



AGL Energy Limited
T 02 9921 2999 Level 24, 200 George St
F 02 9921 2552 Sydney NSW 2000
agl.com.au Locked Bag 1837
ABN: 74 115 061 375 St Leonards NSW 2065

Essential Services Commission

Level 37, 2 Lonsdale Street

Melbourne VIC 3000

15 April 2019

Essential Services Commission of Victoria family violence draft decision

AGL Energy (AGL) welcomes the opportunity to comment on the Essential Services Commission of Victoria's (Commission) family violence support draft decision (draft decision) released.

We have actively engaged with the Commission's consultation on this very important topic since mid-2018, providing important insights and information in workshops and on our existing family violence training and supports to help guide this decision.

We are committed to supporting our customers and have worked closely with community groups over the years to develop and implement family and domestic violence policies and procedures for both our customers and our staff. We are also a Founding Partner of Thriving Communities which aims to build community resilience and single-entry point access to vulnerability support services.

We support the Commission's draft decision and recognise the positive impact this can have on our customers lives and wellbeing. AGL recognises that improving the inclusiveness of Australian society and effectively supporting vulnerable members of the community requires collective action across industry, government and civil society.

As a large provider of essential services, we identified the need to support our customers and employees affected by domestic violence. As such, we have developed policies and procedures and appropriate training to provide such support to both our customers and our staff. The AGL program of work was highlighted in Appendix C of the Commission's discussion paper for family violence support released in October 2018.¹

This is a sensitive and complex community/social issue which requires continuous learning and improvements to our practices and processes. We are therefore fully supportive of the Victorian Royal Commission recommendation 109 to develop training for staff and include family violence as an explicit eligibility criterion for hardship programs. This is already explicitly provided for in our National Energy Customer Framework (NECF) hardship policy.² We also support the changes in the Utility Relief Grant Scheme (URGS) by the Department of Health and Human Services Victoria to recognise family violence as an eligibility criteria³.

¹ See [ESC Family Violence discussion paper](#), Appendix C

² Available on [AGL website](#)

³ Department of Health and Human Services Victoria, Review of Utility Relief Grant Scheme Fact Sheet, October 2018



We also welcome and support the Commission developing a Better Practice Guide in line with the Royal Commission's recommendation and encourage the Commission to use this guide as a vehicle for providing training to customer service staff to help keep affected customers safe⁴.

The Commission's decision to exclude staff obligations in recognition of the regulatory limitations of the Energy Retail Code is welcomed. As we have previously stated, AGL already offers a range of support for our staff who are impacted by family violence – either personally or through contact with customers that impacted and there are more appropriate regulatory tools for addressing this.

We have three recommendations, which we think improve the clarity of the proposed Rules, for the Commission's considerations, detailed below:

1. **Drafting of 106H(c)** - AGL understand and support the intent of 106H(c) in protecting customers. We consider the intent of the changes by a retailer to support affected customers should be to help reduce their trauma by minimising the need for repeat disclosures. The following redraft makes clear the objective of minimising (rather than avoidance) the need for repeat disclosures and identifies the ways that retailers can do this.

106H (1) A retailer must provide for a secure process that minimises the need for an affected customer to repeatedly disclose their experience of family violence by:

- (a) Providing for identification of an affected customer
- (b) Providing for effective ongoing engagement with affected customers.

2. **Inclusion of former customers** – AGL recognises the importance of support for affected customers across many different stages of their experience. However, the extension of obligations to former customers is unlike any other requirement under the Energy Retail Code or National Energy Rules and Law and we consider it is best placed within the Better Practice Guide for regulatory and contractual obligation consistency.
3. **Training requirements** – Our own program was developed without these strict training obligations. We have different training for our call centre staff (to help with handling sensitive conversations and the necessary processes to protect an account), and all our other staff (which helps raise awareness, access to supports etc). We would encourage the Commission to consider separating 106F(1)(c) to allow for a different level of training for different staff if the retailer deems it appropriate. We would also encourage the Commission to give recognition of previous training provided by retailers as meeting regulatory obligations to avoid duplication of costs and reduce administrative burden.

Our own experiences over the years, as we have developed and matured our program, demonstrates that there is a need for growth and learning. We hope the Commission will consider this when reviewing retailer compliance in this space.

Thank you for the opportunity to engage in this matter in such a detailed and meaningful way. We encourage the Commission to continue to undertake this type of consultation across all programs of regulatory change in to the future as it allows stakeholders to provide learnings and be brought along for

⁴ See [Victorian Royal Commission recommendation 109](#), p75



the journey. This type of consultation leads to more informed decision-making and better regulatory outcomes.

Should you have any questions or comments, please contact Kathryn Burela on (03) 9273 8654 or kburela@agl.com.au.

Yours sincerely

[signed]

Elizabeth Molyneux

General Manager Energy Market Regulation