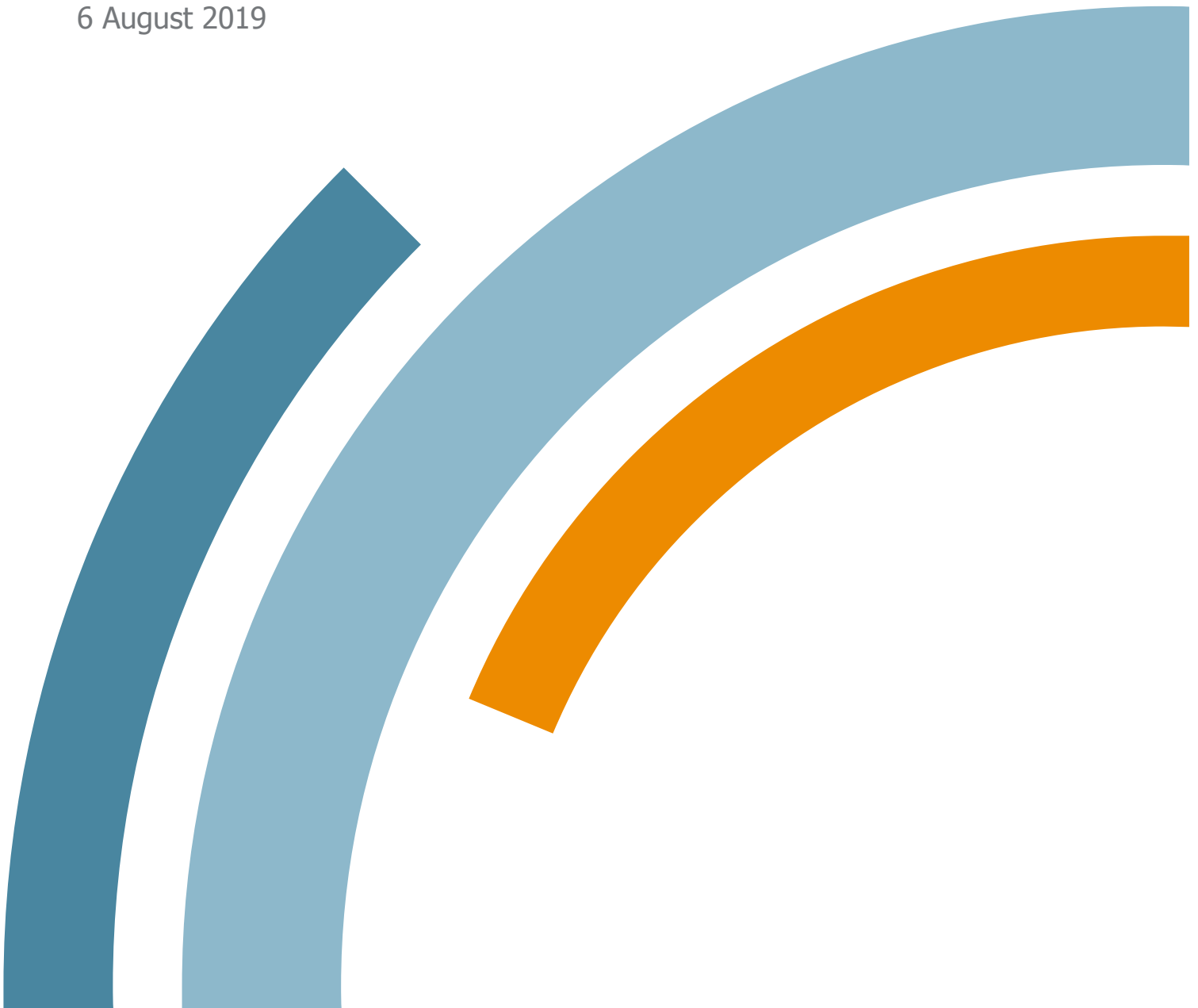


# Better practice in responding to family violence

Exploring ways energy and water retailers can provide family violence assistance that is safe and effective

6 August 2019



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# Contents

<b>Contents</b>	<b>ii</b>
<b>A message from the commission</b>	<b>1</b>
<b>Our family violence framework</b>	<b>2</b>
<b>A guide to promote better practice</b>	<b>3</b>
This guide is built around principles and actions	3
This guide is not intended to be a compliance guideline	3
<b>Principles of better practice</b>	<b>4</b>
<b>Actions of better practice</b>	<b>5</b>
<b>Principle One: Develop an informed approach that works for the organisation</b>	<b>7</b>
Seek expert advice to inform the approach	8
Tailor approach to the organisation's needs	9
Learn from others and share experiences	10
<b>Principle Two: Lead from the top and demonstrate accountability</b>	<b>12</b>
Develop a family violence strategy for the whole organisation	13
Consider all relevant functions of the business	15
Develop policies for staff as well as customers	18
Policies for customers	20
Consider appropriate responses to perpetrators	21
Embed cultural and systems changes	24
Develop ongoing monitoring and evaluation	26
<b>Principle Three: Prioritise safety and choice for victim-survivors</b>	<b>28</b>
Show empathy to victim-survivors	29
Support the agency of victim-survivors	30
Avoid requiring evidence of family violence	31
Types of evidence	32
Avoid repeat disclosure	34
Protect private and confidential information	37
Maintaining customer trust is critical to developing an effective response	40
Respond to the financial impacts of family violence	41
Debt management and joint accounts	41
Assistance for payment difficulty	43
<b>Principle Four: Build a culture of awareness, internally and externally</b>	<b>46</b>
Educate, train and support employees	47
Tailor training for customer-focused and senior roles	50
Support staff to understand their role and limitations	52
<b>Principle Five: Acknowledge and address barriers to access</b>	<b>54</b>
Understand the gendered nature of family violence	55
Provide support that is inclusive for all Victorians	58
Provide referrals to expert support services	61
Promote the options available to customers	63
<b>Appendix A – Water Service Codes</b>	<b>66</b>
<b>Appendix B – Energy Retail Code</b>	<b>67</b>
<b>Appendix C – Learning from experts and industry</b>	<b>73</b>
<b>Appendix E – Learning from our work</b>	<b>75</b>

## A message from the commission

In the past three years since the 2016 Victorian Royal Commission into Family Violence made its recommendations, the Essential Services Commission has worked closely with businesses in the water and energy sectors on initiatives aimed at improving the well-being of Victorian consumers affected by family violence. Through our codes we have set minimum requirements that energy and water retailers must meet when they are providing assistance to customers affected by family violence. But the work doesn't end there.

Responding to family violence is not a 'check-box, one-size fits all' exercise. While energy and water retailers must have a family violence policy in place, and meet minimum standards on staff training, account security, debt management and customer service, businesses will also need to account for unforeseeable circumstances their customers will experience. Providers of essential services like energy and water will need systems and processes in place that support wellbeing and build trust with their customers. This is why we have put together the better practice guide.

The guide is the result of extensive collaboration with energy and water businesses, the community sector, and other related organisations. We are grateful for the cooperative, empathetic and enthusiastic approach of all our contributors regardless of the sector they represent.

The guide is not a compliance guide, but an exploration of the broad initiatives already taken by energy and water companies, and across other sectors, to assist customers affected by family violence. Through the guide, we hope to foster a continuation of innovation beyond the minimum standards, and to inspire business practice towards continual improvement.

This guide is in addition to other resources we have prepared over the last three years, including a paper we first developed in 2017 for water businesses, Moving towards better practice. That paper was specifically developed to support water businesses implement the first sector wide response to family violence by a Victorian essential service. Other resources include our 2018 issues paper in which we first explored principles and actions needed to support business to implement safe and effective responses, and presentation materials from our 2018 and 2019 workshop series.

Giving victim-survivors the latitude to manage their own personal and financial security requires a sustained effort by the whole community— there is an ongoing responsibility on all of us to continue to do what we can to influence improved outcomes for vulnerable customers. We hope that with this guide, and through our future work program, we can build on the momentum of the last three years and that businesses will find inspiration to continue in their commitment to improving services to those who are most in need of safe, understanding and appropriate assistance.

Kate Symons

**Acting Chairperson**

# Our family violence framework

This better practice guide was developed with the support of regulated energy and water businesses, to raise awareness about safe and effective family violence responses. Promoting better practice is part of the Essential Services Commission's family violence framework, which outlines how we see our role in supporting family violence responses in businesses we regulate.

We worked with the energy, water and community sector to develop a family violence framework based on the collective knowledge gathered through our work program on family violence over the last three years. Through this work program, we sought to articulate our role and our expectations of both sectors in developing safe and effective family violence responses.

The framework also incorporates changes to our energy and water codes following recommendations by Victoria's Royal Commission into Family Violence.<sup>1</sup> We updated the Water Customer Service Code for Urban Customers, the Rural Customer Service Code and the Energy Retail Code to include minimum requirements for family violence assistance for customers.<sup>2 3</sup> The Energy Retail Code also includes a family violence assistance entitlement, developed in consultation with the energy sector.

This family violence framework forms our ongoing commitment to working with the water and energy sectors to support collaboration and better practice in responding to family violence.

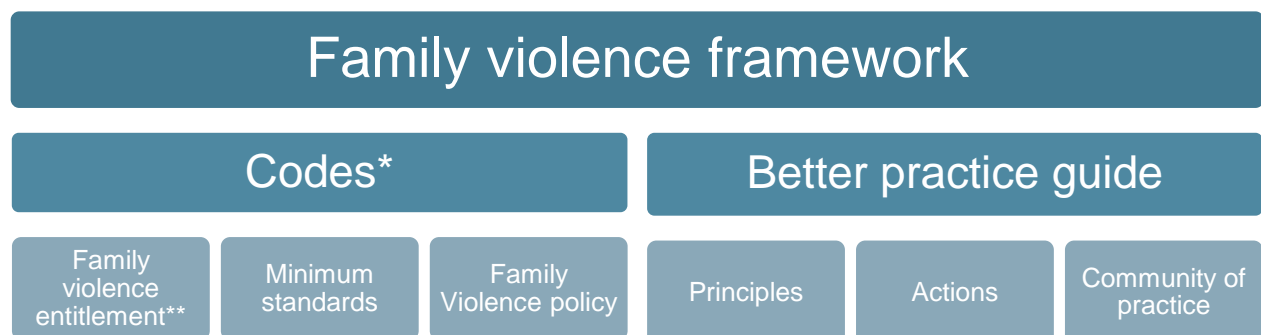


Figure 1 Family violence framework

\* The Water Customer Service Code for Urban Customers and Rural Customer Service Code family violence amendments are effective from 1 July 2018. The Energy Retail Code family violence amendment is effective from 1 January 2020.

