be resolved at Level 1, we upgrade it to Level 2. These complaints normally involve more in-depth research, investigation and analysis. They may also require a detailed complaint assessment to be prepared for the customer. These usually take up to 90 days to resolve.

Complaints are upgraded to Level 3 if they are not resolved after 480 minutes of investigation. These can involve unsuccessful requests for information from the provider or the customer and may require expert advice to reach a fair and reasonable outcome. Very complex complaints can occasionally take more than 12 months.

[The customer] wishes to thank [Investigations Officer] for making life that little bit less stressful as [the customer] is an aged pensioner with serious medical issues and the stress of the situation was causing him difficulty.

—Advocate

Case studies

Out of jurisdiction business complaint

Mr Lambert, a corporate energy adviser, was contracted by a not-for-profit golf club to assess a historical connection issue. He contacted EWON to dispute an electricity connection that the golf club believed had been set up incorrectly back in the 1990s.

He told EWON that in 2019, the club believed its four electricity connections had been incorrectly given a single national meter identifier (NMI) and assigned a large-customer network tariff. Metering rules require individual connections to have unique NMIs. When Mr Lambert raised this with the network, the four connection points were separated into unique NMIs and assigned small-customer tariffs.

Mr Lambert wanted the network to backdate the small-customer tariffs to 2007, which was the earliest definitive time the NMI configuration could be established. The network declined because the use of a single NMI was valid under the rules at the time it was established. Mr Lambert disputed this and wanted EWON to either direct the network to enter mediation to negotiate a settlement, or for the Ombudsman to make a binding determination directing the network to pay \$145,000 in backdated charges and compensation.

EWON reviewed the information the customer provided about the size of the business and usage. Annual turnover and the number of employees showed that the golf club was not a 'small customer' and therefore it was outside EWON's jurisdiction. Mr Lambert disputed this decision.

The Ombudsman wrote to Mr Lambert and to the golf club confirming the complaint was, in accordance with EWON's Charter, outside EWON's jurisdiction due to the size of the business and that no further action would be taken. EWON referred the customer to seek legal advice if they wished to pursue the complaint further.



Category
Complaint enquiry

Issues
Provision/existing connection,
poor customer service

Outcome
Closed as complaint enquiry/
out of jurisdiction

Meter reading errors lead to high bill

Mrs Mendes received a gas bill for \$929 for the period from April to July 2020. She usually receives quarterly gas bills for \$100 to \$120. She contacted the retailer to discuss the bill and was told the meter had not been read since 2017. The retailer explained that the gas meter was not accessible, so it had estimated her bill. Mrs Mendes said she would make a payment towards the bill but did not consider she needed to pay the full amount as the meter should have been read.

Mrs Mendes contacted EWON for help as she thought she should not have to pay a bill from 2017. She also said that if she did have to pay the bill in full, she would need a payment plan as the amount was too high for one payment.

EWON assessed that the complaint was appropriate to be referred to the retailer at a higher level. We sent a summary of the complaint information and the preferred outcome to the retailer and asked it to contact Mrs Mendes within five business days to discuss a resolution.

The retailer investigated the complaint and found the gas distributor had not sent the meter readings to the retailer for billing purposes. Once the meter readings were obtained, the retailer found Mrs Mendes was not billed correctly for consumption relating to hot water. The retailer obtained a photo of the hot water meter from Mrs Mendes and subsequently re-issued the bill. Mrs Mendes received a new bill for \$111 for the same period. The retailer advised that Mrs Mendes was satisfied with this outcome.



Category
Refer to higher level

Issues
Estimated billing/meter not read;
back billing

Outcome
Referred to higher level



Complaints this year

We received 16,064 complaints in 2020/2021, a 17% reduction from the 19,370 complaints we received in 2019/2020. This decrease comes after a 26% reduction in complaints from 2018/2019 to 2019/2020.

These two years of decreases in complaint numbers can be initially attributed to the introduction of the AER's Customer Hardship Guideline in October 2019 and then to COVID-19 lockdowns and the introduction of the AER Statement of Expectations in March 2020, which

prevented disconnection, debt collection and credit default listing for financially impacted consumers.

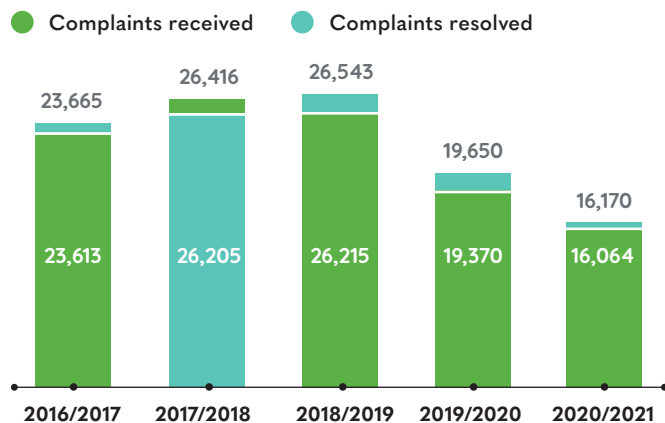
We resolved 16,170 complaints in 2020/2021, down from 19,650 in 2019/2020.

Electricity accounted for 77% of our total complaints in 2020/2021, down slightly from the 80% in 2019/2020. Gas complaints increased slightly from 16% of total complaints in 2019/2020 to 18% in 2020/2021. Water complaints remained steady at 4% of all complaints.

Complaints about exempt electricity entities increased by 9%, while complaints about authorised electricity retailers decreased by 20%, and complaints about electricity distributors decreased by 14%.

Complaints about exempt gas entities remained steady, while complaints about gas retailers fell by 5% and gas network complaints increased by 37%. Complaints related to water retailers decreased by 23%, and by 28% for water distributors.

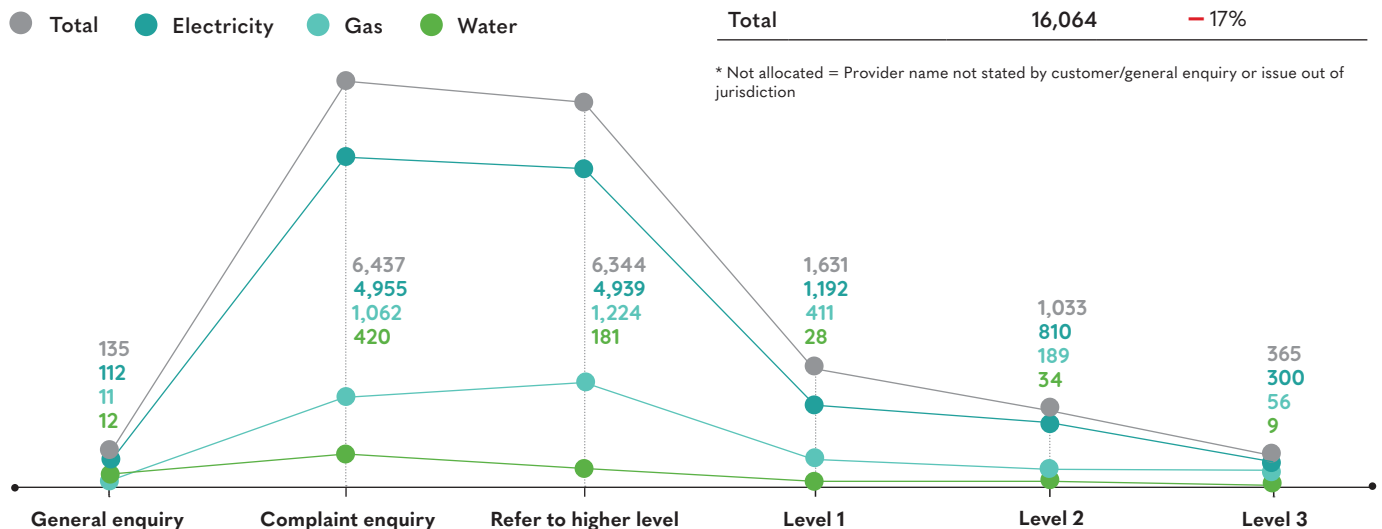
Complaints received and resolved



Industry sector comparison

Provider service	2020/2021	% change from 2019/2020
Electricity	Retail	11,164 -20%
	Network	911 -14%
	Not allocated*	175 -49%
	Exempt entity	58 +9%
Gas	Retail	2,707 -5%
	Network	182 +37%
	Not allocated*	63 +54%
	Exempt entity	1 0%
Water	Retail	373 -23%
	Network	209 -28%
	Not allocated*	102 +21%
	Not allocated*	119 +80%
Total	16,064	-17%

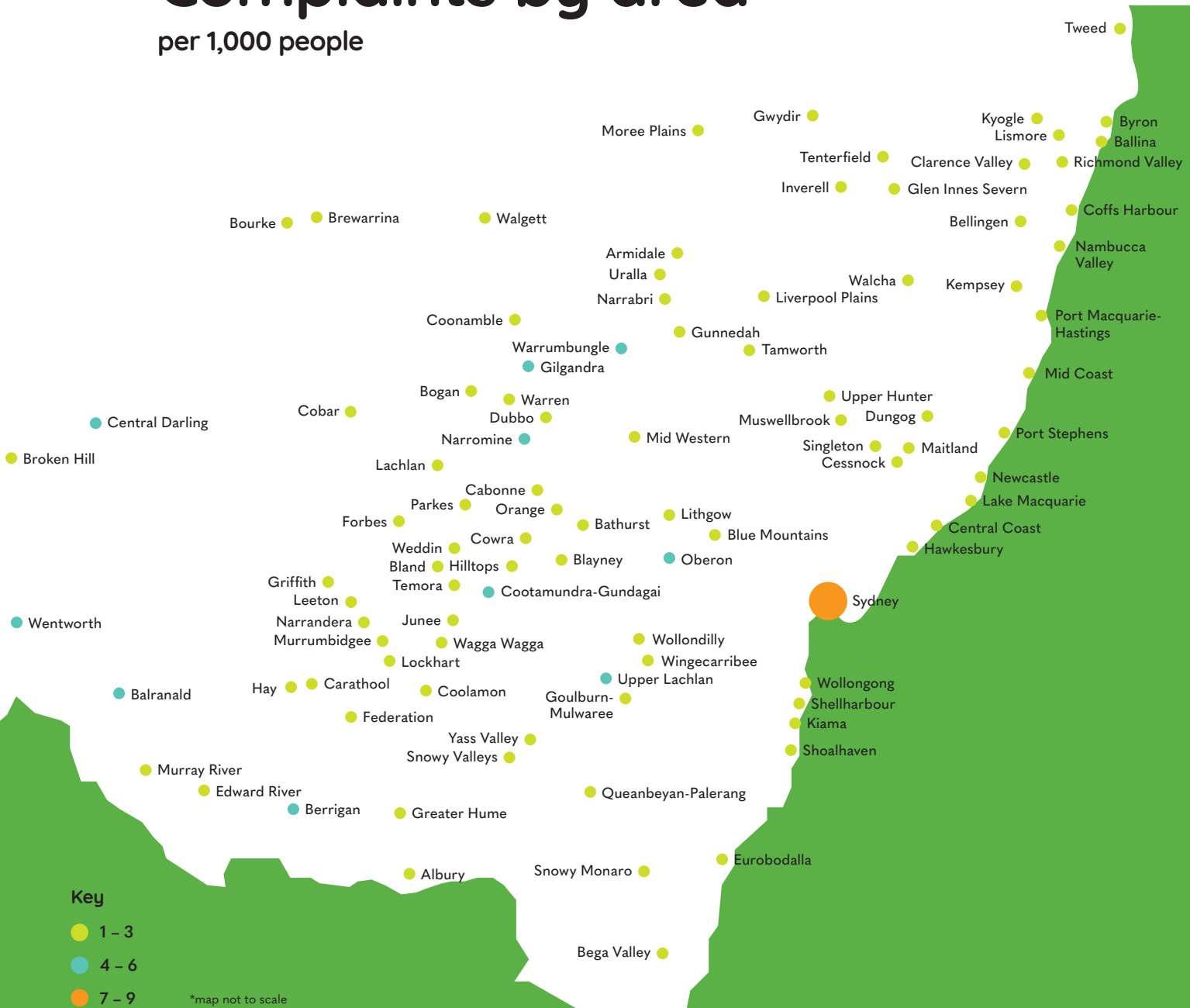
Complaint level by industry



* Not allocated = Provider name not stated by customer/general enquiry or issue out of jurisdiction

