THE UNIVERSITY OF MELBOURNE

ESSENTIAL SERVICES COMMISSION

Enhancing Access and Support for Water Customers with Cognitive Disabilities

A Guide for Water Businesses

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Overview

All customers need to understand how the water services they use are provided, regulated and priced. However, the customer service, account management and problem-solving processes of water businesses may not serve the needs of every customer. For example,

- bills may be difficult for some customers to read and understand;
- the Customer Charter may not be easy to find;
- when customers have a problem, it may be difficult to work out who to contact;
- it may not be obvious how the Customer Charter helps customers with their problems; and
- communication over the phone or by email might not be possible or preferable for all.

Making your processes and communications accessible, and improving the support and assistance available to customers, can reduce these problems. It can also improve outcomes for both you and your customers. This document focuses on the accessibility and support requirements of customers with cognitive disabilities, who may have difficulties with learning, concentrating on, processing, remembering, or communicating information, and/or making decisions.[1] It does not address all aspects of accessibility for all customers with disabilities. However, its recommendations are based on principles that are likely to be helpful for a wide range of customers, with research indicating that standard forms of consumer information are not necessarily accessible or optimal for most customers, regardless of their disability status.

Simple changes that are consistent with water businesses' obligations under the Water Customer Service Codes ('the Codes') will allow customers to understand the nature of water services, their rights and obligations as customers, and the obligations of water businesses. Ideally, improving information and communication accessibility will make it easier for customers with cognitive disabilities (and others) to manage their accounts, pay bills, and communicate with you if there is a problem – either on their own or with a family member or supporter.

This document is designed to assist water businesses to maximise accessibility and support for customers in a manner that is consistent with best practice in terms of water businesses' regulatory obligations. It is based on research conducted with people with cognitive disabilities and their representative organisations.[2]

The sample Easy English documents

Accompanying this document are two **sample Easy English documents**: a **sample Easy English summary customer charter** and a **sample Easy English bill explainer**. These are two examples of the kinds of documents that can enhance accessibility for a range of customers. Easy English format uses simple words and short sentences accompanied by images to deliver information. Easy English documents may be read by a customer alone, or with a support person.

Easy English drafting requires knowledge and expertise. Water businesses with this expertise can produce their own Easy English documents, or you can find a non-exhaustive list of organisations that prepare Easy English materials at the end of this document. Alongside your obligation to consult customers on charter revisions, it is crucial that you consult with paid experts (including people with cognitive disabilities) for drafting advice and to test the accessibility of Easy English documents.[3] You are encouraged to translate other important information into Easy English, such as guidance on water use or enquiries and complaints.

Easy English will not be accessible or useful for everyone. You are encouraged to consult your customers about other information and communication formats they might prefer or require, such as captioned videos, web or text chat, and in-person assistance. These other formats are discussed in more detail on page 7.

Improving access and support – actions for water businesses

The Codes establish requirements for water businesses in relation to everyday contact with customers. They also set out the processes that must be followed when there is a problem.

The Codes require water businesses to accept a variety of bill payment methods.[4] Water businesses must also provide certain information to customers via bills and through Customer Charters.[5] Customer Charters may be presented in summary form.[6] Water businesses are also required to consult their customers before making or altering the Customer Charter.[7]

Customer Charters provide information about rights and responsibilities of customers, and policies for dealing with complaints and disputes.[8] The Codes also specify some requirements for those complaints and disputes policies.[9]

An overarching theme of the Codes is the requirement that water businesses communicate effectively with their customers through bills, Customer Charters and fair complaints policies. Improvements to information and communication accessibility will therefore support compliance with the Codes.

The following sections provide guidance on the actions water businesses can take in two contexts – everyday communications with customers and interactions when there is a problem.

1. Access and support during everyday communication with customers

Improving the clarity and accessibility of written information

The Codes require water businesses to publish a Customer Charter on their websites or provide it to customers on request.[10] This information, and other information that customers need, will be more accessible if you:

1. Offer a summary charter and other important information in an easy-to-read format, such as Easy English.[11]
   - The accompanying **sample Easy English summary customer charter** offers further guidance.
2. Offer information in multiple formats.
   - Make key information available through short audio or video clips on your website, with narration and captions included on all videos.[12]
   - Make all information, including Customer Charters, available online, and ensure your website complies with the W3C Web Content Accessibility Guidelines.[13] This includes ensuring information is easy to find on the website overall and on the specific host page, ensuring links are easy to follow, and ensuring there are no time limits when viewing pages, along with a range of other considerations.
   - Be ready to discuss and summarise information on the phone or in person. See the tips for 'Communicating more effectively with customers' on page 9.