\*\*Only in the Energy Retail Code

<sup>1</sup> Recommendation 109, State of Victoria 2016, Royal Commission into Family Violence: report and recommendations, volume I, parliamentary paper no 132 (2014-16), March

<sup>2</sup> Essential Services Commission 2017, Amendments to water customer service codes – *New requirements for family violence policies*, Final decision, April

<sup>3</sup> Essential Services Commission 2019, *Energy Retail Code changes to support family violence provisions for retailers*, Final decision, May

## A guide to promote better practice

This better practice guide highlights innovative industry examples that may go beyond the minimum requirements of our energy and water codes. These examples are drawn from organisations that have already started their own journey of family violence reform. There are many examples of better practice in this guide, reflecting multiple ways of providing family violence assistance that is safe and flexible. The case studies we've included are not an exhaustive list. We encourage businesses to share their achievements and will look for new ways to promote additional examples as they emerge.

### **This guide is built around principles and actions**

The better practice guide is built around principles as well as actions Victorian energy retailers can take in order to develop safe and effective family violence responses. They were drawn from insights shared by family violence support services and the overall approaches taken by water businesses as they responded to the water code reforms of 2017. We have refined these principles and actions in consultation with the energy and community sector. Our 2019 research on the family violence assistance provided by the water sector shows that applying these principles can lead to positive experiences for customers affected by family violence, and their support workers.<sup>4</sup>

### **This guide is not intended to be a compliance guideline**

Many of the actions promoted in this guide build on minimum requirements specified within the water and energy codes. Where there is an applicable provision in a code, we have added energy and water icons to direct readers to the specific obligation in the relevant code. It is up to each business to consider the code separately to this guide when deciding how best to meet their regulatory obligations.



### **We will continue to support better practice**

We will continue to work with energy, water and other organisations through a community of practice, with workshops and resources on better practice approaches to family violence. This is part of our public education function to promote the long-term interests of Victorian consumers.<sup>5</sup>

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<sup>4</sup> Wallis Market and Social Research, *Water Code Outcomes review: Family Violence Changes Report*, June 2019

<sup>5</sup> Section 10(f) of the *Essential Services Commission Act 2001* (Vic)

## Principles of better practice

We have assembled these principles to highlight the cultural and behaviour changes that contribute to effective and safe family violence responses for customers and staff.

Unlike the family violence obligations in our codes, these principles and actions of better practice are non-binding on our regulated water and energy businesses. When considering its overall approach to family violence, each organisation will make its own decision on how to align these principles with its other policies, procedures and practices.

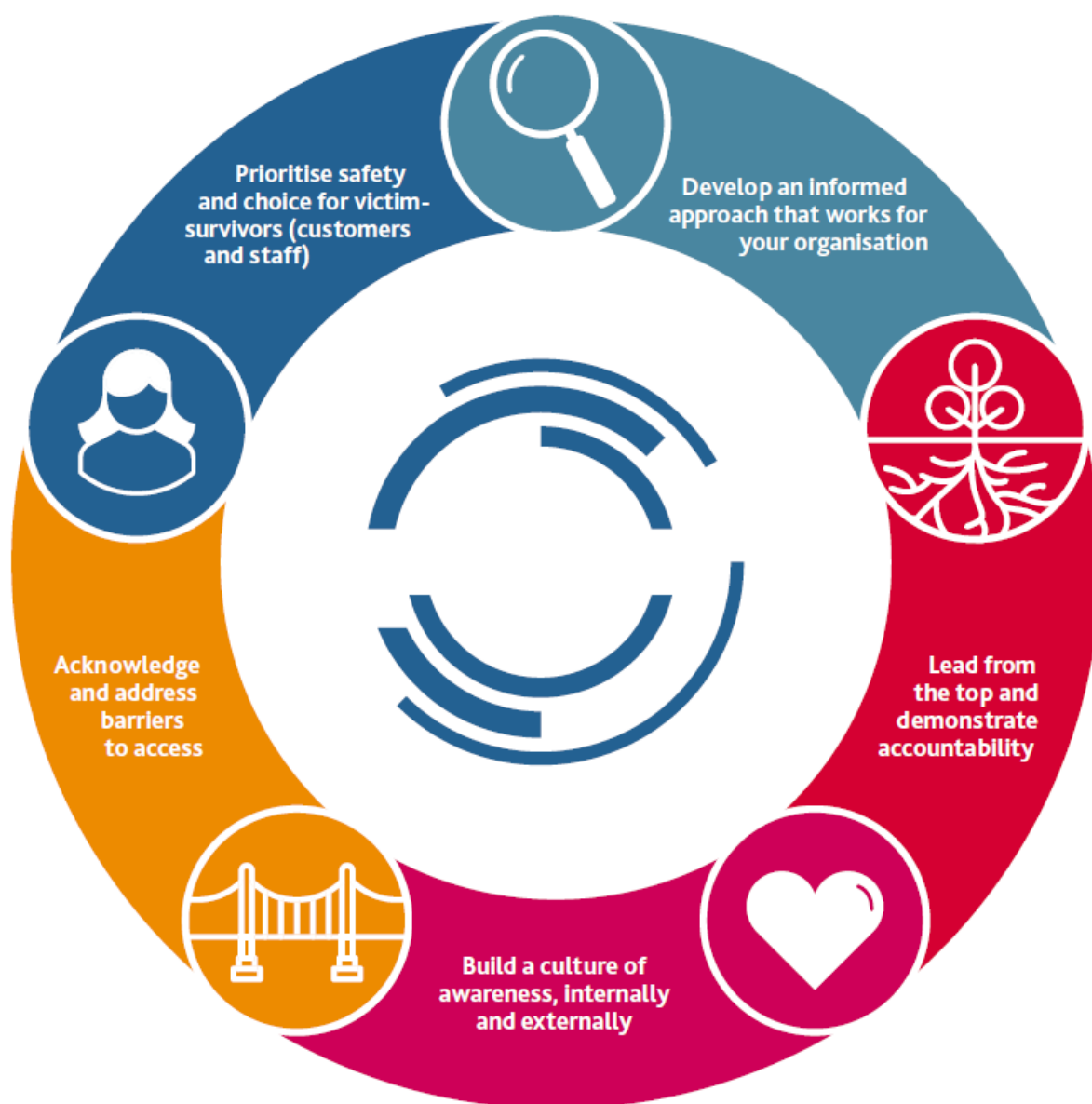


Figure 2 Principles of better practice

## Actions of better practice

Within each principle, we have identified a series of actions, which are practical measures organisations can take to build capacity and capability within their organisation. It is not expected that all organisations will be able to implement all the actions on the same schedule or to the same degree. It will be an ongoing process with organisations beginning from different starting points.

Principle	Actions	Page No.
Develop an informed approach that works for the organisation	Seek expert advice to inform the approach	8
	Tailor approach to the organisation's needs	9
	Learn from others and share experiences	10
Lead from the top and demonstrate accountability	Develop a family violence strategy for the whole organisation	13
	Consider all relevant functions of the business	15
	Develop policies for staff as well as customers	18
	Consider appropriate responses to perpetrators	21
	Embed cultural and systems changes	24
	Develop ongoing monitoring and evaluation	26
Prioritise safety and choice for victims-survivors	Show empathy to victim-survivors	29
	Support the agency of victim-survivors	30
	Avoid requiring evidence of family violence	31
	Avoid repeat disclosure	34
	Protect private and confidential information	37
	Respond to the financial impacts of family violence	41



Build a culture of awareness, internally and externally	Educate, train and support employees	47
	Tailor training for customer-focused and senior roles	50
	Support staff to understand their role and limitations	52
Acknowledge and address barriers to access	Understand the gendered nature of family violence	55
	Provide support that is inclusive for all Victorians	58
	Provide referrals to expert support services	61
	Promote the options available to customers	63

## Principle One: Develop an informed approach that works for the organisation



The first principle recognises that organisations need to be informed of the complexities of working with victim-survivors to develop safe and effective family violence responses. Organisations can achieve this principle by:

- seeking expert advice
- tailoring their approach to the organisation's needs
- learning from others.

Each organisation will have particular factors it needs to consider, including its size, customer base and geographic reach. By seeking advice from experts and sharing lessons learned, businesses can develop tailored responses that work for their organisation, while keeping a focus on providing safe, supportive and flexible assistance for customers.

Principle	Actions	Page No.
Develop an informed approach that works for the organisation	Seek expert advice to inform the approach	8
	Tailor approach to the organisation's needs	9
	Learn from others and share experiences	10

## Seek expert advice to inform the approach

Energy and water retailers are not expected to be experts in providing family violence support and services. Community sector organisations can provide expert advice on how organisations respond to family violence. Using the knowledge and experience of specialist family violence organisations, and the victim-survivors they work with, ensures the strategy and policy will meet the needs of both the organisation and customers who are victim-survivors of family violence.

Trained victim-survivor advocates can also provide input and feedback (as well as speaking opportunities) on policy development. Drawing on their lived experience they are well placed to advise businesses of the impact a particular approach may have for a victim-survivor. Programs like the Speaking Out Program at Women's Health East can work with businesses to arrange appropriate advice and input.

An effective strategy can be developed through collaboration with internal and external partners, bringing together people from multiple disciplines to consider how it should be implemented. For example:

- **Konica Minolta** consulted the University of New South Wales and the Women's Legal Service of Queensland<sup>6</sup> to ensure its policy would address the needs of both victim-survivors and perpetrators appropriately. PwC Australia's family violence policy was informed by consulting external experts, including domestic violence service providers and Kate Jenkins, Australia's Sex Discrimination Commissioner<sup>7</sup>.
- **Coliban Water** worked to ensure its approach was safe for customers and staff by engaging a local family violence service provider to get advice when developing its family violence policy. Coliban Water's frontline staff commented that they were more confident to respond to victim-survivors and perpetrators of family violence as a result of this work.

### Case study – Coliban Water

Coliban Water sought expert advice from the Centre for Non-Violence in Bendigo. The centre provided accredited training to Coliban Water staff to ensure that they could respond respectfully to customers who disclose their experience of family violence. It also had valuable resources for staff at Coliban Water to help them respond to victim-survivors and perpetrators of family violence.

Coliban Water worked with the Centre for Non-Violence again to provide feedback on a brochure they had developed on their commitment to customers who are victim-survivors of family violence.

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<sup>6</sup> UN Women Australia, 'Taking the first step: workplace responses to domestic and family violence', *UN Women National Committee Australia*, December 2017, p. 28.