Complaints by area

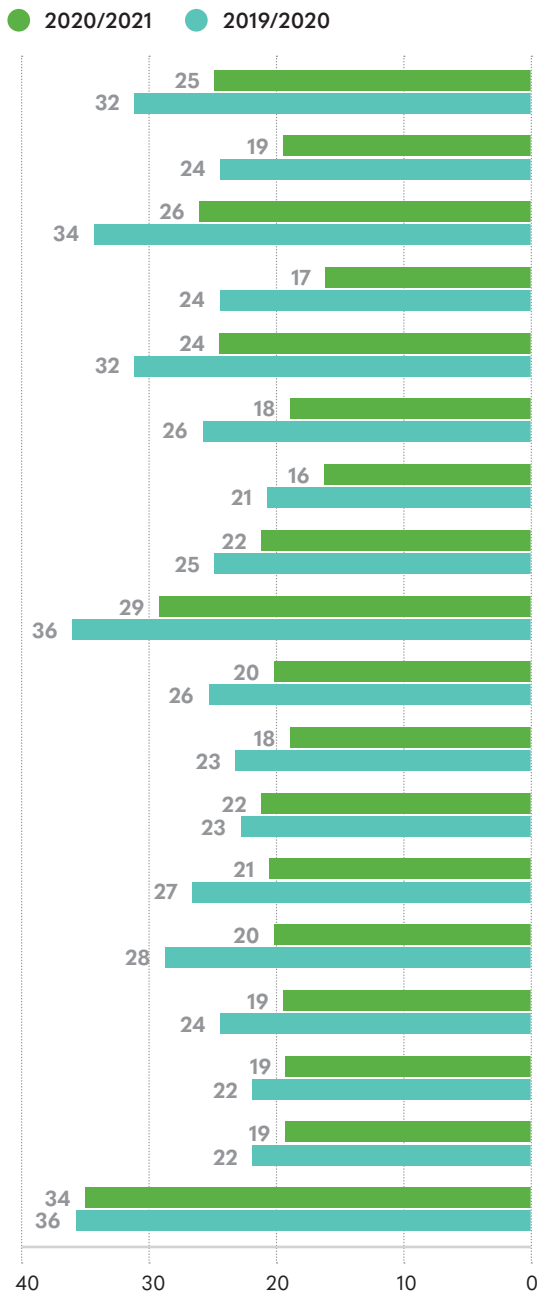
per 1,000 people



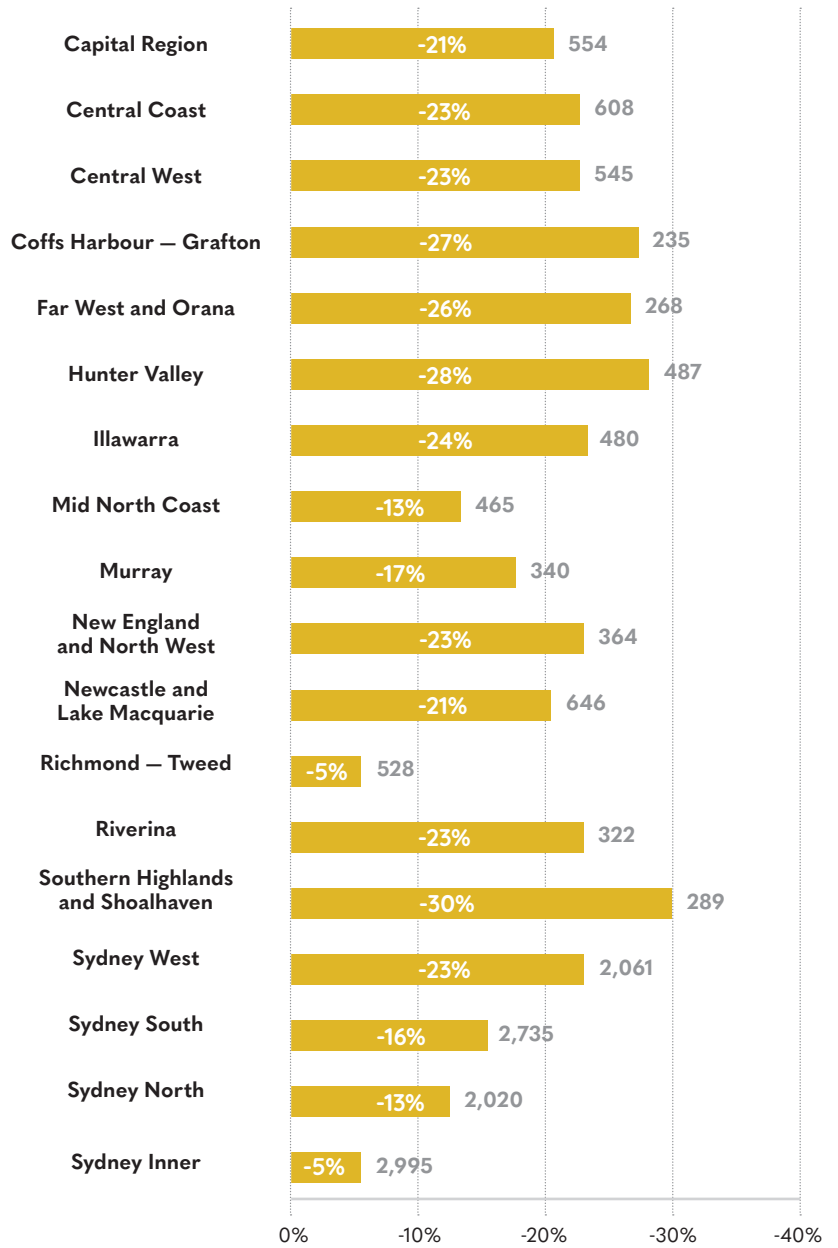
Complaints in Sydney

Bayside	2	Fairfield	1	Mosman	2	Sutherland Shire	2
Blacktown	2	Georges River	2	North Sydney	3	Sydney	7
Burwood	3	Hornsby	2	Northern Beaches	2	The Hills Shire	2
Camden	2	Hunters Hill	2	Parramatta	2	Waverley	2
Campbelltown	2	Inner West	2	Penrith	2	Willoughby	2
Canada Bay	2	Ku-ring-gai	2	Randwick	2	Woollahra	3
Canterbury-Bankstown	2	Lane Cove	2	Ryde	2		
Cumberland	2	Liverpool	2	Strathfield	2		

Complaints per 10,000 people by NSW region

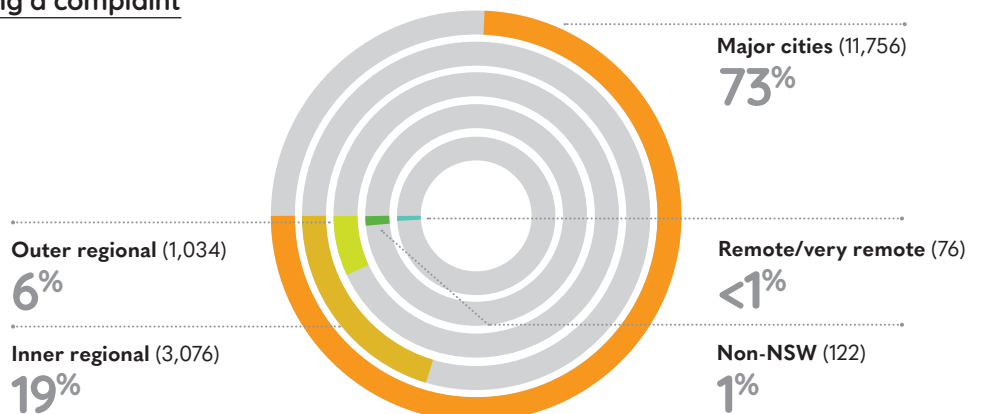


Total complaint and percentage change by NSW region



Location of customers lodging a complaint

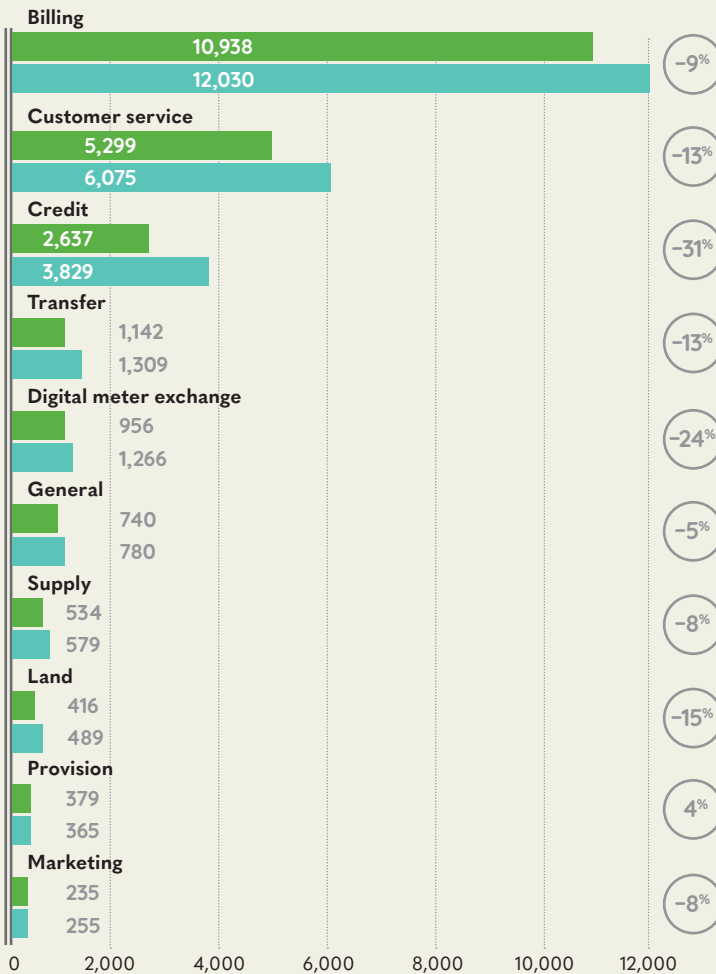
- Major cities
- Inner regional
- Outer regional
- Non-NSW
- Remote/very remote



Complaint issues

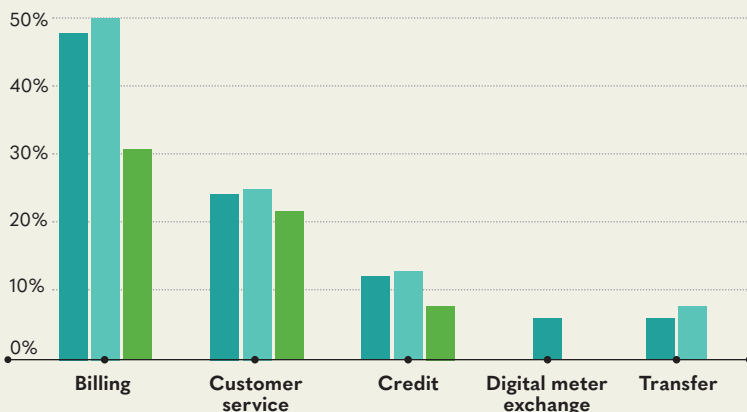
Complaints by primary issue

● 2020/2021 ● 2019/2020 ○ % change from previous year



Complaint issues by industry

● Electricity ● Gas ● Water



How we categorise complaint issues

Billing

High and disputed bills, fees and charges, opening/closing accounts.

Customer service

Failure to respond, incorrect advice, poor attitude/service.

Credit

Disconnection, arrears, payment difficulty, payment arrangement declined, debt collection.

Transfer

Error in billing or transfer of account due to switching energy providers, contract terms, delay in transfer, site ownership.

Digital meter exchange

Delay, meter not installed, incorrect advice, failure to respond/notify, billing, terms and conditions.

General

Non-energy/water related.

Supply

Quality, damage/loss, outages.

Land

Impact of network assets, maintenance, environment.

Provision

Problems with new or existing connections.

Marketing

Conduct by marketers, misleading information, pressure, non-account holder signed up.

We open one complaint when a customer contacts us but they often experience more than one complaint issue, such as a high bill and poor customer service. Therefore the number of complaint issues is greater than the number of complaints we receive.

Billing

Issue	No. complaints
High	5,613
Estimation	1,912
Opening/closing account	1,702
Error	1,460
Tariff	1,125
Backbill	650
Fees & charges	624
Meter	547
Refund or credit	472
Rebate/concession	469
Delay	405
Period	370
Other	327
Format	89
Debt transfer	24

Customer service

Issue	No. complaints
Poor service	2,676
Failure to respond	1,356
Incorrect advice/information	882
Failure to consult/inform	500
B2B	153
Privacy	87
Unprofessional attitude	71
Online	55

Credit

Issue	No. complaints
Payment difficulties	1,163
Collection	935
Disconnection/restriction	817

Transfer

Issue	No. complaints
Site ownership	387
In error	257
Delay	210
Contract terms	141
Without consent	129
Cooling off rights	52
Rejected by retailer	50
Billing	48

Digital meter exchange

Issue	No. complaints
Delay	326
Billing	193
Fault	164
Incorrect advice/information	133
Not installed	104
Terms and conditions	75
Other	66
Opt in/opt out	38
Failure to respond	22
Damage	20
Failure to notify	9
Transfer	9

General

Issue	No. complaints
Energy/water	621
Non energy/non water	119

Supply

Issue	No. complaints
Off supply (unplanned)	266
Off supply (planned)	132
Variation	96
Sewer overflow/blockage	41
Quality	26
Water restriction	2

Provision

Issue	No. complaints
Existing connection	267
New connection	105
Disconnection/restriction	51

Land

Issue	No. complaints
Network assets	200
Property damage/restoration	111
Vegetation management	52
Street lighting	22
Easement	21
Other	21

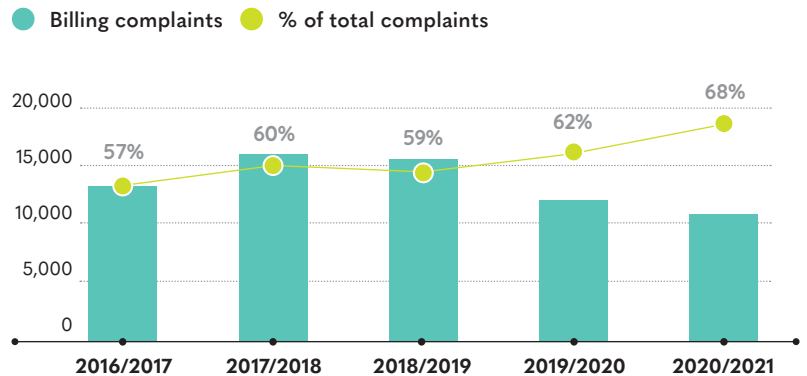
Marketing

Issue	No. complaints
Misleading	143
Information	49
Other	22
Pressure	21
Non account holder	10

Focusing on our top three issues

Billing

Billing continued to be our biggest issue, present in 68% of all complaints. Billing issues include high or disputed accounts, estimated bills, opening and closing accounts and fees and charges.



Credit

Credit-related issues were present in 16% of complaints. Credit issues underpin energy affordability issues, which are a key focus of EWON.