Designing bills

Information accessibility is also important for bills. The Codes specify many items that water businesses must include on each customer bill.[14] For example, the Codes require businesses to itemise charges and present urban customer water usage graphically.[15] You can make bills easier to read by:[16]

1. Using images to accompany and explain text, for example, an image of a phone to bring attention to an important phone number.[17]
2. Ensuring key information like account numbers, amount due, and the phone number to call for assistance are prominent using large, bold font.[18]
3. Avoiding acronyms or abbreviations, such as 'Acc No'.[19]
4. Listing the contact number for your 'vulnerability' or 'hardship' team on the back of the bill envelope; this can help if a customer is not opening their mail (which may happen, for example, when a person is in crisis).[20]
5. If a customer agrees, sending respectful text messages or emails when there is a bill to pay, or when a bill is overdue.[21]
6. Providing an Easy English bill explainer to customers.[22] The accompanying sample Easy English bill explainer offers further guidance.

Paying bills

The Codes provide that water businesses must accept payment from customers through a variety of methods including in person, by mail and electronically.[23] To enhance accessibility for customers with cognitive disabilities, it is important that you:[24]

1. Do not assume that everyone has access to the internet or wants to manage their accounts and pay bills electronically. Ensure that accessible options (such as paper bills) do not incur an added cost to the customer.
2. Clearly present customers' options for paying bills and allow customers to choose how they would like to pay.
3. Provide simple and accessible information that helps people learn how to use options they may not be familiar with. The sample Easy English bill explainer shows how you can present this information.

2. Access and support when there is a problem

The Codes require water businesses to have policies addressing complaints and disputes.[25] Clear communication, access to assistance from within your organisation, and including customers' family members or other supporters in conversations (where requested) can all improve problem-solving for customers with cognitive disabilities. These measures may also make it more likely that customers will respond to the reasonable endeavours made to contact them.

Communicating more effectively with customers

The Codes emphasise effective communication through the Customer Charter requirements and complaints and disputes policy obligations.[26]

Clear communication and good assistance processes can enhance problem-solving. This means:

1. Making sure a dedicated person or team is available to assist customers with cognitive disabilities and other customers who require or request help.[27]
    - Establish a clear and straightforward pathway for all staff to refer customers to this team for issues and complaints. Educate staff about this pathway. Automated menus or chatbots should divert to a real person where the customer does not or cannot use the options offered.
    - Ensure that all staff (not just those in the support team) undertake regular training on the rights of all customers, including those with cognitive disabilities, to have access to information and services and to make their own decisions with or without support (see page 11).

2. Adjusting your communication to suit the person and the situation.[28]
    - Clear, concise, friendly and respectful communication is important for all customers.[29]
    - If you have concerns about a customer's understanding, you should always try to enhance their understanding before you question their ability to manage their own account.[30] For example, rephrase the information,[31] or ask the customer to repeat the important information back to you.
    - Slow down the conversation. Take time to listen and understand, and appreciate that processing large volumes of information can be difficult.[32]
    - Ask all customers if they would like some time to think or talk with someone they trust before making a decision.[33]
    - Be patient and considerate when dealing with customers, especially when they are under stress or experiencing a crisis.
    - If appropriate, ask the customer how they prefer to communicate with you.[34] Some customers may prefer to communicate through an interpreter.
    - Recognise and support multiple modes of communication. For example, some people might use a communication board or electronic device.[35]

Listing a support person to help with account management and inquiries

Support in this context is when a customer enlists the help of a trusted person to support them in making their own decisions and managing their own affairs. A listed support person can help customers make inquiries, pay bills, and deal with hardship or other issues that might arise.[36]

1. Ask all new customers if they would like to list a family member, friend, guardian or support worker on the account.[37]
2. Let the customer decide how much authority the listed support person has.
3. Make this option available at any time (and through mail, phone or website contact).

Making support available while respecting individuals' rights

Even where a customer has listed a support person, or has asked for or appears to require assistance from your hardship or vulnerability team, it is important to respect customers' right to make their own decisions, take risks, make mistakes, and refuse help.[38] This means you should:

1. Offer to include a support person in all conversations, but do not refuse to engage with the customer if they decline.
2. Allow and facilitate the involvement of the customer's chosen supporter.[39]
3. Always address the customer directly, even if a supporter, family member, carer, or other person is also present (including on the phone).[40]
4. Provide extra support from within the organisation if the customer wants assistance but does not have a person in their life who can provide it.
5. If a customer indicates that they want or need support, but do not have someone to fulfil this role, refer them to local advocacy and support services. The Disabled Persons Organisations listed at the end of this document offer information about individual advocacy and advocacy organisations.
6. Remember that everyone can be supported – all customers might find these processes useful.[41]

Organisations that produce Easy English documents

Access Easy English

accesseasyenglish.com.au

The Council for Intellectual Disability (CID)

cid.org.au

The Information Access Group

informationaccessgroup.com

IDRS (Intellectual Disability Rights Service)

idrs.org.au

Scope

scopeaust.org.au

Disabled Persons Organisations

Australian Federation of Disability Organisations

afdo.org.au

People with Disability Australia

pwd.org.au

References

1 Maker et al, ‘Improving Access and Support for Consumers with Cognitive Disabilities: A Guide for Retailers’ (Research Report, Thriving Communities Partnership and Melbourne Social Equity Institute, 2019) 4 (‘Guide for Retailers’). The research team acknowledges that language in this field is important and contested. When referring to impairment and disability in this guide, we use the meaning established in Art 1 of the *United Nations Convention on the Rights of Persons with Disabilities*. It states that ‘[p]ersons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others’.