<sup>7</sup> *ibid.* p. 31

## Tailor approach to the organisation's needs

Developing a family violence strategy and implementing policies can be complex and requires commitment from across the organisation.<sup>8</sup> Tailoring a strategy to the organisation's needs ensures implementation is likely to have a positive impact for staff and customers.

**Southern Rural Water** developed its family violence policy with input from all business functions to ensure they had addressed issues across the business. When implementing its family violence response customer service staff at **Barwon Water** expressed a concern about handling calls from victim-survivors. Barwon Water improved the level of support it provided to customers and staff through a practical, low cost solution.

### Case Study – Southern Rural Water

In developing its family violence response Southern Rural Water established a working group that included members from every business function, including IT and finance. This ensured that all parts of the business were considering the risk of family violence in their work. Other benefits included sharing the work load, discussing issues within teams before being raised at working group meetings and a greater sense of ownership and relevance across the organisation.

The group was disbanded once the policy was completed. A new cross functional group will be put together when the policy is renewed along with another refresher program.

### Case study – Barwon Water

Frontline staff said they did not have enough confidence or the composure to remember details about what to listen out for, what words to say, how to assist and who to refer to when they received a call that they identified as relating to family violence.

To assist staff to respond confidentially to these situations, Barwon Water created a pocket size reference card for its contact centre to refer to quickly and better handle difficult conversations. The reference card provided clear prompts for staff during calls. It was not costly or onerous, yet overcame the concern staff expressed.

Barwon Water noticed an increase in the number of customers identified as experiencing family violence. It considered this to be a result of staff being trained and having the reference card.

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<sup>8</sup> Economic Abuse Reference Group, 'Addressing the Financial Impacts of Family Violence – Good Practice Industry Guideline', April 2018, p.1.

## Learn from others and share experiences

Industry and business responses to family violence are an area of work that is somewhat new. As the field grows, businesses have the opportunity to learn from each other's experiences and build a shared understanding of better practice responses.

In developing family violence policies, we encourage organisations to draw on the experiences of those who have gone through similar work, as well as resources from experts. We would also encourage businesses to share their own experiences to support continued learning and development of better practice. Thriving Communities Partnership is a central network to advance organisational contributions to combatting customer vulnerability and hardship, including family violence. Thriving Communities Partnership provides a knowledge hub for organisations to access resources and insight from the experiences of others.

**Central Highlands Water** hosts an annual forum to support knowledge sharing and collaboration amongst local welfare agencies, government and industry. **Coliban Water** improved the quality of the support it provides customers by hosting a workshop to share the knowledge it had gained through working with a local family violence provider. **Yarra Valley Water** contributed to improved support across the sector by sharing its policies in the commission's initial better practice guide as it was one of the first businesses to have them available<sup>9</sup>.

Through sharing resources and experiences, organisations can see family violence work as a point of cooperation and collaboration, rather than an area of competition. This collective approach to capability development improves outcomes for vulnerable customers and helps build the community's confidence in essential service sectors.

### Case study – Central Highlands Water

Since 2017, Central Highlands Water has been hosting its annual Care Flow Forum. This forum brings local welfare agency, government and industry representatives together to develop strategies for strengthening inter-agency collaboration.

The forum focusses on linking organisations working with vulnerable and hardship customers in the local area. Representatives from community services come together to share information and form working relationships. At the forum, Central Highlands Water presents on the support it provides and the current programs available to its customers.

The forum has led to the formation of a local community network group which Central Highlands Water attends. This group works actively toward a better community referral process between organisations and includes attendees from St Vincent De Paul, Anglicare and The Salvation Army.

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<sup>9</sup> Essential Services Commission 2017, *Moving towards better practice – implementing family violence policies in the Victorian water sector*, May.

### Case study – Coliban Water

While drafting its family violence policy and procedure, Coliban Water held a workshop with external stakeholders including water industry peers to invite feedback and comment on its planned approach. The Centre for Non Violence presented at the workshop, and attendees were provided with examples of how to deliver and source family violence training. This helped other water retailers identify support agencies in their own districts.

Coliban Water found the workshop to be a great opportunity for everyone to share knowledge and discuss common problem areas. In addition the feedback it received helped Coliban Water to ensure its family violence policy and procedure was relevant and met the needs of victim-survivors.

## Principle Two: Lead from the top and demonstrate accountability



The principle that businesses should lead from the top and demonstrate accountability addresses the need for a whole-of-organisation commitment to responding to family violence.

Organisations seeking to achieve this principle:

- develop a family violence strategy for the whole organisation
- consider all relevant functions of the business
- develop policies for staff as well as customers
- consider appropriate responses to perpetrators
- embed cultural and systems changes
- establish ongoing monitoring and evaluation.

Building an organisation's response to family violence may require cultural change. Businesses can drive this through clear and consistent messages from their leaders and an ongoing awareness of how the business is tracking in their response to family violence.

In our 2019 research to measure whether family violence policies are improving outcomes for victims-survivors, a consumer advocate gave the following feedback:

“There's an organisation wide cultural response that will have an impact on the way that customers who are affected by family violence are responded to, because it's a whole mindset, it's a whole culture that's modelled inside and outside the organisation.”

Principle	Actions	Page No.
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## Develop a family violence strategy for the whole organisation

Leadership is critical for businesses to embed lasting systems that will see the effective implementation of family violence responses.<sup>10</sup> When executive and senior managers demonstrate a commitment to a business's family violence initiatives staff members can feel confident that this is an issue their workplace takes seriously.

Businesses can use a family violence strategy to prioritise activities (for example developing a family violence policy), identify key functions of the business to examine and determine which staff members should be involved in different parts of the work.

**AGL** and **Rio Tinto** developed working groups to deliver their family violence strategies. These groups provided input from different parts of the business at a leadership level, which supported coordination across the business and better outcomes for customers and staff.

### Case study – AGL

AGL created a Family and Domestic Violence working group called Safe Space with employees to support the roll out of training and develop ongoing awareness and engagement.<sup>11</sup> The group had members from across the business so that anyone affected by family violence feels supported in the workplace. The group worked on introducing further processes to embed AGL's policy, and the support mechanisms available.<sup>12</sup>

### Case study – Rio Tinto

Rio Tinto recognised it was important to get the senior leadership team's support to overcome any resistance from within the business to making family violence a priority. They established a steering committee of senior leaders to drive the work, and consulted employees who would be affected by the work to ensure the options developed didn't cause additional stress or harm.<sup>13</sup>

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<sup>10</sup> Ibid.

<sup>11</sup> AGL, 'Strengthening AGL's stand against family and domestic violence', <https://thehub.agl.com.au/articles/2017/11/strengthening-agls-stand-against-family-and-domestic-violence>, accessed 15 July 2019.

<sup>12</sup> AGL, 'Responding to family and domestic violence', <https://thehub.agl.com.au/articles/2017/09/responding-to-family-and-domestic-violence>, accessed 15 July 2019.

<sup>13</sup> UN Women Australia, op. cit., p.35-36.



**Commonwealth Bank of Australia (Commonwealth Bank)** put in place a whole-of-organisation strategy on responding to family violence to ensure that it supported both customers and staff. The strategy was informed by community organisations, government agencies, advocates in the family violence sector and frontline support bodies and recognised that a holistic response to this issue (both within the organisation and community-wide) was needed.<sup>14</sup>

### Case study – Commonwealth Bank

Initially Commonwealth Bank's strategy focused on reviewing its workplace response and where to enhance existing policies and support mechanisms. In the first year Commonwealth Bank increased its domestic violence leave (from 5 to 10 days), created support toolkits for employees and managers and developed a guide to assist leaders in supporting employees who are experiencing family violence. It also trained over 600 employees in partnership with the University of New South Wales Gendered Violence Research Network on how to support employees and customers affected by family violence.

In 2016 the bank engaged Our Watch to review its Smart Start financial literacy program to ensure it was promoting gender equality and supporting financial independence and security for young women.<sup>15</sup> In 2017 the bank piloted a Domestic and Family Violence Emergency Assistance Package, which provided customers and employees with expert counselling and financial assistance.<sup>16</sup> The pilot was extended in 2018 after it had assisted 6,000 customers and received 87,000 calls in its first month.<sup>17</sup>

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<sup>14</sup> UN Women Australia, op. cit., p. 24.

<sup>15</sup> UN Women Australia, op. cit., p. 25.

<sup>16</sup> Commonwealth Bank Australia, 'Domestic & Family Violence Assistance Program', 2019, [https://www.commbank.com.au/support/dv-assistance.html?ei=gsa\\_support\\_domestic-violence](https://www.commbank.com.au/support/dv-assistance.html?ei=gsa_support_domestic-violence), accessed 02 July 2019.

<sup>17</sup> Commonwealth Bank Australia, *CBA Extends Domestic and Family Violence Customer Support Program*, media release, 5 August 2018, <https://www.commbank.com.au/guidance/newsroom/cba-domestic-violence-assistance-201808.html>, accessed 02 July 2019.

## Consider all relevant functions of the business

To ensure a comprehensive and effective family violence response, businesses should consider all functions of the business that could impact on customers affected by family violence. At its 2018 roundtable on family violence the Thriving Communities Partnership noted that even when the relationship has ended perpetrators of family violence could weaponise products and services.<sup>18</sup>

The Economic Abuse Reference Group recommends that businesses analyse their products and processes to identify where their services and activities, including outsourced services (e.g. offshore call centres), could potentially increase risk for victim-survivors.<sup>19</sup> This should involve all relevant divisions of an organisation to assess whether systems changes or other upgrades may have any unforeseen impacts on customers. **EnergyAustralia** promotes this approach as a key to developing support that is safe for customers.

### Case study – EnergyAustralia

In August 2018, David Ackland from EnergyAustralia presented at our project launch on the business's response to family violence. EnergyAustralia noted that developing a robust and effective response to family violence included reviewing how risk could be 'engineered out' of policies and procedures and making data and privacy protection as foolproof as possible.

**Goulburn-Murray Water** identified processes and systems closely linked to those of the **Victorian Water Register**. This led to a close collaboration that improved the ongoing safety of its customers, and those of other rural water businesses.

### Case study – Goulburn-Murray Water and Victorian Water Register

The Office of Water, Department of Environment, Water, Land and Planning manages the Victorian Water Register, which requires water share owners to register their share ownership.

In implementing their own family violence responses Goulburn Murray Water identified there wasn't a way to secure a person's information on the register, should they wish to protect their safety due to family violence. Goulburn Murray Water communicated this issue to the Office of Water.