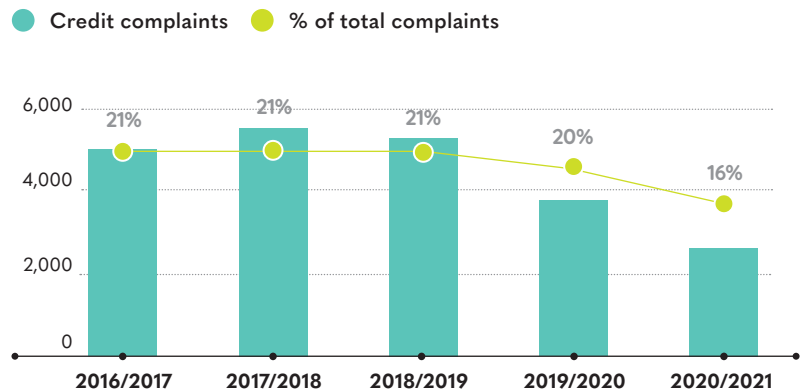
414

actual
disconnection
complaints



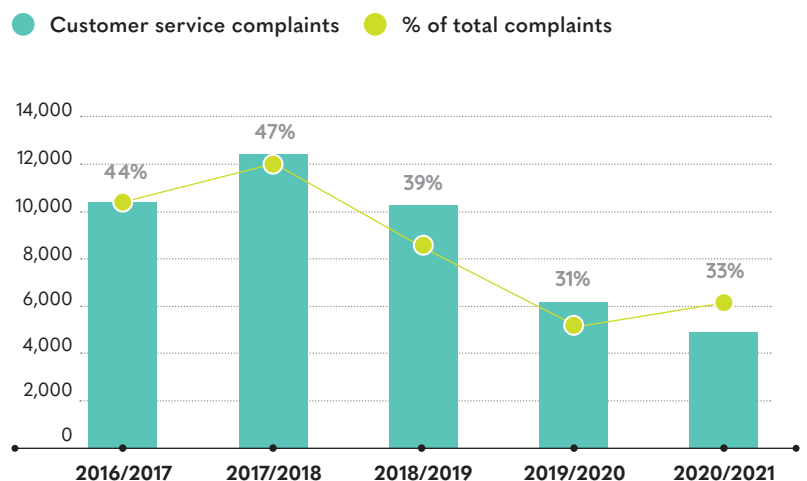
405

impending
disconnection
complaints

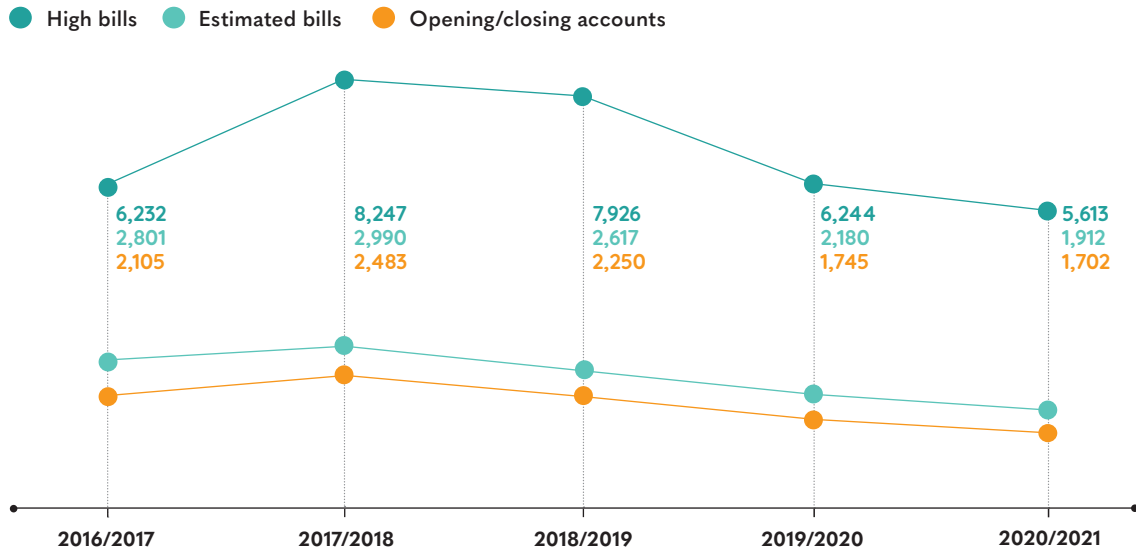


Customer service

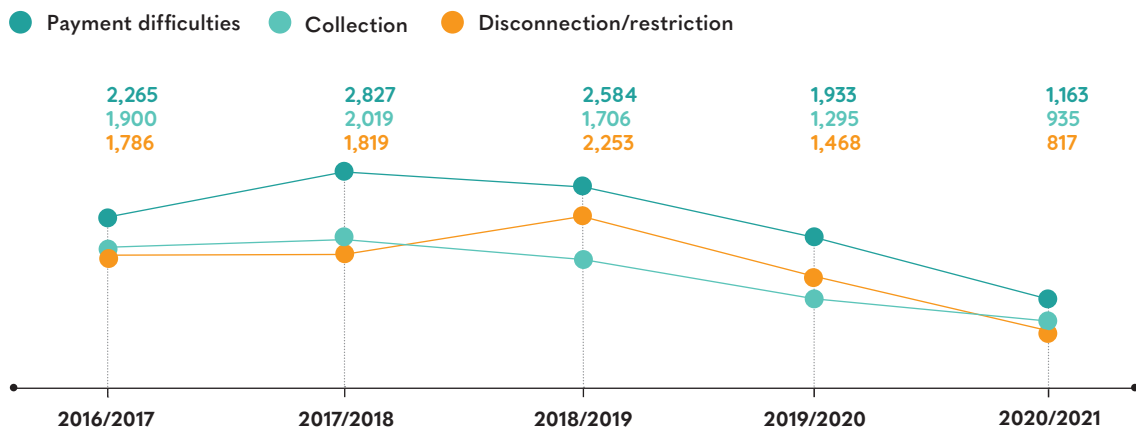
Customer service issues were present in 33% of complaints received. Customer service is often an underlying factor for customers contacting EWON, but for these complaints customer service was a driving factor.



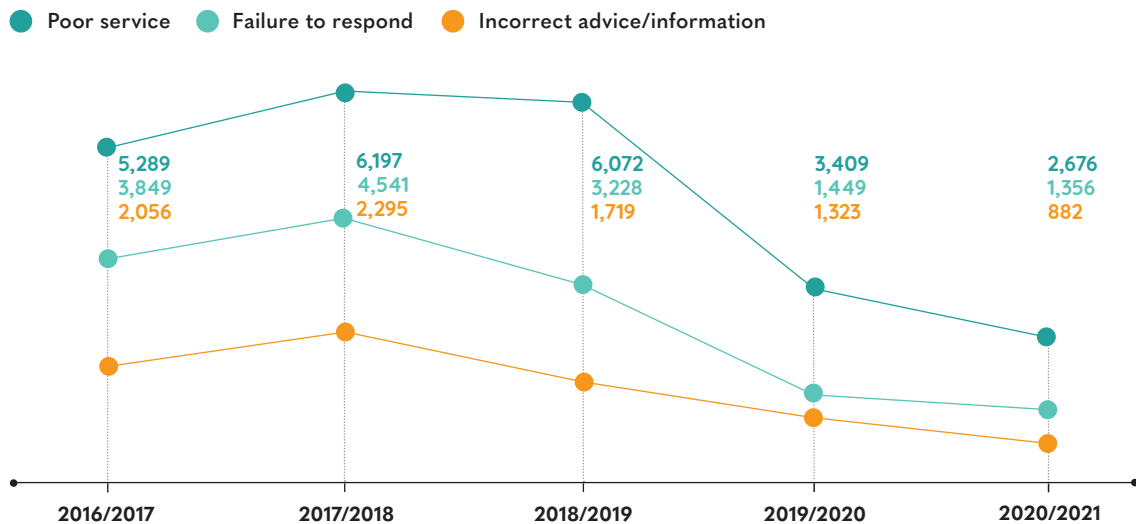
Trends in billing complaints



Trends in credit complaints



Trends in customer service complaints

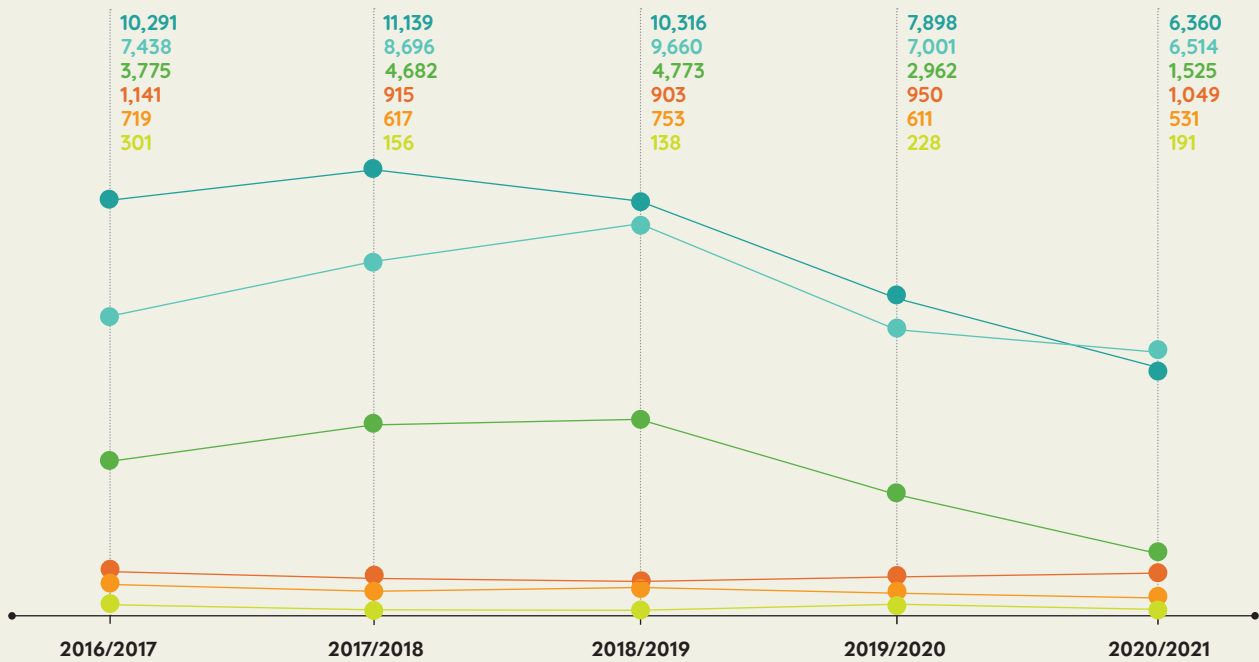


Resolutions and outcomes

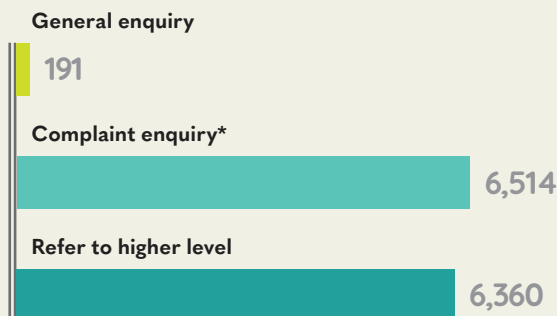
Complaint closures

from 2016/2017 to 2020/2021

● Refer to higher level ● Complaint enquiry ● Level 1 ● Level 2 ● Level 3 ● General enquiry



Non investigated complaints



* includes referrals to provider centres and affordability teams

Procedural fairness

When a customer contacts us before they speak to their energy/water provider, we register their complaint as a complaint enquiry, inform them about their rights and responsibilities and then refer them back to their provider.



2,856

Referrals to provider contact centres or affordability teams

Investigated complaints



Time taken to resolve complaints



No wrong door

When a customer requires assistance that is outside EWON's jurisdiction, we refer that aspect of their complaint to the organisation that can best assist with that issue.



3,105

Investigations resolved



94%

Complaints resolved
in under 30 days

Investigations outcomes

Facilitated resolution: 1%

When the customer and provider work with us to conciliate the resolution of less complex complaints.

Negotiated resolution: 90%

Complaints where we negotiate fair and reasonable outcomes through liaison, either via phone or in writing with both parties.

No further investigation: 9%

When our investigation finds that the provider's position is fair and reasonable, when the customer withdraws a complaint, or where the customer does not keep in contact with us.

No wrong door referrals	No. complaints
Energy or water payment assistance scheme/community agency	697
Fair Trading/NCAT	611
Other government agency	382
AER/energymadeeasy.com.au	366
Financial counsellor	351
Legal/tenancy advisor	299
Another Ombudsman	277
Private contractor	262
IPART	28
Department of Planning, Industry and Environment/Minister	24
Total	3,297

Our quality assurance work

EWON's Quality Assurance Framework ensures we undertake in-depth, fair assessments of our complaint work, and adhere to our complaint-handling and investigations policies and procedures. We focus on continuous improvement and understand and accept that from time to time we will receive complaints

about our service. These give us valuable feedback and an opportunity to review and improve our systems, communication and processes.

We continue to develop and refine the methodologies that assess the quality of our dispute resolution service.

New focused reviews

In March 2021, the Quality Team trialed a new methodology for complaint management reviews. We moved from reviewing a random sample of complaints each month to focused reviews on specific issues or complaint areas. This approach acknowledges the rapidly changing energy and water environment and EWON's expanding jurisdiction, and the need for staff to clearly understand complex and emerging issues.

The approach allows:

- > direct learning and guidance from our complaint dispute resolution practices
- > strategic application across our teams

The trial proved successful and the new approach was formally implemented from July 2021.

Focus on family violence

One of our focused review topics was family violence. EWON plays an important role in helping customers affected by family violence when that is revealed through our casework. We developed resources to assist and support our staff when managing these sensitive complaints.

The resources include:

- > family violence position statement
- > family violence manual
- > family violence desktop resource.

The focused review built on our work in this area. It confirmed that our investigations staff deal well with these complaints but identified some improvement opportunities, including reviewing our induction program to ensure new staff are properly equipped to handle family violence and associated privacy issues. The Quality Team is working closely with the Investigations Team to embed these learnings.

Complaints about EWON

These provide an opportunity to improve our work. During 2020/2021, five complaints about EWON were received. Complaints about EWON are dealt with by the relevant manager with support and assistance from the Manager Quality to ensure we implement improvements to prevent further similar complaints.

Customer satisfaction surveys of referred and investigated complaints

Our quality work includes asking complainants about their experience of using our service. Customer satisfaction surveys are regularly conducted in-house for investigated and non-investigated complaints to obtain timely feedback after complaints are finalised.

We survey a sample of customers whose complaints we referred to their provider's specialist complaints teams, and all customers whose complaints we investigated.

The results of these surveys indicated a high level of satisfaction with EWON and our processes throughout 2020/2021. We use the results, including free text comments, to monitor our performance and inform our continuous improvement.

We also undertake independent customer satisfaction surveys of investigated complaints every two years.

Survey results



Annual average results for 2020/2021

Case management reviews

345

non-investigated complaints
(enquiry, RHLs)

177

investigated complaints
(Levels 1–3)

Data integrity audits

Each month, the Quality Team undertakes an integrity check of the data captured in our complaints management system.

1,334

targeted monthly
exception reports

3,232

monthly audits – representing
a 20% sample of resolved
complaints

Internal reviews

If a complainant disagrees with the outcome of our investigation, they can ask for the Quality Team to conduct an internal review of the decision if they:

- > identify bias in our investigation
- > provide relevant new information that was not available to them during the investigation
- > identify an error or omission by EWON.

27

internal reviews undertaken

3

reviews upheld

The three reviews upheld resulted in further investigation of the complaint. Twenty-seven reviews identified no basis to reopen the investigation however they did identify opportunities to improve the quality of our assessment reports and the need for more telephone engagement with customers – the Dispute Resolution Team are working on these improvements.