2 Maker et al, Guide for Retailers (n 1) 21; see also Maker et al, ‘Thanks a Bundle: Improving Support and Access to Online Telecommunications Products for Consumers with Cognitive Disabilities’ (Research Report, Melbourne Social Equity Institute and Australian Communications Consumer Action Network, 2018) (‘Thanks a Bundle’); Maker et al, ‘Ensuring Equality for Persons with Cognitive Disabilities in Consumer Contracting: An International Human Rights Law Perspective’ (2018) 19(1) *Melbourne Journal of International Law* 178–199; Hale et al, ‘Consumer Transactions: Equitable Support Models for Individuals with Decision-Making Impairments’ (Research Report, University of Melbourne, 2017).

3 Maker et al, Guide for Retailers (n 1) 13.

4 Essential Services Commission, *Customer Service Code Urban Water Businesses* (Code, August 2018) 5.1 (‘Urban Water Business Code’); Essential Services Commission, *Customer Service Code Rural Water Businesses* (Code, August 2018) 4.1 (‘Rural Water Business Code’).

5 Urban Water Business Code (n 4) 4.5, 16; Rural Water Business Code (n 4) 3.5, 13.

6 Urban Water Business Code (n 4) 17.2; Rural Water Business Code (n 4) 14.2.

7 Urban Water Business Code (n 4) 15.3; Rural Water Business Code (n 4) 12.3.

8 Urban Water Business Code (n 4) 16; Rural Water Business Code (n 4) 13.

9 Urban Water Business Code (n 4) 3; Rural Water Business Code (n 4) 2.

10 Urban Water Business Code (n 4) 17.1; Rural Water Business Code (n 4) 14.1.

11 Financial Counselling Australia, ‘About Capacity and Decision-making’ (Fact Sheet, nd); Mental Welfare Commission for Scotland, ‘Good Practice Guide: Supported Decision Making’ (Report, November 2016) 15, 27.

12 W3C Working Group, ‘Media Accessibility User Requirements: W3C Working Group Note 03’ (Working Group Note, World Wide Web Consortium (WC3), 3 December 2015) 1.8 <https://www.w3.org/TR/media-accessibility-reqs/>.

13 W3C Working Group (n 12); see also Maker et al, Thanks a Bundle (n 2).

14 Urban Water Business Code (n 4) 4.5; Rural Water Business Code (n 4) 3.5.

15 Urban Water Business Code (n 4) 4.6, 4.7; Rural Water Business Code (n 4) 3.6.

16 Maker et al, Guide for Retailers (n 1) 13, 28.

17 Ibid 30.

18 Ibid.

19 Ibid 13.

20 Ibid 33.

21 Ibid 34.

22 Ibid 23.

23 Urban Water Business Code (n 4) 5.1; Rural Water Business Code (n 4) 4.1.

24 Maker et al, Guide for Retailers (n 1) 10-15.

25 Urban Water Business Code (n 4) 3; Rural Water Business Code (n 4) 2.

26 Urban Water Business Code (n 4) 16; Rural Water Business Code (n 4) 13.

27 Maker et al, Guide for Retailers (n 1) 33.

28 Ibid 18.

29 Mental Welfare Commission for Scotland (n 11) 27; Gooding et al, 'Decision-making Support: An Educational Resource for Legal Professionals Working with People with Cognitive Disability' (Research Report, Scope, 2016) 16; Kokanovic et al, 'Fact Sheet 3: Practices to Improve Supported Decision-Making in Mental Health Services' (Fact Sheet, Health Direct, nd); Council for Intellectual Disability, 'Communication Tips' (Fact Sheet, May 2020).

30 Financial Counselling Australia (n 11).

31 Council for Intellectual Disability (n 29) 4.

32 Council for Intellectual Disability (n 29) 3-5.

33 Ibid.

34 Gooding et al (n 29) 13; Council for Intellectual Disability (n 29).

35 Gooding et al (n 29) 17.

36 Maker et al, Guide for Retailers (n 1) 15-6.

37 Council for Intellectual Disability (n 29) 5.

38 Ibid.

39 Mental Welfare Commission for Scotland (n 11) 17.

40 Ibid 21.

41 Yotam Tolub, 'Alternatives to Guardianship in Financial Affairs' (Research Report, BIZCHUT, The Israel Human Rights Center for People with Disabilities, 2016) 18.

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To access the sample Easy English documents and other information about this project visit

esc.vic.gov.au

socialequity.unimelb.edu.au