Once alerted to the potential risk to victim-survivors the Office of Water made functional and procedural changes to allow for personal information to be suppressed. It also trained its staff on

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<sup>18</sup> Thriving Communities Partnership, 'Family Violence Roundtable Report 2019', *TCP*, 2019, p. 19.

<sup>19</sup> Economic Abuse Reference Group, *op. cit.*, p. 1.

the reason for the change.

This collaboration means perpetrators can no longer circumvent Goulburn-Murray Water's account security by accessing the water register direct.

An emerging area of practice is businesses considering their relationships with contractors and suppliers. **Yarra Valley Water** and **Melbourne Water** demonstrate their support for customers and promote social change by raising awareness on family violence with its contractors and suppliers. Across the Victorian water industry, the procurement function is increasingly being used as a lever for social change.

*"Melbourne Water recognises that tackling family and domestic violence is everyone's responsibility."*

As part of its White Ribbon Accreditation, Mirvac is updating its contracts with consultants to ensure a consistent zero tolerance to violence against women, bullying and harassment.<sup>20 21</sup>

### Case study – Yarra Valley Water

At Yarra Valley Water, training programs and procedure manuals are provided to external partners, including debt collection agencies and plumbing contractors. This ensures suppliers communicate with customers and deliver services in accordance with the business's requirements, which are documented in the terms and conditions of their contract with Yarra Valley Water.<sup>22</sup>

### Case study – Melbourne Water

The Victorian water industry collaborated to develop a common Supplier Code of Practice which includes family violence as an area of focus.<sup>23</sup> This code of practice outlines its expectations for suppliers across key areas that align to its organisational values.

Melbourne Water has embedded the code in their tender processes and asks suppliers to assist in promoting diversity and inclusion in its supply chain activities. It says it will work collaboratively with suppliers to monitor and implement these activities, creating an enduring social benefit.

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<sup>20</sup> UN Women Australia, op. cit., p.31.

<sup>21</sup> Mirvac Group, 'Workplace Gender Equality Agency Report 2019', 2019, <https://www.mirvac.com/About/News/Workplace-Gender-Equality-Agency-Report-2019>, accessed 02 July 2019.

<sup>22</sup> Yarra Valley Water, 'Hardship Policy', 2016, <https://www.yvw.com.au/about-us/organisation-overview/policies/hardship-policy>, accessed 19 June 2019.

<sup>23</sup> Melbourne Water, 'Supplier Code of Practice', <https://www.melbournewater.com.au/about-us/publications-and-policies/policies-and-procedures>, accessed 19 July 2019.

## Areas of focus

### Family violence

Melbourne Water deplores family and domestic violence of any kind. We are committed to supporting our employees who may be experiencing or dealing with the impacts of family and domestic violence.

Our Family and Domestic Violence Procedure outlines the support available to any of our employees who may be experiencing family or domestic violence, including paid leave and flexible working arrangements. We encourage our suppliers to consider the impacts of family violence and explore ways to support employees and address these important issues.



### Reconciliation

We initially launched a Reconciliation Action Plan (RAP) in 2017 and are delivering on an Innovate RAP to take us forward.

At Melbourne Water we understand the central role water plays in our communities, environment and economy. We also understand and acknowledge that we live and work on the land and waterways Aboriginal and Torres Strait Islander peoples have lived on and used for thousands of years and recognise the intrinsic connection of Traditional Owners to country.

The activities outlined in the RAP enables and guides us to embed our commitment across our activities and ways of working. We continue to build on opportunities to engage more effectively in waterway health and develop a better understanding of the cultural values associated with water, through our work with the local Traditional Owner groups and the broader Victorian Aboriginal and Torres Strait Islander community. We have partnered with organisations to create more Aboriginal and Torres Strait Islander employment opportunities. We are sharing our reconciliation journey with our existing suppliers and are already realising positive employment and business outcomes. We will continue to increase our knowledge and networks, and leverage our sphere of influence through encouraging new suppliers to join us in the reconciliation journey.



Figure 1 Melbourne Water Supplier Code of Practice

## Develop policies for staff as well as customers

In developing a family violence response businesses should carefully consider the implications for staff. Customer facing staff may experience vicarious trauma in hearing about customers' experiences of family violence. There are methods (e.g. team debriefings, one on one support) to ensure they feel supported. Providing appropriate support for employees will also support them to provide a better response for customers.

Given the prevalence of family violence in the community (for example, one in six women has experienced physical or sexual violence by a current or previous partner<sup>24</sup>) it's likely an organisation will have victim-survivors or perpetrators of family violence working for them.

Whether or not they've had their own experience of violence, staff members may respond differently to the family violence responses an organisation implements. Following training some staff may feel more comfortable discussing the issue at work, or even come forward with their own experience of violence. Others may find talking about family violence challenging.

The Economic Abuse Reference Group recommends overlapping internal policies with customer policies to further demonstrate the business's commitment and support.<sup>25</sup> Employees may also be customers of the business they work for and may benefit from family violence support in both capacities.

A family violence policy for staff outlines the support available and how to access it. This might include:

- family violence leave provisions
- confidentiality and security measures
- levels of flexibility in working arrangements available
- debriefing support and referral to counselling.<sup>26</sup>

For **AGL** and **Australia Post**, introducing a family violence policy for staff was the first stage in taking an organisation-wide approach to the issue which resulted in extending support options to customers.

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<sup>24</sup> Australian Institute of Health and Welfare, *Family, domestic and sexual violence in Australia 2018*, media release, AIHW, 28 February 2018, p. ix.

<sup>25</sup> Economic Abuse Reference Group, op. cit., p. 1.

<sup>26</sup> UN Women Australia, op. cit., p. 6.

### Case study – AGL

AGL's Family and Domestic Violence Support policy offers employees 10 days of paid family violence leave, with additional leave provisions and continued employment as they work through their experience.<sup>27</sup> It has also introduced a new Domestic Violence Hotline through its Employee Assistance Program.

In March 2018 AGL introduced family violence training for its entire staff. The training aims to raise awareness of family violence, teach staff to recognise the signs of someone who may need support and build capacity to respond in a caring and inclusive way. The training also ensures employees look after themselves, making it clear that employees are not expected to become experts in family violence, instead to understand the resources and expert support that's available.

### Case study – Australia Post

Australia Post introduced family violence leave into its employment policies in 2015. In 2016 it surveyed members of its workforce to look at employees' engagement with the policy and how it could strengthen its organisation-wide response.

The survey happened alongside a campaign led by the CEO for the 16 Days of Activism against gender-based violence.<sup>28</sup> The employee survey responses inspired a free mail redirection service for victim-survivors of family violence, which was introduced in May 2017. This was an extension of an existing free mail redirection service for customers affected by special circumstances including natural disasters or customers in charge of a deceased estate. Initial reports indicated that Australia Post was receiving an average of 18 applications per week for this service.

Following the survey Australia Post indicated areas of future focus, including looking at cyberbullying and cyber safety with its Information Security Office, and establishing a dedicated phone line for family violence as part of its employee assistance program.

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<sup>27</sup> AGL, 'Financial Inclusion Action Plan', 2018, <https://www.agl.com.au/-/media/aglmedia/documents/about-agl/who-we-are/our-committments/fiap-2018-v7.pdf?la=en&hash=DD5BC570B860FB803F23E86BE010140B2505A1B6>, accessed on 04 October 2018.

<sup>28</sup> UN Women Australia, op. cit., p. 20.

## Policies for customers

Since July 2018, all Victorian Water businesses have had family violence policies. The effects of these policies are now flowing through to the community<sup>29</sup>.

“Previously their assistance was usually fair and reasonably, but after the code was adjusted and further policy implemented the water companies seemed to – they’re just ahead of the game.” – Financial counsellor

“There’s more awareness, there’s more understanding and there’s more understanding around needs for supports in that area.” – Financial counsellor

“They’re actually looking at the individual and their circumstances and there’s more respect now for clients and a lot of empathy.” – Financial counsellor

Organisations across other service sectors are also introducing family violence policies to support customers. In developing its approach to supporting customers, **Optus** identified a need to keep customers on supply and to promote personal safety. Both these areas are prominent in its policy.

### Case study – Optus

Optus has a family violence policy that aims to keep customers connected and prioritises the customer’s safety. The options it provides to customers are designed to take these matters into account, and it only makes changes on the account if the changes won’t compromise the customer’s safety.

Optus bases its family violence policy on feedback received from financial counsellors and its customers. It is also committed to refining its policy and the solutions it offers customers over time.

As a result of this policy, customers are able to achieve an outcome that enables them to take control of their situation, leaving them feeling valued and supported in times of need. Staff feel confident to manage these calls knowing they can help the most vulnerable customers in a meaningful way and minimise the stress for those customers.

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<sup>29</sup> Wallis Market and Social Research, Op Cit., pp. 16-18.



## Consider appropriate responses to perpetrators

Organisations need to consider developing a response to perpetrators as part of their family violence response. This is a complex area that can carry significant risk, and experts advise that businesses should have a whole-of-organisation response to victim-survivors of family violence before they consider directly engaging with perpetrators of violence.<sup>30</sup>

“Directly engaging with perpetrators of family violence in ways that work towards the safety of women and children is highly difficult. Unskilled or misguided attempts can significantly compromise family member safety.”<sup>31</sup>

However, all organisations can take action to support a safe work environment where family violence and violence against women is challenged.

For businesses seeking to develop responses to perpetrators of family violence, there are a range of specialist services that can provide support, including No To Violence or a local men’s behaviour change program.<sup>32</sup> In addition to seeking advice from family violence experts, organisations should seek advice from legal experts. It’s important that individuals’ rights to fair processes and confidentiality are respected.<sup>33</sup>

Our Watch and No To Violence recommend that policies and procedures for responding to perpetrators are carefully considered so that they:

- are appropriate and safe
- send clear messages to highlight perpetrator accountability and the prevention of violence against women
- respect the rights of perpetrators to confidentiality and a fair process.<sup>34</sup>

**No To Violence** at its 2019 national conference, provided businesses and the family violence sector the opportunity to discuss ways to address perpetrators within the workplace.

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<sup>30</sup>R Vlasis, ‘Guidelines for Identifying and Responding to People Who Cause Family Violence Harm’, *North West Metropolitan Region Primary Care Partnerships*, April 2018, p. 5.

<sup>31</sup> *ibid.*, p. 4.

<sup>32</sup> *ibid.*, p. 5.

<sup>33</sup> <sup>33</sup> Our Watch and No To Violence Men’s Referral Service, ‘Workplace responses to perpetrators of violence against women’, *Our Watch and No To Violence*, September 2017, p. 5.

<sup>34</sup> *ibid.*, p. 4.