Case study

Vulnerable customer unable to negotiate payment plan



Category
Level 1

Issues
Credit/payment arrangement declined, current arrears

Outcome
Facilitated resolution/
referred to EAPA

Ms Cauldwell contacted EWON because she had been unable to negotiate a payment arrangement with her retailer. She said she was experiencing financial hardship, suffered from a medical condition, had two children needing medical assistance, and was subject to family violence that was affecting her mental health.

Ms Cauldwell said \$500 was owing on her account, and she was able to pay \$10 a fortnight towards this. The retailer had declined this offer, requesting she pay \$170 a fortnight. Ms

Cauldwell said the retailer was aware of her financial position and she was seeking EWON's assistance to confirm the balance on the account was accurate and facilitate a payment plan in line with her capacity to pay.

EWON contacted the retailer and identified that over both gas and electricity accounts she owed \$650. The retailer said it had established a payment plan at \$20 a fortnight and confirmed that both accounts were receiving the appropriate rebates.

We confirmed with Ms Cauldwell that the retailer had set up a three-month payment plan under its affordability program. We also suggested Ms Cauldwell follow up on her existing Energy Accounts Payment Assistance application to reduce arrears on the account. She was satisfied with this outcome.



Our policy contribution

EWON is committed to increasing consumer protections and addressing issues that negatively affect customers. We identify issues through our complaints management and community engagement activities and use this

information to influence policy development through our submissions and advice to regulators and government. We also use it to encourage providers to adopt best industry practice in complaints management.

COVID-19 and energy affordability

In 2019/2020, seven years after the National Energy Consumer Framework (NECF) was established, the Australian Energy Regulator (AER) reported 57% of standard electricity payment plans were cancelled rather than completed. In the same period, only 32% of customers successfully completed a retailer affordability program. This was despite significant reforms introduced since 2016, including the AER's Customer Hardship Guideline and the Sustainable Payment Plans Framework. In light of this, EWON has analysed affordability complaints since the introduction of the AER Hardship Guideline.

This work provided the basis for a deep analysis of regulatory arrangements and industry practice. The results and key points for ongoing industry discussion and regulatory change are available in our report, Spotlight On: National Energy Affordability Framework.

Energy affordability has been exacerbated for many customers by the COVID-19 crisis and increased energy usage while working at home. In response to the pandemic, the AER consulted with stakeholders including EWON and, in March 2020, issued a Statement of Expectations (SoE) aimed at all energy providers. Disconnections, debt collection and credit listing were halted for financially affected customers, providers had to offer payment arrangements to affected customers and, at EWON's suggestion, customers of embedded networks and residential parks were also protected from disconnection. At the AER's request, through analysis of related complaints, we reported, to energy retailers and the AER, any potential misalignment of the requirements of the SoE.

Ongoing restrictions in response to COVID-19 outbreaks continue to impact casual and low paid workers the most, especially with uncertain or reduced government income support. This could result in large numbers of people who previously had secure incomes becoming financially vulnerable. One of the AER's key priorities for compliance and enforcement in 2021/2022, was focused on ensuring energy retailers identified residential consumers in financial difficulty and offered appropriate payment plans. Equally, customers were, and remain, required to engage with energy retailers including by responding to retailer contact. Customers who engage will be protected from disconnection, so EWON continues to promote engagement through its community and social media engagement. Cross sector promotion and encouragement of customer engagement is crucial, as since

COVID-19 commenced, energy debt levels have increased, but the number of consumers with payment plans or accessing retailer hardship programs has not.

EWON is preparing for a potential increase in customers presenting with affordability problems over coming years.

More action is needed

In light of COVID-19 impacts, new initiatives to adequately respond to the affordability crisis could include:

- > industry discussion of the key points raised in the EWON Spotlight On: National Energy Affordability Framework report
- > increased resources to bolster the effectiveness of retailer hardship programs, including network contributions
- > an urgent review of government concessions to improve more effective and targeted support
- > consideration of a debt waiver program for particularly vulnerable customers
- > further home energy efficiency programs including solar installation for vulnerable customers.

A cross-sector taskforce including retailers, distributors, government agencies, regulators and community organisations would give real insight into the issues that ordinary people in crisis experience, and perhaps identify new well considered, coordinated initiatives for implementation.





New technology

The electricity market is undergoing a significant period of change. The range of emerging products and services is changing the way electricity is delivered and consumed by residential and business customers. Consideration needs to be given to how regulation can influence the adequacy and development of this changing market. Regulation needs to maximise customer benefit and ensure adequate consumer protections for those whose circumstances mean they cannot benefit from innovation or, worse, where innovation creates greater detriment or inequality. It is critical that regulation does not unfairly favour any consumers or place some in a position where protections are reduced or unavailable.

While some new energy products and services fall under current regulatory frameworks, others are outside energy specific protections. EWON's position with respect to the regulation of new energy products and services is straightforward. Energy-specific consumer protections are required, including when an associated product or service impacts consumer access to reliable, safe, high-quality, cost-effective energy.

The Energy Security Board in its Post-2025 Market Design Options paper proposed the following principles to drive consumer outcomes and protect consumers dealing with new services that they have not dealt with before:

- > access to energy
- > switching providers
- > access to information
- > vulnerable consumers
- > dispute resolution.

In our submission to this paper, which focused on vulnerable customers and dispute resolution, EWON endorsed these principles with the proviso that dispute resolution should be free for consumers.

Specific ongoing consideration of the needs of customers experiencing vulnerability is required

As new technologies, services and providers disrupt the market, the cost of traditional energy distribution will continue. Vulnerable and disadvantaged consumers reliant on current energy distribution systems are at risk of incurring additional costs while being left behind. This may lead to an energy divide where all customers pay for transition costs through their current bills, but customers with affordability challenges cannot afford to purchase the new products and services that provide lower cost energy solutions. EWON will continue to encourage policymakers to consider impacts on customers, especially those most at risk of missing out.

Regular review of rebate and emergency assistance schemes to ensure adequacy and appropriate targeting will need to be aligned with the emergence of new technology. Regular 'fit for purpose' review of affordability provisions in the regulatory regime will also be required. Finally, reform proposals now under way, such as cost-reflective network tariffs, must also be reviewed to ensure vulnerable customers are not adversely affected.

EWON has been active in relation to recent reforms to the NSW Social Programs for Energy Code. In particular, we highlighted the lack of access for some customers to vital assistance and were pleased the government expanded coverage of the Code in its most recent update.

Dispute resolution

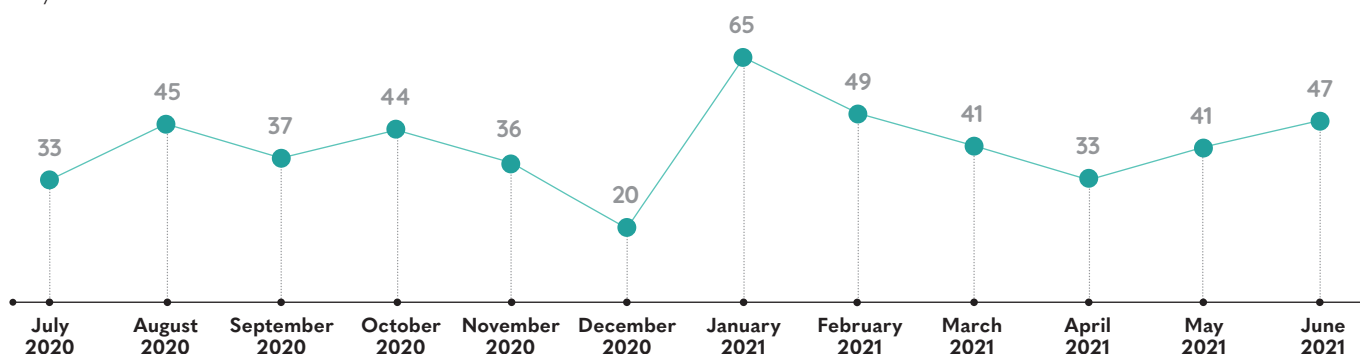
Residential consumers are often vulnerable in periods of market transition. As markets and the regulatory environment change, consumers whose complaints are outside Ombudsman jurisdiction are often left trying to navigate a complex maze of dispute resolution options in the event of a dispute with their supplier¹. The existing alternatives, including NSW Fair Trading and NSW Civil & Administrative Tribunal, to the energy and water Ombudsman schemes are often unable to resolve individual disputes, are more expensive and often, more time consuming. This puts consumers at a significant disadvantage and can undermine trust and confidence in the energy sector.

EWON supports an expanded jurisdiction for existing schemes to facilitate free, fair and independent dispute resolution for the full range of emerging energy products and services. Our FY20 submission to the AEMC's review of consumer protections pointed out the differences between the general consumer protection provided under the Australian Consumer Law and the energy-specific consumer protections provided by the NECF. We will continue to raise these concerns.

1. For a full analysis see [EWON Spotlight On: Hot water embedded networks](#)

Embedded network complaints

July 2020 to June 2021



Embedded networks






Authorised retailers' expansion into embedded networks

The number of complaints about authorised energy retailers from customers living in embedded networks continued to rise. This corresponds with a decline in the number of complaints about exempt sellers. Our monitoring and analysis of complaints suggests these trends reflect an industry-wide change to the way energy is being on-sold to residential and small business customers in embedded networks. As new developments with embedded networks are completed and network exemptions registered, authorised energy retailers are increasingly taking up embedded network market share. This means a retail exemption is not needed.

This leaves embedded network customers billed by an authorised retailer without adequate consumer protection because the NECF was not designed for this sector of the energy market. We have renewed our call for governments to decide on the Australian Energy Market Commission's (AEMC) recommendations for updating the regulatory framework to include embedded networks. Our submissions proposed that the AER more closely monitor the impacts on consumers and we're pleased it included embedded networks in its compliance and enforcement priorities for 2021/2022.

Complaint numbers for all embedded network providers

● Electricity ● Gas ● Water ● Not allocated

Provider	No. complaints
 Authorised (EWON member)	390
 Exempt seller (EWON member)	19
 Exempt seller (non-member)	38
 Authorised (EWON member)	38
 Not allocated*	6
Total	491

* Not allocated – provider not stated/out of jurisdiction

Review of the Residential (Land Lease) Communities Act 2013

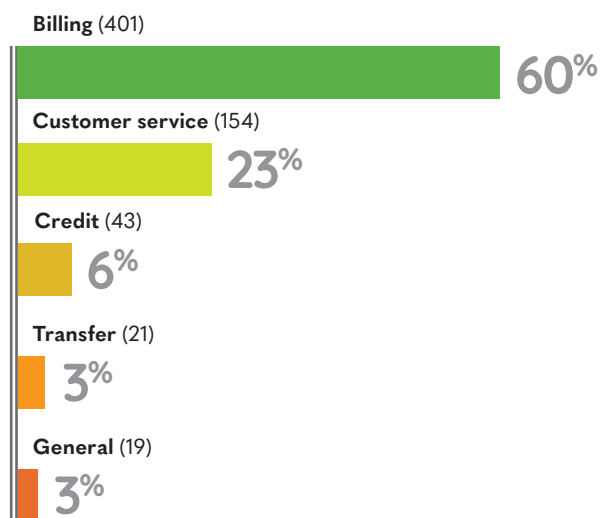
Many customers living in residential parks face energy affordability issues and have no choice of energy retailer or affordability support. Where the electricity is supplied by the park operator, the *Residential (Land Lease) Communities Act 2013* places restrictions on how and what an operator can charge a home owner for the utilities they consume. The *Residential (Land Lease) Communities Regulation 2015* also limits the maximum service availability charge that an operator can charge based on the quality of the electricity supply.

Two developments have affected the operation of consumer protections in the *Residential (Land Lease) Communities Act*:

- > In 2018, the Supreme Court of NSW interpreted section 77(3) of the Act to mean an operator is not entitled to charge a homeowner more than it has been charged by the energy provider for the electricity consumed by the homeowner. This decision capped the price residential park energy customers could be charged for energy use, but also caused confusion about how energy charges should be regulated.
- > After this decision, some residential park operators decided to hand over on-selling electricity within the park to authorised energy retailers. Residents were asked to open an electricity account with the appointed energy retailer, rather than pay their bills directly to the park operator. This added more confusion over the regulation of utility charges in parks as the Act, and therefore the court decision, does not apply to energy retailers.

Since last year, when we developed information for customers in response to complaints we received, we have convened several meetings with NSW departments to examine the confusion that residential park operators face, as well as the ongoing consumer protection shortfalls experienced by customers in embedded networks. The NSW government sought legal advice and, in its current review of the *Residential (Land Lease) Communities Act 2013*, it had a separate stream devoted to energy charging. EWON's submission to the review focused particularly on the strengths and weaknesses of the potential future approaches for energy charging in residential parks.

Top five embedded network issues



Digital metering

The rollout

The digital meter rollout has slowed and aligned with that, complaints are decreasing. Digital meter installation complaints peaked in 2018/2019 with 2,324 different issues. In 2019/2020 this fell to 1,266, with a further drop this year to 956. The AER reports on digital meter complaints to retailers and has seen a decrease from 2,181 in 2018/2019 to 1,272 in 2019/2020.

However, the AER noted the penetration of digital meters across NSW sits at around 20%, which appears low after three years of retailer responsibility for rolling out digital meters across NSW. The AER also reports on the number of meters installed. Allowing for seasonal variations, this is about 53,000 per quarter. At this rate it will take at least 10 more years before the rollout is complete. In our submission to the AEMC's review into metering services, we called for an end date for the rollout and pointed out that the benefits for customers who have digital meters has yet to be realised as a result of the slow rollout of meters.

Outstanding issues

Costs associated with digital meters can be high and pose significant issues for customers. Costs include metering installation, meter board upgrades, asbestos removal and unexpected tariff changes.

The AER tariff reforms require networks to have cost reflective tariffs, such as time-of-use metering and demand-based tariffs. These tariffs can be detrimental for customers who have low consumption or limited discretion about the time energy is used. The energy sector needs to address this issue and provide solutions, including the allocation of costs, incentives and support with payments.

Digital meters in areas without mobile reception (typically, but not always, remote and regional NSW) will continue to be manually read. Manual digital meter reading and associated meter connection services can attract substantial, and unregulated, energy costs for affected customers – creating a need for related consumer protection.

Customer expectations not met

The digital meter rollout promised many benefits for consumers. Many new energy products and services depend on consumers having a digital meter. The rollout speed, meeting customer expectations, and delivering on promised benefits need to improve so the advantages can flow to consumers.

EWON complaints show customers cannot access online data or reconcile it with the meter readings on their bills.

A key benefit of digital meters is accurate monthly billing, which enables better household budgeting and helps avoid bill shock. Instead, we continue to see cases where two out of three bills are based on estimated meter readings with a 'true-up' on the third bill based on the actual manual meter reading. Retailers need to improve processes for accessing actual meter readings and issuing accurate monthly bills.

The benefit of remote disconnection and reconnection has not yet eventuated. While retailers and metering providers with safety management plans approved by the NSW government can now implement this procedure, there are outstanding issues. These include whether the protection for vulnerable customers concerning disconnection is strong enough and clarification about choice of retailer. It is not yet clear whether any retailer can reconnect a service remotely on the request of a customer moving in, or if that customer is limited to opening an account with the retailer who did the disconnection remotely.

EWON's Spotlight On reports

One of EWON's Charter responsibilities is to identify and resolve systemic issues affecting energy and water consumers. Our focus is three-fold: to reduce complaints, strengthen consumer protection frameworks, and improve public trust in the energy retail market.

Our 2019 Independent Review included a recommendation that EWON publish themed reports on systemic issues and promote them externally. In response, we published three Spotlight On reports. Our first issue on affordability secured exclusive media coverage in *The Sydney Morning Herald*.

Spotlight On reports draw attention to sector wide systemic issues we have identified, based on trends in the complaints we have received, and emerging consumer issues. Spotlight On also explores practical solutions to the problems we highlight. In each report, we include a call to action, industry discussion points and recommendations. We also develop an action plan so that each report contributes to regulatory reform and improved industry practice.

Spotlight On: National Energy Affordability Framework

The issue

This report focused on the regulatory gaps in the National Energy Customer Framework's (NECF) affordability framework and how the structure of payment plans can set customers up to fail. Our systemic issues work has highlighted a number of broad structural problems with the current framework in the National Energy Retail Law and the National Energy Retail Rules.

Call to action

Industry members and regulators need to start a conversation about whether the affordability framework is fit for purpose in 2021 and beyond. EWON encouraged, and would welcome the opportunity to participate in an energy industry discussion about the need for:

- > more flexibility in payment plans
- > an industry standard for estimating usage for payment plans
- > an industry standard for payment plan cancellations
- > ending the practice of fast-tracking debt collection by auto-generated payment plans
- > reviewing the 'two strikes and you're out' rule for payment plans
- > recognising how the current rules for disconnection/reconnection impact customers with affordability problems
- > providing more options to retailers to avoid 'shoehorning' customers with long-term affordability challenges.

EWON's action plan

The additional protections the Australian Energy Regulator's Statement of Expectations provided to customers affected by the COVID-19 pandemic ended in June 2021. It was replaced with a standby Statement of Expectations that applies when jurisdictions are subject to extended stay-at-home orders. Our report sets out EWON's position for engaging with members, regulators and governments as customers with growing debt begin to re-engage with energy retailers. We are looking forward to participating in the AER's customer vulnerability workshops in 2022 which will look at these issues.



Spotlight On feedback

"Thanks for sharing the media release for your upcoming report on the energy affordability framework. This work seems very much aligned with the framework issues we want to consider in the context of post-Statement of Expectations and our consumer vulnerability strategy. We look forward to working with you on these issues."

—Clare Savage, Chair,
Australian Energy Regulator

"Really great insights from @ewonsw on how the current framework for embedded networks is resulting in major consumer detriment and how it can be tightened."

—Tweet from the Public Interest
Advocacy Centre – @PIACenergy

It was amazing how fast the gas reading was checked and the bill was rectified, once you were involved. Again, thank you for existing.
—Customer

Spotlight On: Hot water embedded networks

The issue

Many apartment dwellers rely on centralised hot water systems rather than having hot water services within their apartment. We examined the importance of delivery of centralised hot water as an essential service, its lack of regulation in NSW, the need for residents to be covered by energy-specific consumer protections, and why residents living in hot water-embedded networks need access to energy and water Ombudsman schemes now and in the future.

Call to action

The NECF recognises energy (electricity and gas) as an essential service. Energy is needed to heat water, an essential element of day-to-day life, but currently, regulation and consumer protection for customers reliant on this supply is absent

when providers bill for litres of water consumed rather than the energy used to heat the water. When the sale of hot water is separated from the sale of energy and water, it places the security of supply of an essential service at risk. We called on government and policymakers to work with us to find a solution.

EWON's action plan

In May 2021 EWON invited key regulatory stakeholders to a roundtable discussion on hot water-embedded networks. The discussion was positive and constructive – the issue was agreed by all participants and keen to find solutions, a second workshop was scheduled for July 2021.

The participants included representatives from:

- > the Department of Planning, Industry and Environment (NSW)
- > the Australian Energy Regulator (AER)
- > the Australian Energy Market Commission (AEMC)
- > Department of Industry, Science, Energy and Resources (Commonwealth)
- > the Independent Pricing and Regulatory Tribunal (IPART).



Spotlight On: Embedded networks – it's time for change

The issue

In 2018, the NECF was amended to require entities selling and supplying energy to residential customers in embedded networks, to join an Ombudsman scheme. This Spotlight On report outlined EWON's insights gained from our work with this new group of members and their customers over the past three years. These insights relate to how the framework can be improved to provide clarity, transparency, accountability and, ultimately, increased consumer protection so that they are aligned with those of mass-market residential and small business energy customers.

Call to action

The AEMC proposed a regulatory reform package in June 2019 and in response, the AER has proposed a set of changes. In the interim, we believe there are some additional actions required to improve the exemption framework.

To improve consistency and transparency, the AER should:

- > be more proactive in collecting the numbers of customers covered by network and retail exemptions and ensure these figures are reported publicly and regularly – or change the public register so that the number of customers is included in the details on a registered exemption.
- > update the network and retail exemption guidelines to include all residential customers in a registered class exemption.
- > create a registered exemption class for entities selling unmetered gas combined with chilled or hot water.

To engage with exempt entities and maintain the exemption register:

- > the AER should take a more active role in engaging with exempt entities, and in reviewing existing registered and individual exemptions.

- > the guidelines should contain stronger requirements for exempt entities to keep the information on registered exemptions up to date.

To increase accountability for unregulated billing agents, the AER should:

- > expand published information on the register of exemptions to include the details of any billing agent providing retail services to the embedded network.

EWON's action plan

In May 2021, the AER released a consultation paper to update the exemption guidelines. The paper outlined the issues the AER considers can be addressed now, including some of the problems EWON has encountered as we have expanded our membership to exempt entities. Our Spotlight On report demonstrated the urgent need for more extensive changes to the exemption framework.



Case study

Billing confusion after moving from an embedded network



Category
Level 2

Issues
Billing/fees and charges/ service availability, customer service/B2B, failure to consult or inform

Outcome
No further investigation

Mr Rogers lives in a property with an embedded network, but he decided to leave this and set up his own market meter. He arranged for a retailer to install a new meter and it started billing him. At the same time, for the next seven months, he continued to receive bills from the embedded network. Both the embedded network's and the new provider's bills included supply charges. The retailer had tried to contact the embedded network many times but without success. When Mr Rogers could not confirm with either what fees they were entitled to charge, he contacted EWON.

We advised Mr Rogers that his retailer could bill him only for usage and not network charges. His retailer agreed, reissued the bill and refunded the amount he had paid for network charges. We also advised him that the embedded network could bill him only for network charges and not usage.

The embedded network told us that the tariffs applied to Mr Rogers' account were passed through from the network and provided rates confirming this.

We confirmed that the rates the embedded network imposed for network

charges were consistent with those listed by the network distributor.

We confirmed to Mr Rogers that the amount the embedded network would charge him was in line with rates set by the local network. We advised he would receive a separate bill from his retailer for consumption.

Collaborating with our peers

ANZOA

The Ombudsman, Janine Young continued as Chair of the Australian and New Zealand Ombudsman Association (ANZOA) after being elected in 2019. This provides a valuable peer forum for ANZOA Members, all of whom are the Ombudsman of parliamentary, statutory or industry Ombudsman offices which meet accepted high standards of independence, impartiality and effectiveness, and observe the Benchmarks for Industry-based Customer Dispute Resolution. ANZOA has eight interest groups including Complaints Management, Public Relations & Communications and Policy & Research. Many EWON staff participate in or facilitate an interest group, a valuable opportunity to collaborate with staff working in similar roles across other offices.

In 2020/2021 ANZOA members collaborated to discuss common COVID-19 challenges and opportunities including how to:

- > balance staff needs while continuing to meet service expectations
- > identify emerging systemic issues
- > redesign outreach for virtual community engagement
- > improve accessibility through flexible work practices
- > align remote working capabilities with business as usual
- > maintain workplace health and safety standards at home
- > rethink the overall purpose of Ombudsman roles in a crisis environment
- > manage unreasonable customer conduct through staff support and training.

No wrong door

ANZOA developed a set of one-page flyers to provide an overview of the dispute resolution services our offices provide, to be shared at outreach events or online. Each flyer equips community workers, organisations and consumers with geographically specific information about which Ombudsman scheme to contact if they have a problem.

Use of the term Ombudsman

ANZOA continues to focus on its 'Essential Criteria for Describing a Body as an Ombudsman' policy statement to warn consumers about organisations that claim to be an Ombudsman when they are not. It is critical that the integrity of Ombudsman roles is protected and that the risk to free, fair and independent dispute resolution is managed. ANZOA made a submission to the Australian Small Business and Family Enterprise Ombudsman (ASBFEO) about the use of the term Ombudsman, noting that ASBFEO is an excellent advocate for small business but again expressing concern about it being named an Ombudsman. We noted other submissions also focused on this aspect of ASBFEO's work.

ANZEWON

The Ombudsman is also part of the Australia & New Zealand Energy and Water Ombudsman Network (ANZEWON). This gives energy and water Ombudsmen and Commissioners in Australia and New Zealand opportunities to work together to explore and address industry and policy developments that affect consumers.

Meetings

Three virtual ANZEWON meetings were held in 2020/2021. Members shared quarterly business activity reports covering complaints, outreach, policy submissions, research, systemic and emerging issues. The meetings also focused on complaints management policy and practice consistency, including how we can better align the way we categorise and report on complaint issues.

Guests from the AEMC shared information and sought comments about the AEMC regulatory roadmap. The focus was on emerging consumer protections and innovations in non-traditional energy sources, including metering, solar, batteries, new energy products and perspectives on best practice consumer engagement.

Representatives of the AER also shared information and sought input about its response to COVID-19 and the Statement of Expectations. The AER also provided an overview of its new strategic plan, compliance and enforcement regime, and a planned retail and network exemption guideline review.

Submissions

EWON contributed to a number of joint submissions with other ANZEWON members including:

- > the proposed framework in the Energy Security Board's data strategy consultation paper recommending an Ombudsman representative be on the proposed data leadership and coordination group.
- > the AEMC's rule change on better bills, which focused on the importance of bills as communication tools for customers, suggesting improvements to address confusion about bill content, information complexity and readability.
- > the federal government's exposure draft proposing changes to regulations to the National Consumer Credit Protection Amendment where we collectively urged Treasury to consider regulating credit repair agents.
- > consulting with Treasury about options being considered for the external dispute resolution mechanism for the energy Consumer Data Right and the potential role of the energy and water Ombudsmen.

Our work with government and regulators

EWON continued to inform regulators and government agencies of the latest industry trends and issues identified through our complaint-handling, outreach and stakeholder engagement activities. We developed reports and submissions to inform energy and water policy decisions.

Australian Competition and Consumer Commission (ACCC)

We had discussions with the ACCC on the debt collection guidelines it issues in conjunction with the Australian Securities and Investments Commission (ASIC), as well as regular contact about the ACCC's market monitoring role. On request, we gave the ACCC complaint numbers relating to commission-based sales and marketing.

Consumer Data Right (CDR)

Ombudsman Janine Young and senior EWON staff continued to engage with Commonwealth Treasury and the ACCC on the development of the energy CDR. We made a submission on the proposed energy rules framework and met regularly on effective dispute resolution models for responding to energy complaints associated with the CDR. This important work is almost finalised and should be implemented to align with the introduction of the energy CDR.

Australian Energy Regulator (AER)

Throughout the COVID-19 pandemic, the AER modified and extended its Statement of Expectations, which sets out how retailers should interact with customers experiencing financial difficulties because of the pandemic. On each occasion, the AER sought our advice on the proposed changes. We have been reporting fortnightly to the AER and relevant members on potential retailer breaches of the Statement.

We have also held talks with the AER about complaints reporting and made a submission to its review of the (Retail) Exempt Selling Guideline and the Electricity Network Service Provider – Registration Exemption Guideline. Our submission recommended the AER maintain or enhance consumer protections within embedded networks.

I am highly pleased for your co-operation and effort to solve the billing issue. I shall follow your advice and suggestions.
—Customer

Independent Pricing and Regulatory Tribunal (IPART)

We provided quarterly complaints insight reports to IPART and contributed to its review of the ways it monitors the electricity retail markets.

Australian Energy Market Commission (AEMC)

Our engagement with the AEMC included:

- > quarterly complaint insights reporting
- > provision of statistics and case studies that informed AEMC rule changes and reviews, including the Annual Retail Competition Review
- > regular meetings individually, or with other state Ombudsman schemes, often including other regulators and government departments
- > attendance at its consumer priorities forum and workshops on rule changes or reviews
- > bilateral discussions on reviews and rule change proposals
- > participation on the AEMC reference group established to inform its review of the regulatory frameworks for metering services.

We made submissions to the AEMC in response to:

- > rule change on billing contents and billing requirements
- > review of the Retailer of Last Resort scheme
- > EWON's rule change proposal on life-support registration
- > review of the regulatory frameworks for metering services.



EWON quarterly regulators' meetings

We continued to convene our quarterly meetings with the AER, AEMC, ACCC, NSW Department of Planning, Industry and Environment (DPIE) and IPART. These provide a valuable opportunity to share updates on systemic issues, complaint trends and shared projects.

NSW government

We provided complaint insight reports and met quarterly with the energy division of the Department of Planning, Industry and Environment (DPIE).

We also held talks with DPIE on updating the NSW Social Programs for Energy Code, including changes to the Energy Accounts Payment Assistance scheme.