### Case Study – Not To Violence national conference

Conference speakers Rosie Batty AO, and Desmond Campbell, of the Northern Territory Anti-Discrimination Commission, suggested the need for workplaces to support men who want to change their behaviour to help embed a culture of trust and respect where all parties feel supported to talk about their experiences of family violence.

Yarra Valley Water spoke of its own work to respond to family violence, including staff training by No To Violence.

**Yarra Valley Water** and **NAB** have taken steps to improve responses to customers and staff who use violence. **Konica Minolta** reviewed how it responded to employees who used violence in order to improve support for staff and their managers. **Queensland Government** has published resources to support staff that want to seek help to change their behaviour.

### Case Study – Yarra Valley Water

Yarra Valley Water has recently taken steps to improve how it responds to those who use violence. Whilst its policies cover both those who use violence and victim-survivors, until recently, the organisation's focus has been on support for victim-survivors.

Yarra Valley Water approached No to Violence, the peak body for organisations and individuals working with men to end family violence, to deliver tailored training. This was a full day session that covered No to Violence's approach to men's behaviour change and how to respond safely and effectively when engaging with men who are using violence.

### Case Study – National Australia Bank (NAB)

NAB published an article online about getting help for violent or abusive behaviour, with clear messages about the causes of family violence.<sup>35</sup> Through the NAB Foundation it also funded the development of an evidence-based smartphone tool for men who have used violence in their intimate relationships.

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<sup>35</sup> NAB, 'Get help for violent or abusive behaviour', <https://www.nab.com.au/about-us/social-impact/customers/domestic-and-family-violence/violent-behaviour-assistance>, accessed 04 July 2019.

### Case study – Konica Minolta

Konica Minolta introduced its domestic and family violence policy in 2015. The policy addresses perpetrators of violence, including support for those who come forward for assistance and a statement that using company assets to perpetrate violence would not be tolerated.<sup>36</sup>

Once the organisation began to apply the policy, managers grappled with some areas, particularly those related to perpetrators.

“This new policy was somehow different. As employees reported about their experiences under the domestic and family violence policy, managers reported feeling emotional, uncertain and even confused about how to respond. Others acknowledged they were struggling to deal with their own biases and were concerned how this would affect their discussions.”

As a result of this feedback Konica Minolta modified its approach, referring incidents involving perpetrators to an independent group better equipped to address them.

### Case study – Queensland Government

The Queensland Government says employees using violence or abusive behaviour at work may be subject to disciplinary action. It has invested in resources to support employees using violence to seek help to change their behaviour.

*Domestic and family violence: A workplace approach to employees who use or may use violence and abuse* is a guide for Queensland workplaces to respond appropriately to employees using violence or abuse. It was developed by the Public Sector Commission in collaboration with Australia’s CEO Challenge, DV Connect and Minter Ellison and provides advice on language and key policy and legal issues to consider.

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<sup>36</sup> Konica Minolta, ‘Domestic and Family Violence Support Policy’, 2015, <https://www.konicaminolta.com.au/KonicaMinolta/media/KonicaMinolta/News/DFV-policy.pdf>, accessed 02 July 2019.

## Embed cultural and systems changes

For a business's family violence response to be effective in the long-term it must embed changes to its culture and systems, requiring buy-in from across the organisation. Policies may be championed by senior management or staff from a specific division, but staff members also need to be trained and supported to understand why the policy is relevant and important to their work. On the other hand, individual staff in an organisation may promote the organisation's family violence policy, but without support from senior management and the executive, changes are unlikely to be embedded into the organisation's culture and values.

The **Thriving Communities Partnership** roundtable had working group discussions on culture and mindset shifts, finding that these shifts were important to creating long-term and effective change. The group identified barriers to change as organisational processes, unconscious bias, lack of leadership buy-in and a lack of understanding of the complexity of family violence. Suggested solutions to these hurdles included consistent and continual messaging throughout organisations, reaffirming positive behaviour and incentivising organisations to change.<sup>37</sup>

In their research WEstjustice, a Victorian community legal service, found that in some instances even though policies were championed by senior management and staff involved in developing the policy, case examples showed that not all staff in those companies understood, or followed their organisation's family violence expectations, training or processes.<sup>38</sup> Best practice suggests that a strategy needs to include embedding lasting systems so that policies are not reliant on the knowledge and championing by select members of the organisation.

**North East Water** recognised that to develop an effective family violence response for its customers the business needed to embed dedicated processes and ongoing training for its staff.

**Telstra** implemented system changes to ensure its customers' safety and help them access additional services that they might need.

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<sup>37</sup> Thriving Communities Partnership, op. cit., p. 21.

<sup>38</sup> WEstjustice, 'Restoring Financial Safety: collaborating on responses to economic abuse', July 2018, p. 33.

### Case study – North East Water

All North East Water staff received training on family violence and North East Water's new processes, and frontline staff were trained on internal processes to protect the privacy and safety of customers.

Taking this approach meant that staff were confident on what was expected of them in responding to customers affected by family violence. They were able to work with customers to determine the best forms of assistance from a variety of options, often looking outside what they would normally offer. Staff indicated that with clear guidance they were more confident in building rapport and trust with their customers.

North East Water also looked at their relationships with other organisations and communities in developing their response to family violence. They acknowledged that a joint commitment was required to work effectively on the issue.

The business spent 16 months becoming an accredited White Ribbon organisation to publicly announce its commitment to addressing family violence. They said the tools gained were invaluable in working with customers affected by family violence. North East Water says its customers "now have the confidence that we can assist them through internal support options, government grants and local referrals".

### Case study – Telstra

In early 2018 Telstra introduced a single point of entry for Safe Connections customers. This service is available to 276 Safe Connection agencies and all Safe Connections customers. The service provides assistance with:

- activating Safe Connections phones
- assistance with setting up the 30 day exemption from the ID check requirement prior to pre-paid activation for Safe Connections customers
- housekeeping of existing accounts to troubleshoot any potential security/privacy issues
- ensuring that the customer is aware of all Telstra services they may need to access such as a Silent Line
- in cases of Telstra debt, transferring customers to the Specialised Assistance Team.

Telstra continues to support the Safe Connections program. The program distributes 600 new smartphones each month to women in crisis around Australia.

## Develop ongoing monitoring and evaluation

The Economic Abuse Reference Group recommends that businesses should have an ongoing policy review process to monitor the quality and effectiveness of their response.<sup>39</sup> This approach will ensure businesses are also able to evaluate where any processes inadvertently facilitate family violence or place its customers at risk.

**Yarra Valley Water** and **Telstra** looked at ongoing reporting measures to monitor engagement with the family violence support options available to customers and staff. These measures supported a culture of continuous improvement within the businesses on their family violence responses.

“Yarra Valley Water has key performance measures for the Customer Support Team that reflect its family violence work”—. Yarra Valley Water<sup>40</sup>

### Case study – Telstra

Telstra uses several mechanisms to measure the effectiveness of its programs and policies to support people experiencing family violence. It monitors the number of employees using domestic and family violence leave and the employee assistance program and measures progress against its diversity and inclusion objectives (in annual and sustainability reports). Telstra also measures overall employee engagement through annual people surveys.<sup>41</sup>

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<sup>39</sup> Economic Abuse Reference Group, op. cit., p. 3.

<sup>40</sup> Yarra Valley Water, op. cit.

<sup>41</sup> UN Women Australia, op. cit., p. 38.

Businesses could also consider public reporting mechanisms as a way of showing their commitment to the issue to the broader community, for example via its **Financial Inclusion Action Plan** or reporting via the **Workplace Gender Equality Agency**.

#### Case study – Financial Inclusion Action Plan (Energy Australia)

Good Shepherd Microfinance works with organisations to create a Financial Inclusion Action Plan with measurable actions to commit to financial resilience for their customers and staff. EnergyAustralia released its first Financial Inclusion Action Plan in 2017.<sup>42</sup>

EnergyAustralia's plan includes actions to support women to improve their financial knowledge. It also has actions to review policies and procedures on how they support people in abusive relationships. The plan also includes the need to maintain relationships with key community organisations such as WEstjustice and financial counsellors to further support vulnerable customers, especially family violence victim-survivors.

#### Case study – Workplace Gender Equality Agency

AGL, Alinta Energy, EnergyAustralia, and the Energy and Water Ombudsman Victoria provided reports to the Workplace Gender Equality Agency, an Australian Government agency responsible for promoting and improving gender equality in Australian workplaces.<sup>43</sup> These reports included areas like workforce composition, employer action on pay equity and family violence support measures. Some businesses (including Mirvac and AGL) also make a version of this report publicly available on their website.<sup>44 45</sup>

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<sup>42</sup> EnergyAustralia. 'Financial Inclusion Action Plan', [https://goodshepherdmicrofinance.org.au/assets/files/2016/11/EnergyAustralia-FIAP-141116\\_F.pdf](https://goodshepherdmicrofinance.org.au/assets/files/2016/11/EnergyAustralia-FIAP-141116_F.pdf), accessed 19 July 2019.

<sup>43</sup> Workplace Gender Equality Agency, 'WGEA Data Explorer', <https://data.wgea.gov.au/industries/247>, accessed 02 July 2019.

<sup>44</sup> AGL, 'WGEA Public Report 2017-18', <https://www.agl.com.au/-/media/aglmedia/documents/about-agl/who-we-are/our-committments/20180606-wgea-public-report.pdf?la=en&hash=602560BF6DF1E9E0651B257453D6946C6112A454>, accessed 02 July 2019.

<sup>45</sup> Mirvac Group, 'WGEA Public Report 2018-19', <https://www.mirvac.com/About/News/-/media/4AF313AA86724830B08115A4A9E1CAF7.ashx>, accessed 02 July 2019.

## Principle Three: Prioritise safety and choice for victim-survivors



This principle relating to prioritising safety and choice for victim-survivors considers how organisations can provide options and support that have a direct impact on a person's ability to manage their personal and financial security. Organisations seeking to achieve this principle:

- show empathy to victims-survivors
- avoid requiring proof as an eligibility criteria for family violence assistance
- support the agency of victim-survivors
- minimise repeat disclosure
- protect private and confidential information
- respond to the financial impacts of family violence.

By applying this principle, businesses can avoid becoming another mechanism of abuse by the perpetrator and can promote the long-term personal and financial security of their customers.