We met quarterly with NSW Fair Trading, discussing:

- > complaint referrals between our organisations to ensure arrangements are as seamless as possible for customers
- > energy issues in residential parks
- > electrical safety issues, including safety management plans for remotely disconnecting and reconnecting customers using digital meters
- > opportunities to collaborate and cross-promote community engagement and outreach initiatives.

We made submissions to:

- > DPIE's consultation on the Water Industry Competition Amendment Bill
- > NSW Department of Customer Service's review of the Residential (Land Lease) Communities Act
- > NSW Department of Customer Service's review of strata scheme laws
- > DPIE's consultation on the NSW Social Programs for Energy Code.

Other government

We made several submissions to government reviews and processes:

- > the National Federation Reform Council's classification of tiers for the AER's civil penalty regime
- > the Energy Security Board's data strategy consultation
- > the Attorney-General's Department's review of the Privacy Act
- > Treasury's amendments to the national consumer credit protection regulations
- > the Energy Security Board's post-2025 market design options.

In addition, at the request of the Energy & Water Ombudsman SA, we provided a letter of support to the South Australian parliamentary inquiry into embedded networks, providing insights gained through our operations and complaints.

Office of Australian Information Commissioner (OAIC)

As an approved external dispute resolution scheme under the Privacy Act, EWON reports to the OAIC on complaints relating to privacy and credit reporting. In 2020/2021, we reported 493 complaints related to customers' concerns about credit reporting, and 79 potential privacy breaches by providers.



EDR forum in Darwin, May 2021.
Back row (L to R): Cynthia Gebert, Ombudsman, EWOV, David Locke, Chief Ombudsman and CEO, AFCA, Delia Rickard, Deputy Chair, ACCC. Front row: Janine Young, Ombudsman, EWON, Jane Pires, Ombudsman EWOQ, June Smith, Deputy Chief Ombudsman, AFCA.

Our members

NSW electricity and gas networks and retailers are required to be members of EWON – as well as exempt sellers and networks providing services to residential customers in embedded networks. Water providers such as Sydney Water, Hunter Water and Water NSW and those licensed under the Water Industry Competition Act (WICA) are also required to join. Councils that provide water to residents can join voluntarily. A list of all EWON members can be found at ewon.com.au/members.

We work independently and closely with our members, providing advice about their customer service and complaint-handling processes. We provide information about issues in the industry and the problems customers struggle with, and provide advice on how to handle complaints quickly and effectively.



Member induction training

Member inductions are designed for new members of EWON, and new staff of existing members. These sessions demonstrate efficient complaint resolution and include an overview of our operations, member portal, report generation, investigation processes and procedures.

The December 2020 online induction was our largest group yet, with 85 participants representing 34 members. We also held an induction in March 2021 with 50 participants representing 21 members. Our most recent induction in June 2021 had 28 participants representing 15 members.

The last one included case studies that gave participants an opportunity to hear about and discuss individual complaint issues and EWON's dispute resolution processes.



Member presentations and visits

We welcomed four EWON members to present to our Investigations Team on their operations, including any potential impact on complaints. TransGrid, Endeavour Energy, Water NSW and Sydney Water all presented in the past financial year.

EWON Investigations Officers will sometimes facilitate and make site visits to progress a complaint investigation. EWON attended one site visit with Ausgrid in the Sydney region in 2020/2021.



Member webinars

Webinars are a popular and interactive resource for members to stay informed about EWON. These sessions offer a mix of presentations by senior EWON staff and input from participants. In 2020/2021, our Aboriginal Community Engagement Officer, Tracey Duncan hosted a webinar focused on EWON's cultural protocols and how we use them to improve understanding and communication between Indigenous and non-Indigenous cultures.

Members learnt how to communicate with Aboriginal and Torres Strait Islander peoples over the phone and in person, including the importance of taking the time to build rapport and trust, and to listen patiently.

The webinar was attended by 45 members and the feedback was very positive, with all attendees rating the webinar as either 'excellent' or 'good'. One participant commented:

“This was one of my favourite webinars to date. The information was presented extremely well and in a simple and easy to understand manner. It would be great to have these sessions continue so we can build on our understanding to build better outcomes for customers.”



100%

of members rated the webinar excellent or good



Case study

High water bill for rarely used apartment

Ms Khan received a water bill for \$665 for a new apartment she lives in from time to time. She contacted the provider, arguing that since the property had been mostly vacant the bill was too high. The provider advised that the digital water meter had measured 2,500 litres of water passing through daily and had been sending fault notifications that the strata manager was investigating. The provider believed this was a building issue and that her bill was correct and payable.

Ms Khan called on EWON to review the accuracy of her bills. She said there was no visible leak and the builder who checked the irrigation system could not identify an issue with the plumbing. She discovered several of her neighbours had the same issue. After EWON contacted the provider, it inspected the site and checked the meter, which it found to be working accurately. It concluded the higher-than-expected usage was probably due to a fault or leak in the irrigation system, which was the property owner's responsibility, not the provider's.

This finding aligned with Ms Khan's advice that even when the irrigation system was turned off, usage occurred outside its timer settings. Our review concluded that the billing accurately reflected the usage the meter recorded.

We referred Ms Khan to the body corporate about a possible irrigation leak or fault. She could also follow up with NSW Fair Trading if that did not resolve the issue. We helped Ms Khan establish a long-term payment plan with the provider to pay off the \$791 arrears.



Embedded network membership drive

In July 2020, the AER notified all exempt entities of the requirement to join EWON. We then directly contacted more than 500 owner corporations, retirement villages and residential parks. This resulted in numerous member applications.

Part of our drive to ensure exempt entities join EWON involves monitoring the AER's exempt entity register and contacting new exempt entities. The small number of entities that resist joining are reported to the AER's compliance and enforcement branch.



Category

Level 2

Issues

Disputed high bill, billing meter fault

Outcome

Negotiated resolution



Member newsletter – EWONow

In June 2021, we released our new, quarterly, member newsletter EWONow which shares the latest news, industry updates and upcoming EWON events with our members.

It was sent to more than 700 member contacts and shared by 100 recipients. The click-through rate indicated high engagement and we saw a 10-fold increase in traffic to our members portal, EWONlink on the day the newsletter was released.



EWON Operational Advisory Group

The EWON Operational Advisory Group was established in accordance with EWON’s 2018 constitutional changes. The group gives exempt entities and small water providers a voice and will operate for up to three years. In 2020/2021, the group’s focus included current issues affecting embedded networks and the proposed changes to the regulatory framework. The group has played an important role in EWON’s expanded jurisdiction.

Through the year, we invited the Department of Planning, Industry and Environment to attend the meetings. The department discussed its work with embedded networks and the group contributed ideas and experiences. NSW Fair Trading and the AER have also presented on their respective work programs in relation to embedded networks.

Advisory Group members include representatives from:

- > Altogether
- > Austin Tourist Park
- > Caravan & Camping Industry Association NSW
- > Energy Locals / Energy Trade
- > Ingenia Communities
- > Narara Ecovillage
- > Origin Energy
- > Real Utilities
- > seene
- > WINconnect

From June 2021 and resulting from our increased membership, the meetings will be run bi-annually and open to all exempt entity members and small water members.



COVID-19’s impact on small members

EWON recognised the devastating impact of the bushfires, drought, floods and the restrictions on residential parks during the COVID-19 pandemic. EWON made changes to membership fees for 2020/2021 to support our residential park members. These include:

- > waiving annual fixed fees for current residential park members
- > placing a cap of \$125 on the joining fee and waiving annual fixed fees for new residential park members who join between 1 July 2020 and 30 June 2021.

We used the federal government’s COVID-19 ‘cash boost’ to offset the resulting reduction in budgeted income for 2020/2021. This allowed us to extend the benefit of the government assistance package to a particularly vulnerable segment of our membership and recognised the important role residential parks play in providing affordable housing to residents, many of whom are elderly, on fixed incomes and financially vulnerable.



Member engagement survey

EWON undertook its fourth member engagement survey, having commissioned surveys in 2009, 2012 and 2016. The survey was conducted independently by First Point Research & Consulting.

The 2020 survey included the following changes:

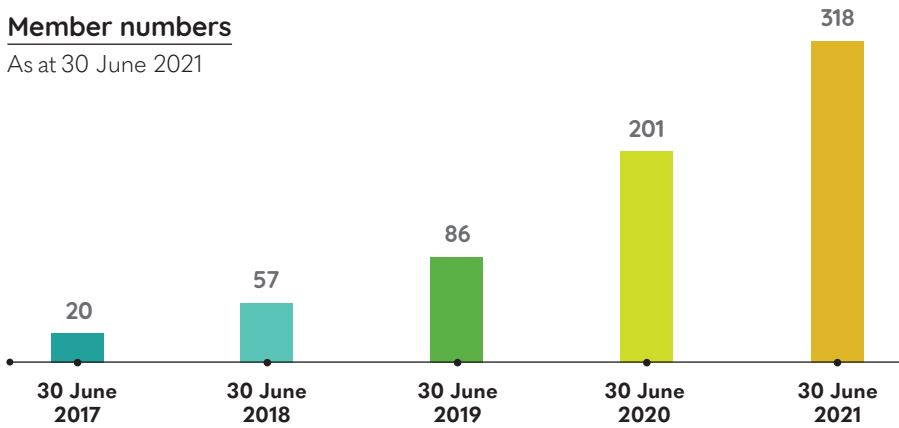
- > All member organisation contacts were invited to participate, ranging from CEOs, senior managers and dispute resolution, finance and outreach staff. The survey reached 653 people from 225 member organisations.
- > The survey was updated to include free text comment fields for respondents to comment on each area of EWON’s activities. This resulted in a rich data set that included suggested areas for improvement. We received a positive response rate of 14%, and while we would appreciate it being high, we note that it is above the industry average of 5-8%.

The most significant improvement since our 2016 survey was the effectiveness of our Consultative Council Meetings (up from 48% to 69%). There was also strong improvement in EWON’s overall effectiveness as an external dispute resolution scheme (up from 59% to 69%), and the overall effectiveness of our work with members (up from 57% to 65%).

The survey feedback was consistent with the findings of our 2019 Independent Review and has informed EWON’s business and strategic plans for 2021/2022.

Member numbers

As at 30 June 2021



Member changes

- > Flow System changed its name to Altogether in January 2021
- > Enwave changed to CleanPeak Energy in September 2020
- > Living Utilities changed to Podium Asset Services in October 2020
- > ERM Power changed its name to Shell Power in February 2021

Current members

As at 30 June 2021

Retailer type	Total
Authorised retailers	58
Licensed networks	10
Water	13*
Exempt entities	245**
Residential complex	69
Retirement villages	35
Residential Parks	141
Total	318

Sunnylakes shores, Apex Energy and Teraglin Lakeshore Home Village terminated their membership.

*includes Altogether which is also an authorised retailer, and Essential Energy which is also a licensed network

** includes OC Energy, Arc Energy, Savant and Evergy which are also authorised retailers, and Narara Eco Village which is also a water provider

New members

In 2020/2021

Retailer type	Total
Authorised retailers	3
Radian Energy	
Social Energy	
GEE Energy	
Exempt entities	117
Residential complex	21
Retirement villages	13
Residential Parks	83
Total	120

Member applications



161

applications/enquiries
received



35

exempt entity applications/
enquiries pending



12

authorised retailer
applications pending

Case studies

Monitoring solar on phone app

Mr Kavur upgraded his solar system in early 2021 and had a new digital meter installed. He installed the retailer's phone app to monitor his account, usage and solar feed into the grid.

Mr Kavur said he monitored the app daily and adjusted his consumption to gain the full benefit of his solar system. He noticed the app showed different information to his inverter and, in some cases, the information on the app was delayed up to three days. He thought the app was misleading, so contacted the retailer to find out why the two sets of data were different. After numerous failed attempts to speak with someone, he escalated his complaint to a senior case manager and was told they would be in contact in 24 hours.

When Mr Kavur contacted EWON, we explained that some retailer apps do not instantaneously show the same information as the inverter, as there may be delays or issues with capturing information by the meter, the metering data provider, and the retailer. However, we said the provider should be able to explain satisfactorily how the app works and when data would be available. We advised the customer that what is appearing on his inverter might be different to what appears on the app as he might have used power in the home before exporting.

We explained that while we cannot direct a retailer to change how its app works, we can investigate whether the retailer has provided accurate and adequate information. We asked the customer to allow time for the provider to address his concerns as he had spoken with the provider only 24 hours before but to contact us again if the matter remained unresolved.



Category
Complaint enquiry

Issues
Customer service, online

Outcome
Closed as complaint enquiry

Thank you for the fruitful discussion I had with your operator, and for your quick response via email with a case summary that clearly reflects my intention in our conversation. May I commend [Investigation Officer] for the courtesy, excellence and clarity of her communication.

—Customer

Failure to honour complaint resolution

Ms Wood returned to EWON after a previous complaint about estimated bills and back billing was resolved. The retailer had agreed to reduce the balance owing on Ms Wood's electricity account to \$700 and allow her time to pay it off. Soon after the complaint was resolved, Ms Wood received an overdue notice from the retailer, for the same bill, and felt the retailer had not honoured its agreement.

When EWON contacted the retailer, its initial position was that the extension date should not have been offered, and the account was overdue and payable. EWON explained that the offer was made to the customer via EWON's investigation, and EWON expected that the original resolution should be adhered to. The retailer agreed and, on that basis, waived the remaining balance.



Category
Level 1

Issues
Back billing, disputed high bill, poor customer service

Outcome
Negotiated resolution



EWON's Consultative Council meetings

Bringing the community and industry together

Consultative Council Meetings (CCM) are a key part of EWON's governance, providing lines of communication and facilitating collaboration between members, community workers, government representatives and small business.

The meetings give our key stakeholders an opportunity to speak openly, consult with one another, and build awareness about consumer issues. They also inform our investigations and policy work and give our stakeholders an opportunity to contribute to EWON's planning. For the first time, Consultative Council Meetings were held online because of COVID-19.

Consumer protection during COVID-19

EWON's first virtual CCM, in November 2020, focused on consumer protection initiatives during COVID-19. Ombudsman Janine Young gave an overview of activities since the last Consultative Council Meeting and Catriona Lowe, Board member at the AER, presented on the critical role the AER's Statement of Expectations has played in protecting consumers during the pandemic and the planned continued support for consumers.

The meeting was attended by 95 participants from interstate and NSW, including EWON members, community representatives from St Vincent de Paul, Anglicare, Lifeline, The Salvation Army and several regional organisations and representatives from all our major industry stakeholders. Many attendees appreciated the online format, noting it was their first opportunity to participate as they live too remotely to attend in person.

Life-support rule change

The second CCM in April 2021 explored EWON's successful rule change request to the AEMC, which will help customers reliant on life-support equipment to switch energy retailers more easily.

The meeting raised awareness of the rule change and how energy issues affect people with disabilities. The guest speaker, disability and communications consultant, Carolyn Campbell-McLean, discussed what the change meant and the positive impact it would have on people's lives. She spoke honestly and with humour about her experience of living with a disability and attendees commented on her insightful and powerful presentation.

The meeting was attended by 95 attendees, including 30 EWON members and community representatives from more than 19 organisations, including SydWest Multicultural Services, the Physical Disability Council of NSW, Anglicare, Hope Connect, and People with Disability Australia.

Information about EWON's rule change request can be found on [page 16](#).



The customer experience from Carolyn was insightful and heartfelt. Bringing in a human perspective to what our policies could mean was important.

—CCM attendee



95%

of participants rated the meeting excellent or good



Case study

Network pays for damage



Category

Complaint enquiry/internal review

Issues

Land/property damage/restoration

Outcome

Closed as complaint enquiry

Ms Roland contacted us about a \$3,336 claim she had submitted to her network provider for a damaged power pole she recently replaced on her property. The electrician who inspected the pole had originally suspected it was rotting below ground but when the pole was replaced it was found to be in sound condition. He noted the wires were hanging too low and suggested something might have snagged the wires which caused the pole to lean. The customer had previously reported the wire height issue to the network.

Ms Roland said the network's vegetation contractors had recently attended the property and believed they might have clipped the overhead powerline and uprooted the pole. She submitted a claim to the network. It declined the claim because the truck's GPS records showed the

contractor had not travelled under the overhead line. Ms Roland asked EWON to review the decision to decline her claim.

Our investigation found there was insufficient evidence to confirm whether the network's vegetation contractor had hit the overhead powerline. We concluded no further investigation was warranted because we could not identify that the network should pay the claim.

Ms Roland requested an internal review of the outcome of her complaint on the basis that the neighbours had seen the vehicle travelling up the hill and that she was aware that GPS devices take time to establish a signal. So it was possible the vehicle's full route had not been recorded. She also noted that because of the terrain, it was not physically possible for the vehicle to have

taken the route the network said it had.

Our Quality Team's internal review identified several issues that required further examination. Despite the network's advice that the GPS records were reliable, manufacturer documentation clarified that the GPS could take up to five minutes to establish a signal. A review of aerial and property photos also confirmed Ms Roland's advice about the terrain was correct. Further review of the network's maintenance records identified that it had an uncompleted work order to repair low hanging wires. The work order had been open for a few years.

We raised this with the network, which immediately offered Ms Roland \$3,336 to resolve the complaint, which she accepted.

Top three issues by provider

Authorised and licenced providers only

Provider	First issue	%	Second issue	%	Third issue	%
1st Energy	Billing	38%	Credit	24%	Customer service	18%
ActewAGL Retail	Billing	44%	Credit	20%	Customer service	20%
AGL	Billing	58%	Customer service	19%	Credit	13%
Alinta Energy	Billing	57%	Customer service	19%	Credit	12%
Altogether	Billing	59%	Customer service	15%	General	11%
amaysim Energy (includes Click Energy)	Billing	58%	Customer service	20%	Credit	10%
Aquacell	Billing	100%	–	–	–	–
Arc Energy	Billing	66%	Customer service	27%	Credit	4%
Ausgrid	Supply	40%	Customer service	23%	Land	21%
Australian Gas Networks (Albury)	Provision	67%	Land	33%	–	–
Australian Gas Networks (NSW)	Provision	67%	Customer service	17%	Land	17%
BlueNRG	Billing	65%	Credit	17%	Customer service	11%
CleanPeak Energy	Billing	100%	–	–	–	–
M2Energy	Billing	62%	Customer service	19%	Credit	10%
CovaU	Billing	56%	Customer service	17%	Transfer	11%
Diamond Energy	Billing	64%	Credit	18%	Customer service	14%
Electricity in a Box	Billing	50%	Marketing	25%	Transfer	25%
Elysian Energy	Billing	57%	Customer service	21%	Credit	14%
Endeavour Energy	Supply	36%	Land	27%	Customer service	21%
Energy Locals (includes Energy Trade)	Billing	56%	Customer service	23%	Credit	8%
EnergyAustralia	Billing	61%	Customer service	19%	Credit	11%
Enova Energy	Billing	61%	Credit	18%	Customer service	18%
Essential Energy	Supply	38%	Provision	22%	Customer service	21%
Evergy	Billing	50%	Credit	25%	Customer service	25%
Evoenergy	General	100%	–	–	–	–
Future X Power	Billing	36%	Transfer	28%	Marketing	16%
GloBird Energy	Billing	57%	Customer service	19%	Digital meter exchange	14%
Glow Power	Billing	100%	–	–	–	–
Humenergy	Billing	69%	Digital meter exchange	11%	Customer service	10%
Hunter Water	Billing	42%	Customer service	28%	Land	9%
Jemena	Provision	44%	Customer service	35%	Land	10%
Lumo Energy	Billing	57%	Credit	43%	–	–
Mojo Power	Billing	44%	Customer service	29%	Credit	13%
Momentum Energy	Billing	55%	Credit	18%	Customer service	15%
Nectr	Transfer	36%	Customer service	18%	Marketing	18%
Next Business Energy	Billing	71%	Customer service	18%	Transfer	12%
OC Energy	Billing	33%	Customer service	33%	Transfer	33%
Origin Energy	Billing	58%	Customer service	20%	Credit	11%
OVO Energy	Billing	67%	Credit	17%	Digital meter exchange	17%
People Energy	Billing	42%	Customer service	33%	Digital meter exchange	25%
Pooled Energy	Billing	73%	Customer service	18%	Credit	9%
Power Club	Billing	65%	Customer service	29%	Digital meter exchange	6%
Powerdirect	Billing	54%	Credit	20%	Customer service	16%
Powershop (includes Kogan Energy)	Billing	59%	Credit	15%	Customer service	10%
QEnergy	Billing	64%	Customer service	24%	Digital meter exchange	8%
Real Utilities	Billing	60%	Customer service	40%	–	–
ReAmped Energy	Billing	57%	Customer service	20%	Credit	9%
Red Energy	Billing	61%	Customer service	16%	Credit	9%
Sanctuary Energy	Customer service	67%	Billing	33%	–	–
Savant Energy	Billing	100%	–	–	–	–
seene	Billing	100%	–	–	–	–
Shell Energy	Billing	100%	–	–	–	–
Shoalhaven Water	Billing	62%	Credit	23%	Customer service	8%
Simply Energy	Billing	52%	Customer service	23%	Transfer	11%
Solo Water	Billing	100%	–	–	–	–
Sumo	Billing	56%	Customer service	17%	Credit	13%
Sydney Water	Billing	36%	Customer service	21%	Land	14%
Tango Energy	Billing	71%	Customer service	14%	Transfer	14%
TransGrid	Land	60%	Customer service	30%	Supply	10%
Water NSW	Customer service	38%	Billing	33%	Land	13%
WINconnect	Billing	72%	Customer service	16%	Credit	5%

Electricity

Customer numbers

- < 3,000
- 3,001 – 10,000
- 10,001 – 100,000
- 100,001 – 500,000
- 500,001 – 1,000,000
- > 1,000,000

Electricity providers with no complaints

Altogether	Localvolts Pty Ltd
Apex Energy	Powow
Bright Spark Power	Radian Energy
Brighte	Smart Energy Retail
CPE Mascot Pty Ltd	Pty Ltd
Discover Energy	Social Energy
Flow Power	
GEE Energy	
Locality Planning	
Energy	

Electricity providers with fewer than 50 complaints

BlueNRG	Glow Power	Pooled Energy
CleanPeak Energy	Humenergy	Power Club
CovaU	Lumo Energy	QEnergy
Diamond Energy	Mojo Power	Real Utilities
Electricity in a Box	Nectr	Sanctuary Energy
Elysian Energy	Next Business	Savant Energy
Enova Energy	Energy	seene
Energy	OC Energy	Shell Energy
Future X Power	OVO Energy	Tango Energy
GloBird Energy	People Energy	TransGrid

Provider	Electricity customer numbers*	Complaints received per 10,000 customers	Complaints received 2020/2021	Complaints received 2019/2020	Variance	General enquiry	Complaint enquiry	RHL	Investigation level		
									1	2	3
Retailer											
1st Energy	●	126	114	165	-51	1	45	41	17	8	2
ActewAGL Retail	●	31	86	103	-17	0	36	22	10	11	7
AGL	●	25	2,115	2,464	-349	12	749	920	299	106	29
Alinta Energy	●	44	424	680	-256	1	135	202	41	36	9
amaysim Energy (includes Click Energy)	●	44	248	491	-243	0	125	90	24	9	0
Arc Energy	●	200	116	40	76	0	36	59	14	6	1
EnergyAustralia	●	23	2,159	2,822	-663	16	787	901	211	179	65
Energy Locals (includes Energy Trade)	●	57	115	59	56	1	54	38	10	4	8
M2 Energy	●	89	285	260	25	1	94	124	31	23	12
Momentum Energy	●	38	117	146	-29	1	47	44	9	12	4
Origin Energy	●	31	3,413	4,907	-1,494	29	1,240	1,528	299	245	72
Powerdirect	●	34	65	111	-46	0	26	27	7	4	1
Powershop (includes Kogan Energy)	●	16	73	77	-4	2	43	26	0	1	1
ReAmped Energy	●	86	75	22	53	0	25	34	11	4	1
Red Energy	●	20	534	733	-199	3	204	236	42	37	12
Simply Energy	●	83	422	313	109	1	128	175	63	37	18
Sumo	●	126	94	69	25	1	42	34	7	7	3
WINconnect	●	158	82	83	-1	0	41	30	4	5	2
Distributor											
Ausgrid	●	2	420	522	-102	3	233	111	32	25	16
Endeavour Energy	●	2	167	210	-43	0	97	43	8	10	9
Essential Energy	●	4	315	299	16	1	143	113	21	20	17

Only providers with over 50 complaints have been included in this table.
 * Retailer customer number data reported by the AER as at 30 December 2020. Distributor customer number data provided by IPART as at 30 June 2020.



12,308

electricity complaints
received in 2020/2021

Total electricity complaints

Level	2020/2021	2019/2020	% change
General enquiry	112	156	- 28%
Complaint enquiry	4,955	5,593	- 11%
Refer to higher level	4,939	6,305	- 22%
Level 1	1,192	2,348	- 49%
Level 2	810	708	+ 14%
Level 3	300	319	- 6%
Total	12,308	15,429	- 20%



11,465

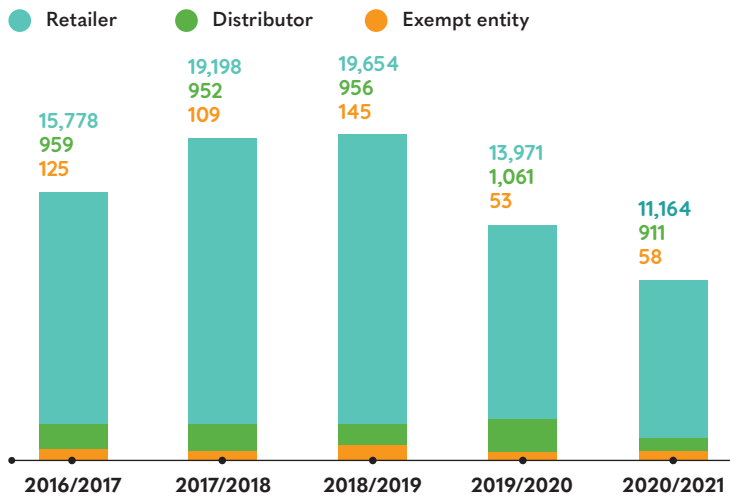
residential



762

small business

Electricity trends



81

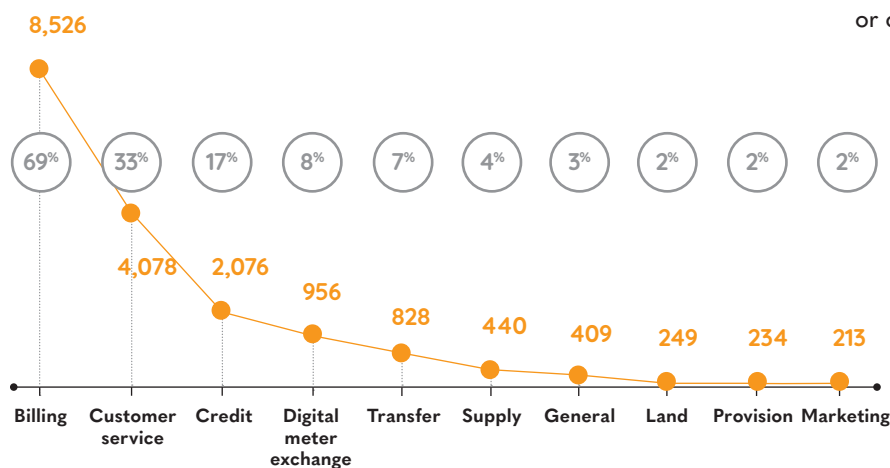
other
(including educational institution, government, not-for-profit, primary producer and strata schemes)



58

exempt entity
(including residential parks, residential complexes and retirement villages)

Electricity complaints by primary issue



175

non-provider specific
or out of jurisdiction
complaints



-20%

decrease in
complaints from
2019/2020



18,009

complaint issues

Gas

Customer numbers

- < 3,000
- 3,001 – 10,000
- 10,001 – 100,000
- 100,001 – 500,000
- 500,001 – 1,000,000
- > 1,000,000

Gas providers with no complaints

Discover Energy
Lumo Energy
Momentum Energy
OVO Energy
Powerdirect
Real Utilities
Savant Energy
Shell Energy
Allgas Energy
Central Ranges Pipeline

Gas providers with fewer than 50 complaints

ActewAGL Retail
CovaU
Energy Locals (includes Energy Trade)
GloBird Energy
Sumo
WINconnect
Australian Gas Networks (Albury)
Australian Gas Networks (NSW)
Evoenergy

Provider	Gas customer numbers*	Complaints received per 10,000 customers	Complaints received 2020/2021	Complaints received 2019/2020	Variance	General enquiry	Complaint enquiry	RHL	Investigation level		
									1	2	3
Retailer											
AGL	●	16	998	1,034	-36	1	302	445	164	68	18
Alinta Energy	●	25	71	78	-7	0	26	32	7	6	0
amaysim Energy (includes Click Energy)	●	27	69	133	-64	0	23	29	5	12	0
EnergyAustralia	●	15	577	698	-121	2	180	273	79	29	14
M2 Energy	●	46	58	36	22	0	18	26	9	4	1
Origin Energy	●	19	618	658	-40	2	226	250	81	43	16
Red Energy	●	13	90	83	7	0	32	39	11	6	2
Simply Energy	●	67	125	32	93	0	31	61	22	8	3
Distributor											
Jemena	●	1	171	129	42	1	89	49	25	6	1

Only providers with over 50 complaints have been included in this table.