In our research to measure the outcomes on customers of family violence support, a financial counsellor gave the following feedback:

“I think they’ve become more aware of what clients are going through and what they’re experiencing and they’re very mindful of their state of mind when clients call so they’re very empathetic when you contact them now whereas it wasn’t like that in the past.” – Financial counsellor<sup>46</sup>

Principle	Actions	Page No.
Prioritise safety and choice for victims-survivors	Show empathy to victim-survivors	29
	Support the agency of victim-survivors	30
	Avoid requiring evidence of family violence	31
	Avoid repeat disclosure	34
	Protect private and confidential information	37
	Respond to the financial impacts of family violence	41

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<sup>46</sup> Wallis Market and Social Research, op cit., p. 17.

## Show empathy to victim-survivors

Family violence experts are unanimous that policies must be designed to reflect the nature and causes of family violence, and the experiences of victim-survivors.<sup>47</sup> In our workshops, attendees gained an understanding of the size of the issue in the community, how it affects different demographics and what the common myths are about what family violence looks like.

In its report, *Voices of Hope*, Family Safety Victoria emphasises the importance of showing empathy to victim-survivors.<sup>48</sup> When victim-survivors feel heard without judgment they're more likely to be confident in the support offered by that organisation.

**North East Water** promotes empathy when working with customers, noting this provides for a safer and more flexible response at the time of the call. **Yarra Valley Water** encourages empathy so customers feel understood and their position validated.

“Empathy contributes to our customers regaining some power and control over their circumstances and their finances in the form of payment plans that are manageable within their specific circumstances.” – Yarra Valley Water

### Case study – North East Water

North East Water was contacted by a customer who had left the family home as a result of family violence. His partner had traced his new address and accessed some of his online government services. The customer rang North East Water and discussed options to ensure his partner was not able to access his water account.

North East Water advised him that they could help him to manage his account by flagging for his calls to be transferred to the Customer Support Team. It also offered a password and secret question for accessing his account; which he accepted. The customer was appreciative of ease of the with which he could secure the account.



Gas and electricity retailers must ensure representatives are trained in how to engage appropriately and effectively with affected customers.

See 106F of the Energy Retail Code.



Water businesses must train staff to deal appropriately with affected customers. See clause 14(a) of the Urban Water Business Customer Service Code and clause 11(a) of the Rural Water Business Customer Service code.

<sup>47</sup> Economic Abuse Reference Group, op cit., p. 2.

<sup>48</sup> Family Safety Victoria, 'Voices of Hope', March 2017, p. 41.



## Support the agency of victim-survivors

Family Safety Victoria promotes supporting a victim-survivor to have an active role in how they engage with the processes and systems that affect them. For organisations this means helping to guide customers affected by family violence through what options are available to them so they're not taking it on alone.

Through this approach, victim-survivors can reclaim a sense of control and confidence that may have been lost from their experience of family violence.<sup>49</sup> They can make informed choices that suit their circumstances as they move on with their lives.

**Yarra Valley Water** promotes agency for customers as a way to improve outcomes for the customer and the business.

“If a customer feels we are working towards a solution with them, they are more engaged in our programs and more likely to meet their payment commitments.” – Yarra Valley Water

### Case study – Yarra Valley Water

A customer mentioned they had only become aware of the debt on the account since they separated from their partner. The consultant suspected this was a sign of family violence and transferred the customer to the hardship support program, WaterCare, whose team members had received further in-depth training on the complex issues surrounding victim-survivors and perpetrators.

Once transferred, the customer described how her partner had been removed from the property as a result of a Family Violence Intervention Order. She thought he was still paying the bills and had just received a notice for restriction due to non-payment.

The WaterCare consultant firstly asked the customer if she was safe and if she was getting support. The consultant then arranged to case manage the account, and shield it from collection activity. Yarra Valley Water negotiated an affordable payment arrangement with the customer and accessed a utility relief grant to assist in reducing the debt.



Gas and electricity retailers must always have regard to the customer entitlement in the Energy Retail Code of safe supportive and flexible assistance in order to manage personal and financial security.

See 106E of the Energy Retail Code.

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<sup>49</sup> *ibid.*, p. 42.

## Avoid requiring evidence of family violence

The circumstances of family violence mean victim-survivors may need to leave their home at short notice, and often live in constant fear. Asking for evidence of family violence can cause additional stress and the documents may be difficult for a victim-survivor to access. Having to provide evidence may be a major barrier to seeking support.

Family violence experts suggest businesses should carefully consider the purpose of seeking evidence from victim-survivors of family violence, and only ask for evidence where absolutely necessary. Where victim-survivors are receiving support from a family violence professional (e.g. a family violence service or financial counsellor) this indicates that their circumstances have been deemed appropriate for specialist support and should ordinarily form sufficient evidence.

Not requiring evidence has benefits for customers and staff. **North East Water** ‘takes people at their word and works towards supporting customers in a timely manner’. It notes this practice promotes safety as it may not be safe for customers to collect evidence or explain their story multiple times. Staff can provide immediate help for those affected by family violence, eliminating further stress for both customers and staff.

“Customers felt an immediate sense of relief that we were listening to them and were ready to take action to assist where possible.” – North East Water

**EnergyAustralia** promotes confidentiality for customers, and helps manage the level of vicarious trauma staff may experience by electing not to require evidence of family violence.

“We consider that evidence may contain personal information of other parties other than the account holder, or sensitive information that may not be appropriate for staff to view.” – EnergyAustralia

**Optus** found that removing the need for evidence meant staff were better able to respond to and support customers at the time of the call.

### Case study - Optus

Optus has removed the requirement for supporting documentation in order to make each interaction simpler for staff and customers, with quicker outcomes being reached. It also assesses each case on its own merits based on the information the customer is comfortable to disclose.

Optus found that staff feel rewarded in their roles when they can make decisions on a case by case basis. Each customer’s individual circumstances are taken into account and staff offer a range of solutions to alleviate some pressure for customers.

**Yarra Valley Water** says that by not requiring evidence, it is able to build trust with customers and contribute to the reputation of the business. It saves time and resources as there is no need to chase up and analyse evidence to determine whether it is sufficient.

## Case study – Yarra Valley Water

During a conversation about a high bill, a customer spoke about her suspicions that her ex-partner was returning to her property to turn on the garden tap to increase her bills.

Based on her past experience with her ex-partner she believed he was responsible but couldn't provide any evidence to support this. Recognising this behaviour as a form of family violence, the high bill consultant transferred this customer to its WaterCare Support team.

The WaterCare Support team asked if the customer was safe and discussed her situation with her in a respectful and empathetic manner to determine whether she needed further support. They referred her to Uniting Kildonan's CareRing, a centralised point of contact that coordinates a range of support services, to get support with other issues she was facing.

To prevent the issue from continuing Yarra Valley Water sent her a lock for the garden tap to ensure it could not be accessed. Yarra Valley Water was also able to remove the debt caused by the family violence by reducing the bills to what they were before this abuse occurred and the customer was happy to pay that amount.

Yarra Valley Water did not require proof of the situation or that it was her ex-partner responsible. It considers this is a key part of the interaction that ensures Yarra Valley Water is not re-traumatising the victim-survivor or creating any more barriers to disclosure.



Gas and electricity retailers may only seek evidence of family violence when undertaking debt management and recovery or as a means to avoid de-energisation (disconnection) of supply.

See 106L of the Energy Retail Code.

## Types of evidence

In isolated cases, there may be instances where a business considers a form of evidence will help to achieve the best possible outcome for a customer affected by family violence. In those instances businesses should work with the victim-survivor to determine options that would avoid additional trauma or stress.

“Providing choice as to the source of information enables individuals to exercise a level of control over their personal information and may assist in minimising barriers to disclosure.” - Office of the Australian Information Commissioner in its submission to the Australian Law Reform Commission's review on family violence related leave.

In forming a view on the evidence sufficient to establish a customer is affected by family violence, we have reviewed policies and initiatives including the Victorian Public Service Enterprise Agreement 2016, the Fines Victoria Family Violence Scheme and the entitlement to domestic and family violence leave in the National Employment Standards. In consultation with family violence experts, we consider the following types of evidence represent a better practice approach.

Evidence may be in the following formats:

- A signed statutory declaration

[OR]

- An agreed document issued by:
  - The police service
  - A court (e.g. a Family Violence Intervention Order or Family Violence Safety Notice)
  - A family violence or other support service (e.g. specialist family violence service, financial counsellor, housing or mental health service)
  - A registered health practitioner (including Maternal and Child Health nurses)
  - A lawyer.

Importantly, the statutory declaration or other agreed document should avoid detailing sensitive information about the nature of the family violence. Evidence of family violence should be limited to the minimum information necessary.

## Avoid repeat disclosure

When victims-survivors have to repeat their story of family violence to different staff it can be traumatising. It can lead them to stop seeking support or may place them at greater risk if the perpetrator monitors their calls.<sup>50</sup> Repeated disclosure may occur if staff members aren't adequately trained to identify signs of family violence, or if internal systems don't allow staff to readily identify the account of a customer who has been identified as affected by family violence.

**EnergyAustralia** and **Yarra Valley Water** piloted a referral arrangement to promote supportive and flexible assistance to its customers. In doing so, both businesses sought to address the anxiety and hardship customers can experience having to tell their story of family violence to utilities, banks and other service providers in order to gain more time to pay bills, or to establish critical services.

### Case study – Energy Australia and Yarra Valley Water

EnergyAustralia piloted a Hardship Referral Program aimed to make it less stressful for vulnerable customers seeking broader support when in hardship.

EnergyAustralia partnered with Yarra Valley Water to provide an option for vulnerable customers to elect to share their information between EnergyAustralia and Yarra Valley Water. For customers, it means they have the option of only having to explain their circumstances once. It saves time and it saves stress. Through the Thriving Communities Partnership, EnergyAustralia and Yarra Valley Water are working on expanding the program.

EnergyAustralia collaborated with WEstjustice to develop more efficient ways of supporting vulnerable customers. It championed the WEstjustice Restoring Financial Safety report and adapted its vulnerability team to a 'single entry point' for caseworkers working with victim-survivors.

**North East Water** adopts a dedicated phone line for customers affected by family violence in order to promote safety and to build trust. **Lower Murray Water** and **Coliban Water** have secure accounts and internal referral procedures to allow streamlined call handling that avoids customers having to repeat their stories, and allows for specially trained staff to tailor support to the customer's needs.

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<sup>50</sup> Domestic Violence Victoria, <http://dvvic.org.au/understand/about-family-violence/>, accessed 12 October 2018.

### Case study – North East Water

North East Water assigns customers affected by family violence to a Customer Support Consultant. These consultants have a dedicated telephone line, which prevents the customer from having to re-tell their story to another person and helps establish a trusting relationship.

North East Water found that customers feel safer when speaking to the same person. They create a bond with the staff member and are more inclined to work with them to put in place security and payment options or account waivers.