* Retailer customer number data reported by the AER as at 30 December 2020. Distributor customer number data provided by IPART as at 30 June 2020.



2,953

gas complaints
received in 2020/2021



2,852

residential



96

small business



5

other
(including educational institution, government, not-for-profit, primary producer and strata schemes)



1

exempt entity
(including residential parks, residential complexes and retirement villages)



63

non-provider specific or out of jurisdiction complaints



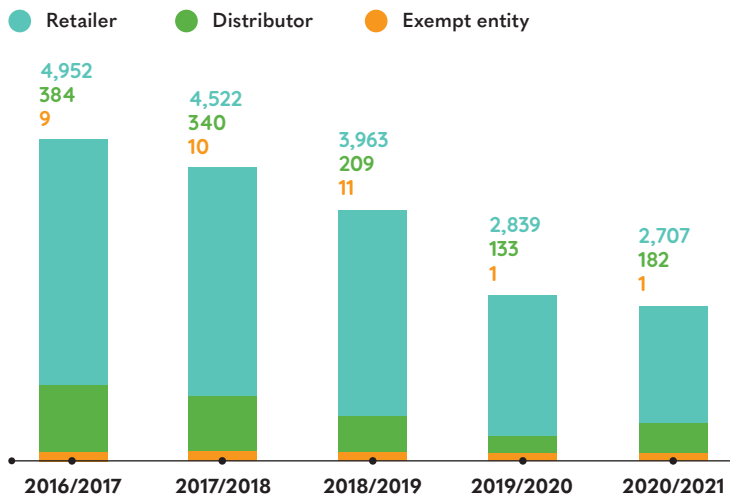
-2%

decrease in complaints from 2019/2020

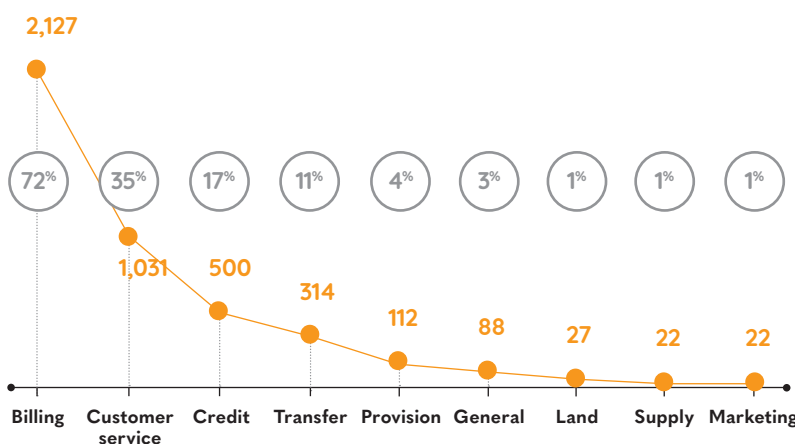
Total gas complaints

Level	2020/2021	2019/2020	% change
General enquiry	11	14	- 21%
Complaint enquiry	1,062	965	+ 10%
Refer to higher level	1,224	1,313	- 7%
Level 1	411	507	- 19%
Level 2	189	153	+ 24%
Level 3	56	62	- 10%
Total	2,953	3,014	- 2%

Gas trends



Gas complaints by primary issue



4,243

complaint issues

Water

Customer numbers

- < 3,000
- 3,001 – 10,000
- 10,001 – 100,000
- 100,001 – 500,000
- 500,001 – 1,000,000
- > 1,000,000

Water providers with no complaints

Narara Ecovillage
Podium Asset Services
Sydney Desalination Plant
Veolia Water Solutions & Technologies
AquaNet

Water providers with fewer than 50 complaints

Altogether
Aquacell
Essential Energy
Shoalhaven Water
Solo Water
Water NSW

Provider	Water customer numbers*	Complaints received per 10,000 customers	Complaints received 2020/2021	Complaints received 2019/2020	Variance	General enquiry	Complaint enquiry	RHL	Investigation level		
									1	2	3
Network/Retail											
Hunter Water	●	2	64	76	-12	0	30	23	6	3	2
Sydney Water	●	2	458	588	-130	4	251	148	18	30	7

Only providers with over 50 complaints have been included in this table.
* Water provider customer number data provided by IPART as at 30 June 2020.



684

water complaints
received in 2020/2021



644

residential



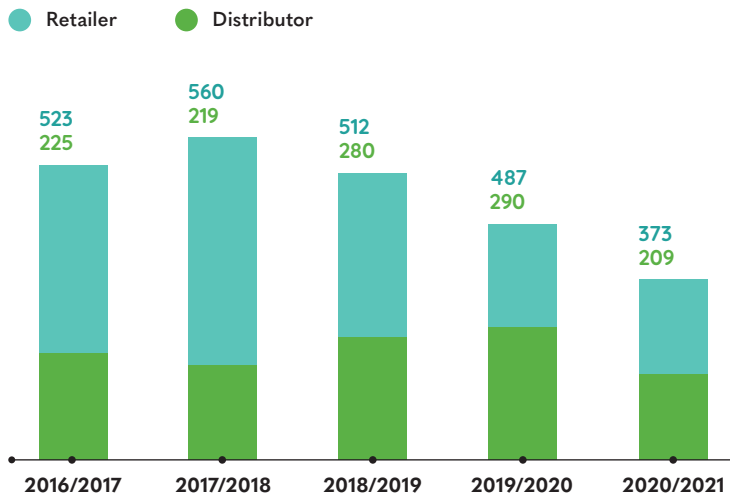
22

small business

Total water complaints

Level	2020/2021	2019/2020	% change
General enquiry	12	28	- 57%
Complaint enquiry	420	423	- 1%
Refer to higher level	181	277	- 35%
Level 1	28	79	- 65%
Level 2	34	28	+ 21%
Level 3	9	26	- 65%
Total	684	861	- 21%

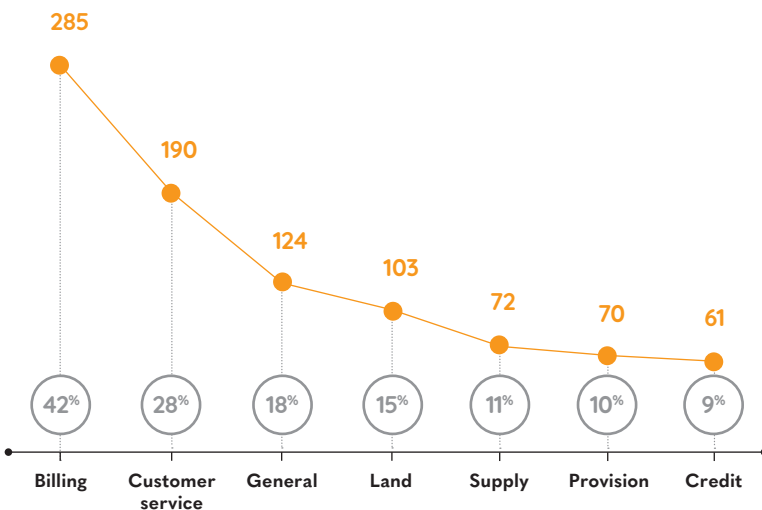
Water trends



18

other
(including educational institution, government, not-for-profit, primary producer and strata schemes)

Water complaints by primary issue



102

non-provider specific or out of jurisdiction complaints



-21%

decrease in complaints from 2019/2020



905

complaint issues

Supporting our people

Engagement survey



88%

response rate



80%

engagement score

Every three years, EWON undertakes a staff engagement survey in partnership with an independent company, which ensures responses are confidential and anonymous. This year's survey was open for two weeks in November 2020. Staff could answer 39 questions about their experiences working at EWON, including during COVID-19. Compared with 2018, this year's response rate rose by 10% to 88% and the engagement score increased by 6% to 80%.

Always On

Always On is our anonymous staff survey tool operated by an external provider. Staff are encouraged to submit feedback on what we are doing well and what we could improve. It gives them an opportunity to suggest innovative ideas and the results allow us to continuously check staff engagement.

From this feedback we have:

- > suspended staff social club contributions due to COVID-19 restrictions
- > gained insights about our successful management of COVID-19
- > recognised staff who contributed to our laptop rollout.

COVID-19 initiatives

EWON staff continued working from home for the first half of 2020/2021, returning to the office in four waves in early 2021. With the success of working from home across the business, EWON extended its flexible working arrangement policy beyond the Fair Work minimum requirements. We rolled out laptops and docking stations across the office and gave all staff an allowance to set up ergonomic workstations at home. These upgrades have allowed EWON to continue working seamlessly in June 2021 when Sydney entered another lockdown.

We supported the Sydney-based social enterprise, The Social Outfit by purchasing reusable masks and mailing them to all staff during the first lockdown in July 2020. The initiative ensured staff safety and helped support small business during COVID-19. For each mask purchased, one was donated to a person in need.

Be Safe and Well@EWON

Initiatives have been driven by the staff health and safety committee, senior leaders and HR to ensure we continue to prioritise the happiness and wellbeing of our people.

We offer staff a diverse program of activities to encourage team building and good health and wellbeing. Staff can opt into activities including:

- > virtual tai chi
- > picnic@lunch
- > wellness Wednesdays
- > virtual yoga
- > healthy breakfast
- > flu vaccinations.



Supporting small business:
Deputy Ombudsman, Helen Ford and General Manager Finance and Corporate Services, Bernadette Or wearing masks from the Social Outfit.

EWON masterclass program

The EWON masterclass program focuses on four streams: dispute resolution, technical knowledge, leadership, and personal effectiveness.

Dispute resolution for frontline staff

An external consultant continued to support our frontline staff by enhancing their customer service skills. Staff were trained in presenting practical communication skills over the telephone to create positive experiences and build quality relationships with our customers. Investigation officers were taught techniques in taking and maintaining control during challenging calls, while remaining polite and respectful towards EWON customers.

Technical knowledge

Continuing our response to EWON's Independent Review recommendation to improve our effectiveness in resolving complaints, the Ombudsman held two question and answer-style sessions with Investigations Officers. For the first topic, EWON's jurisdiction, staff were able to ask questions about:

- > the interplay between small customers and small business
- > the limitations for managing large business complaints
- > business loss and compensation
- > support offered when managing complex jurisdiction cases.

The second session covered key case handling complaint policies. The Ombudsman provided insights into when it is reasonable to limit a customer's access to EWON's free dispute resolution services, such as for repeat complaints about issues already thoroughly investigated, or for customers that refuse to make reasonable payments to undisputed amounts while we investigate. Staff also wanted to learn more about obtaining crucial information from providers and customers and managing difficult behaviour when exhibited by customers.

Thank you for your assistance. I am very grateful for your personal help (and your fellow officers). It is pleasing that [my provider] has been receptive to a sensible solution to the problem of meter failure. I realise that my case was unusual and feel you have been most helpful.
—Customer

EWON staff enjoying morning tea when the office re-opened in 2021.

Leadership

We continued to engage an external consultant to deliver our 'Stepping Up' program, which is designed to support aspiring and current leaders develop leadership capabilities. The four-session program helped staff develop their communication skills, build teamwork, lead change and provide an understanding of what it takes to achieve leadership potential. This year, eight staff members completed the program.

Our Investigations Managers received training to enhance their call coaching capabilities to highlight the importance of communication with their direct reports. Leaders were also given tools and techniques for teaching various skills for their staff to achieve specific goals. The training covered best practices for leading effective two-way feedback conversations and giving leaders confidence to give and ask for effective feedback.

Personal and professional effectiveness

Our first virtual Myers-Briggs Type Indicator (MBTI) training was delivered to staff across multiple teams. The session began with participants reviewing the results of their self-review, pre-work survey and using this to understand how they differed from one another. Staff were encouraged to think about making decisions in different ways to help build and maintain stronger working relationships with people who had a different outlook.



Financials

Balance Sheet	2021 \$	2020 \$
Total Current Assets	9,352,991	10,891,607
Total Non-current Assets	5,080,284	5,872,989
Total Assets	14,433,275	16,764,596
Total Current Liabilities	7,947,101	9,398,408
Total Non-current Liabilities	3,468,021	4,512,035
Total Liabilities	11,415,122	13,910,443
Net Assets	3,018,153	2,854,153
Funds		
Unrestricted funds	3,018,153	2,854,153
Total Funds	3,018,153	2,854,153
Cash Flow Statement		
Cash flows from operating activities		
Funding received (Members)	13,830,035	14,837,961
Payment to suppliers, employees and other	-13,959,664	-12,453,479
Net cash inflow from operating activities	-129,629	2,384,482
Cash flows from investing activities		
Interest Received	10,688	67,878
Payment for plant, equipment and intangibles	-457,640	-165,949
Net cash flow used in investing activities	-446,952	-98,071
Cash flows used in financing activities		
Interest paid on lease liabilities AASB 16*	-144,210	-150,924
Prinicpal paid on lease liabilities AASB16*	-752,581	-697,111
Net cash flow used in financing activities	-896,791	-848,035
Net increase in cash held	-1,473,372	1,438,376
Cash at the beginning of year	6,550,370	5,111,994
Cash at the end of the year	5,076,999	6,550,370
Statement of income and operating expenditure		
Funding Received		
Annual case fees	10,413,283	10,742,195
Annual fixed fees	1,996,628	2,170,175
Joining fees	45,850	130,175
Interest received and sundry income	68,373	119,003
Gross Income	12,524,134	13,161,548
Less Expenditure		
Salaries and on-costs	8,719,141	8,978,943
Communications	127,945	179,796
Information Technology	1,071,424	1,380,011
Occupancy costs	231,685	166,938
Depreciation and Amortisation	1,296,301	1,269,022
Interest expense - Lease Liabilities	144,210	150,924
General and Administration	769,428	914,914
Total Expenditure	12,360,134	13,040,548
Net Surplus	164,000	121,000





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KEEP IN TOUCH