Having a dedicated Customer Support Team does mean the same staff members are constantly working in a high “risk” environment. North East Water has put measures in place to ensure these staff members have sufficient support available. For example the Team Leader sits with the team to provide regular opportunities for debriefing and checking in.

This approach has had a positive impact on North East Water’s customers. They appreciate only needing to disclose once and developing a relationship with a dedicated staff member.

### Case study – Lower Murray Water

Lower Murray Water identified the need to have procedures in place so that its customers who had identified as being in, or having fled family violence did not have to repeat their story each time they rang.

It identified the need for two family violence officers who would provide ongoing support to customers, and who could act as back up to each other in times of leave. The revenue officer for rural customers and the revenue officer for urban customers were designated these roles in addition to their responsibility for hardship cases.

It was determined that once a customer identified as being a victim-survivor of family violence they would be referred to one of the two officers who make themselves available to be their central contact and provide a direct phone number. Should the customer take up this arrangement, Lower Murray Water’s IT system would flag the account as ‘name suppressed’ so that should the customer call the general line, the customer service officer would know to transfer the call on.

Lower Murray Water found its customers were more willing to open up when they know they will have one point of contact and often communicate that they are relieved they do not have to repeatedly disclose their situation.

## Case Study – Coliban Water

Coliban Water has a process for securing customer accounts so their information is kept secure. When a customer calls, contact centre staff know to transfer them to the appropriate team.

Given their level of contact with customers experiencing vulnerability, the Account Solutions team was identified as best placed to assist customers affected by family violence. The Account Solutions team receives accredited training from the Centre for Non-Violence and has appropriate skills and referral information to assist customers.

On occasion the Account Solutions team make home visits, and they were finding customers would sometimes disclose family violence. When this occurred, customers could discuss additional assistance that Coliban Water could provide. Coliban Water found that face to face contact allowed customers to feel at ease before they disclose their family violence situation.

Both in person and on the phone, this approach has supported Account Solutions staff to make informed and respectful decisions that meet their customers' immediate needs.



Gas and electricity retailers must have a secure process that avoids affected customers having to repeatedly disclose or refer to their experience of family violence.

See 106H of the Energy Retail Code.



Water businesses must provide a process that avoids customers having to repeatedly disclose family violence and one which provides continuity of service.

See 14(f) of the Urban Water Business Customer Service Code and 11(f) of the Rural Water Business Customer Service code.

## Protect private and confidential information

Family Safety Victoria highlights the importance of ensuring safety.<sup>51</sup> An effective policy needs to make the victim-survivor's safety and protection a priority from beginning to end. Perpetrators may use knowledge of their former partner's personal information to pass standard account privacy protection methods in order to get their new contact details.

Protecting confidential information is particularly important when the perpetrator is, or has been, a joint account holder. It may also be relevant where family violence is occurring between account holders of a non-residential (business) account. **Southern Rural Water**, whose customers are predominantly commercial enterprises, and **Coliban Water** both promote a safety first approach to account security.

"If a customer requests their personal details to be suppressed because of family violence, we will do it to keep them safe. It is irrelevant whether they are a director of the business, as many of our customers are. What is important to us is that we follow through on our promise to keep our customer's private information confidential when requested to do so for reasons of family violence." – Southern Rural Water

"The new security screens on our billing systems offers piece of mind for customers as some were still going through separation or trying to leave a relationship and feared their new contact details may be disclosed." – Coliban Water

**Gippsland Water** ensures its service remains safe for customers by taking a flexible approach when working with customers on account security measures. **Wannon Water** made process and system changes so customers could be confident about the safety of confidential information. For **North East Water**, customer safety measures improved customers' confidence that the information they share about family violence is not disclosed, thus protecting customer safety and the relationship between the business and customer.

"Customers trust us to protect their information once disclosed. We understand that there may be risk in some instances of accidental disclosure but we limit the possibility by strictly adhering to our safety processes." – North East Water

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<sup>51</sup> Family Safety Victoria, op. cit., p. 42.



### Case Study – Gippsland Water

Gippsland Water was told by a customer that her ex-partner was known to use a female friend to contact utilities in order to try and find out about her new address.

The customer was afraid of her ex-partner so the case manager decided he would not obtain a forwarding address to ensure her location could not be compromised. The customer and case manager only communicated via email to promote the customer's safety. Gippsland Water decided that in this instance the customer's safety was the highest priority.

### Case Study – Wannon Water

Wannon Water first made changes to their billing system and customer records system to allow customers' details and accounts to be locked down. Having this facility has given the customer relations team the confidence to reassure customers that their information will not be accidentally shared.

Wannon Water staff then considered changes to its record keeping so it could better secure documents, particularly sensitive document, and restrict access to only the support team.

Working through this process meant staff had confidence that they were keeping customers safe and the customer would know the process behind locking down these accounts and why their call would be referred to a support person to discuss with them.

In making the changes, Wannon Water considered the cost relative to the potential risk to their customers. As a result of these changes, customers can now be reassured that their details will not be shared inadvertently and that they will not need to repeat their story.

### Case Study – North East Water

At North East Water all information remains confidential and disclosure to a third party (police) will only occur if they consider somebody may be at risk of harm. To support confidential and respectful conversations the following processes are implemented:

- Password protected / secret question access
- Pop up message on accounts
- Safety flag (red flashing symbol)
- Calls to be transferred to the Customer Support team
- Case managers

In some instances a (forwarding) postal address and other contact details are kept separately from the account and are only accessible to specific staff.

By putting these safety triggers in place North East Water has limited the number of people who can access certain information. North East Water acknowledges the impact this has on call volumes for the support team but considers this manageable relative to the potential adverse effects of normal practices on customers.

By engaging all staff in developing confidentiality in systems and processes, staff can help identify risks, particularly where they could lead to unintentional sharing of a customer's account details.

Such an approach allows an organisation to implement practical solutions and create safeguards to ensure sensitive information can only be accessed by authorised staff. **Lower Murray Water** found that involving staff in initiatives to improve customer confidentiality, increases awareness of family violence across the business.

### Case Study – Lower Murray Water

In developing its systems to protect customers' account security, Lower Murray Water looked at its customer touchpoints where there was potential for private customer information to be divulged.

It then involved its Business Technology Services team and Rural Operations team in determining how to protect details in its Property and Rating system, Records Management System and Water Ordering system. This level of involvement across the business made the process complicated, but also ensured the outcome was comprehensive.

Lower Murray Water said as a result of this work and associated training, staff awareness of family violence and its impact on customers has increased across the business, particularly for staff working in systems where customer information is stored.



Gas and electricity retailers must not disclose or provide access to confidential information without the customer's consent.

See 106G of the Energy Retail Code.



Water businesses must provide for the secure handling of customers information. See clause 14(c) of the Urban Water Business Customer Service Code and clause 11(c) of the

Rural Water Business Customer Service code.

### **Maintaining customer trust is critical to developing an effective response**

Our 2019 research on the outcomes of family violence assistance in the water sector found that despite initiatives by water businesses, some customers still did not trust in businesses to protect their personal information.<sup>52</sup> This can be a particular issue in regional areas where customers perceive there to be a greater risk of detection by the perpetrator due to the likelihood that either party would know someone within the business.

"When it's a community like this, what it would fall down is if [the customer] knew the person they were talking to [on the phone] or if they knew someone that worked at the water business...They have their privacy policy but when someone is in fear it means nothing to them." – Financial counsellor<sup>53</sup>

Businesses need to consider the customer's experience when developing its information security measures, including how it communicates to customers the measures and safeguards it puts in place. It is only through doing this that customers will feel safe to disclose.

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<sup>52</sup> Wallis Market and Social Research, op. cit., p. 14-15.

<sup>53</sup> *ibid.*, p. 15.

## Respond to the financial impacts of family violence

Family violence can have significant financial impacts for victim-survivors, whether or not economic abuse is part of the abuse. Victim-survivors may need to leave possessions behind if they leave in a crisis situation, and will have many ongoing legal and financial issues to navigate. Family violence is the most common cause of homelessness for women in Victoria.<sup>54</sup>

### Economic abuse – a form of family violence

Economic abuse (or financial abuse) is a form of family violence where perpetrators control their partners through their finances. For example, a perpetrator may limit their partner's access to money or avoid responsibility for debts, deliberately leaving the burden to the victim-survivor. This can continue after a relationship has ended where the victim-survivor is left with financial arrangements entered into with their former partner. A perpetrator may fraudulently create a new account in the victim-survivor's name and intentionally accumulate debt.

A common form of economic abuse is accumulating debt and disconnecting, or threatening to disconnect, utilities. The perpetrator may also threaten not to pay bills, jeopardising the victim-survivor's credit record. A poor credit rating can impact on a victim-survivor's ability to establish financial independence or access housing and other services.

### Debt management and joint accounts

Many businesses have adopted processes to ensure victim-survivors of family violence with joint debts are not disadvantaged after separation. This reflects 2014 research of the Consumer Utilities Advocacy Centre (now the Consumer Policy Research Centre) which found that some utility providers require victim-survivors to seek consent from their perpetrator (the other account holder) to terminate a joint account, putting them at significant risk of further violence.<sup>55</sup>

**Wannon Water** has established processes for managing, suspending or waiving debt for customers affected by family violence. In deciding to waive or suspend debt it prioritises safety and flexibility for customers.

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<sup>54</sup> Australian Institute of Health and Welfare, 'Specialist homelessness services annual report 2016-17', 13 February 2019.

<sup>55</sup> Consumer Utilities Advocacy Centre, 'Helping Not Hindering: Uncovering Domestic Violence & Utility Debt', 2014, p. 42-44.

## Case study – Wannon Water

When working with a customer affected by family violence, staff members will discuss with the customer the options that may be available to them. The customer decides what will happen, allowing them to have more control of their situation and building their ongoing relationship with the business. Wannon Water found their customers felt better knowing that they are in control and options including suspending debt allowed them space to focus on other issues.

For the business, Wannon Water found that debt increased for a period but by allowing smaller more regular payments or suspending debt for a period of time the customer can pay at an amount and time that is suitable and affordable for them. From Wannon Water's perspective, the impact of having the increase in debt is minimal compared to the benefits for its local community and the business's reputation both internally and externally.

As part of this work Wannon Water has built better relationships with community organisations that are helping customers affected by family violence. Support workers from these organisations feel more confident in supporting Wannon Water customers knowing that they have options available for their clients in regards to debt management.

Many industries are considering approaches to this work, including sensitive and constructive ways to recover joint debts, identifying circumstances where debt will be waived or suspended, and providing payment difficulty assistance. **Commonwealth Bank** recognises that financial abuse may include instances where a victim-survivor is coerced into taking out loans, debts and or credit cards in their name. It published a guide, *Addressing Financial Abuse* to help address this.<sup>56</sup>

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<sup>56</sup> Commonwealth Bank of Australia, 'Addressing financial abuse: a family violence community resource guide New South Wales', CBA, 19 June 2017.

## Case study – Commonwealth Bank

*Addressing Financial Abuse* is a booklet developed by the Commonwealth Bank aimed at domestic and family violence support workers to help affected people establish financial independence as a key step in leaving an abusive relationship. The booklet provides guidance on the simple steps that can be taken to promote financial independence, such as opening up a new personal bank account; financial safety planning; freezing joint accounts and changing account passwords. It is available in 16 community languages.

Commonwealth Bank can provide a range of financial assistance, including deferring debt, reducing payments and not recording poor credit history against the victim-survivor's name, depending on the customers' circumstances.



Gas and electricity retailers must consider the impact of debt recovery and whether other people are responsible for the debt before taking action to recover arrears.

Nothing prevents a retailer from waiving, suspending or repurchasing the debt of an affected customer.

See 106I of the Energy Retail Code.



Water businesses must specify the water business's approach to debt management and recovery where a customer is affected by family violence, including debt recovery from

joint accounts and suspension or waiving of debt.

See clause 14(d) of the Urban Water Business Customer Service Code and clause 11(d) of the Rural Water Business Customer Service code.

## Assistance for payment difficulty

Businesses can support customers affected by family violence by extending support under their existing payment difficulty assistance or hardship policies. This may include offering flexible arrangements tailored to a customer's circumstances even if the customer is not yet in arrears.

WEstjustice reports that in many instances, staff have struggled to recognise family violence as a reason for payment difficulty assistance; thereby limiting the options provided to a customer.<sup>57</sup> By offering financial assistance even where it appears a customer experiencing family violence is not yet in dire need, organisations send a powerful message to that customer that they aren't alone, and there is help available should they need it.

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<sup>57</sup> WEstjustice, op. cit., p.9.

**North East Water** recognises that family violence can lead to financial hardship that can take years to overcome and that some customers will never financially recover. It encourages staff to consider complete or part waivers of debt and long-term payment arrangements, depending on the customer's capacity to pay.

“We only noticed a positive impact on our business, employees and customers. The business is building a reputation as a compassionate and empathetic business, employees feel a sense of reward at being able to assist and our customers are overwhelmed with the offer of a debt waiver.” – North East Water

**Gippsland Water** sought to support its customer through flexible payment options and solutions to managing debt on a closed account. It realised that giving the customer options and respecting her wishes on how to handle the debt, helped restore the agency and financial independency of the customer.

#### Case study – Gippsland Water

Gippsland Water had a customer who was left with a debt in her name only for a property she shared with her ex-partner. The account was now closed and the debt was identified as a form of financial abuse.

The customer was adamant that she wanted to pay the debt. As part of its response Gippsland Water considered what options it had to assist the customer to pay the debt while supporting her decision.

Gippsland Water applied the concession rebate and backdated it where possible and entered into an affordable payment arrangement. It also agreed to match each payment she made.

This example highlights the need to include the customer in decision making and the range of options that can be offered to assist customers pay out their debt.

**Optus** promotes a customer's personal and financial security through flexible options that reflect the customer's individual needs.

"The support Optus provides leaves customers feeling valued and supported and provides a sense of relief for our customers. Providing outcomes that are financially sustainable for the customer removes some of the pressure they're experiencing." – Optus

### Case study – Optus

After leaving a family violence situation a customer sought assistance from Optus in relation to multiple services in her name. With the assistance from support networks, it became clear that the customer was not the beneficiary of all of the services, and could not sustain the payments on her Centrelink income.

With assistance from the customer's support worker, Optus established that it was safe to cancel the perpetrator's service from the customer's account. It also released the customer from the contract at no charge.

To ensure affordability and to keep the customer connected with their own service, Optus applied a 50 per cent discount to the rate plan, reducing the minimum monthly cost to an affordable amount.

Options available to Optus customers who are affected by family violence include, but are not limited to:

- release from contract at no additional cost where economic abuse is present
- 50% discount on their mobile rate plan up to 24 months
- free number change
- short or long-term payment arrangements
- debt not pursued.



Gas and electricity retailers must recognise family violence as a potential cause of payment difficulty.

See 106J of the Energy Retail Code.



Water businesses must recognise family violence as a potential cause of payment difficulty and an eligibility criterion for the business's hardship policy. See 14(e) of

the Urban Water Business Customer Service Code and 11(e) of the Rural Water



## Principle Four: Build a culture of awareness, internally and externally



This principle underscores the importance of building a culture of awareness in addressing family violence. By taking a whole of organisation approach to raising awareness and for training, organisations can enable early detection of family violence and support employees to respond safely and appropriately.

In order to build a culture of awareness, organisations need to:

- educate, train and support employees to understand and show empathy
- tailor training for customer focused and senior roles
- support staff to understand their role and limitations.

Staff that understand how they can assist victim-survivors in their roles and who feel supported by senior management are better positioned to provide effective assistance. This includes staff knowing the limitations of their role and offering victim-survivors referrals to specialised teams and external agencies when they think it's appropriate to do so.

An organisational culture that supports awareness of family violence helps employees respond appropriately and with confidence to issues as they arise. Businesses can do this by initiating conversations with staff about family violence and providing them with information to help them understand the complexities of family violence and be empathetic.

Principle	Actions	Page No.
Build a culture of awareness, internally and externally	Educate, train and support employees	47
	Tailor training for customer-focused and senior roles	50
	Support staff to understand their role and limitations	52

## Educate, train and support employees

Training supports staff to recognise the signs of family violence and how they can help, ensuring customers feel respected and believed. Providing education, training and support signals to the whole organisation that addressing family violence and ensuring the safety of customers is a business priority.

**Thriving Communities Partnership** noted that some of the challenges to realising cultural change within an organisation include unconscious bias and understanding the complexity of family violence.<sup>58</sup> In its research **WEstjustice** noted that following training staff had a better understanding of why the issue was relevant to their work. **WEstjustice** recommends that businesses continue to train their staff, consult with experts and conduct process reviews to embed a culture of identifying and responding to family violence.<sup>59</sup>

Discussing family violence can be uncomfortable and can bring up issues for staff. It is important to support and prepare staff for these conversations. Ensuring that staff have space to raise and address their concerns and feel supported is also a necessary step towards change. Ongoing training further helps staff understand the complexities of family violence and be sensitive to customers' needs.

“I think [water business staff] are aware of family violence when they weren't beforehand. They've done the training...so when family violence is mentioned they're definitely more sensitive to it and there's a sympathy to it.” – Financial counsellor<sup>60</sup>

Extending training to all staff also helps them to consider possible issues in relation to their own work areas. For example, the IT team may consider risks in system processes and upgrades, creating solutions to prevent unintentional disclosure of confidential information and safeguards to ensure sensitive information can only be accessed by authorised staff.

Family violence specialists and water businesses that have already implemented training, say that businesses rolling out family violence training need to involve specialist training providers.<sup>61 62</sup>

**Yarra Valley Water** engaged **Uniting Kildonan** to provide whole of business training around awareness, response and referral pathways. It understands that family violence can be disclosed throughout almost any part of the business and therefore considers it necessary to create a culture where it is safe to disclose and discuss family violence.

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<sup>58</sup> Thriving Communities Partnership Family Violence Round Table Report 2019 p. 21.

<sup>59</sup> WEstjustice, op. cit., p. 7.

<sup>60</sup> Wallis Market and Social Research, op. cit., p. 17.

<sup>61</sup> Good Shepherd Australia and New Zealand.

<sup>62</sup> City West Water, South East Water, Yarra Valley Water.

**North East Water** sought to improve the health and wellbeing of its customers through organisational awareness and tailored training.

#### Case study – Yarra Valley Water

Yarra Valley Water's training modules were developed in partnership with Uniting Kildonan to be run in-house by Yarra Valley Water's own team.

The business runs training for new contact centre staff as part of its induction and refresher training every two years. The modules are reviewed and updated periodically to include additional topics such as working with perpetrators and elder abuse.

By providing ongoing training and regular reviewing its training content, Yarra Valley Water strengthens its culture of awareness and ensures knowledge about the complex nature of family violence remains in focus.

#### Case study - North East Water

In developing its family violence response North East Water learnt that its staff wanted to be involved, even though it was a challenging issue. They wanted to know how to help and said they were willing to be uncomfortable to get comfortable with the subject matter.

North East Water started conversations and training with its staff. Once its customers became aware that they could discuss family violence safely and that there are initiatives to help, they trusted the business and were comfortable to disclose.

Over time, staff have become confident in their abilities and the business's processes. Staff are now more aware that each call they receive may potentially result in disclosure of family violence and they feel comfortable to work with the customer.

**Optus** sought out information and materials for its frontline service staff to ensure its customers were getting adequate support. **Western Water** noted the importance of identifying a training provider that is the right cultural fit for the organisation.

### Case study – Optus

Optus approached 1800 RESPECT to obtain information and materials for its frontline staff. The material outlined key indicators to listen out for in order to identify customers affected by family violence.

The materials and training provided, assisted staff in building on skills to show compassion and empathy. This also helped them to have open conversations with customers.

As a result, staff at Optus have the knowledge to manage calls and assist the customer in circumstances where they are indirectly indicating family violence is present. This helps ensure that customers are still provided with the required support without having to self-identify as being affected by family violence.

### Case study – Western Water

Western Water noted the varying approaches offered by family violence training providers. It encourages businesses to review the various needs of the business and to consider the content of training programs offered to ensure the quality and relevance of the training to the business's needs.



Gas and electricity retailers must train employees on the nature of family violence, its family violence policy, how to identify, and how to engage with customers who are affected by family violence. See 106F of the Energy Retail Code.



Water businesses must train staff to deal appropriately with affected customers. See clause 14(a) of the Urban Water Business Customer Service Code and clause 11(a) of the Rural Water Business Customer Service code.

## Tailor training for customer-focused and senior roles

The Economic Abuse Reference Group recommends that in addition to providing all staff with general awareness training, staff who have any customer contact, respond to vulnerable customers or hold management roles should also receive tailored training.<sup>63</sup>

Tailored training for staff members interacting directly with customers will help develop their capacity to identify signs of family violence at an early stage and to respond according to the organisation's policy. All staff engaging with customers, across every level, should receive high-quality training on:

- detecting the warning signs of family violence
- ensuring customer safety and confidentiality
- providing flexible and personalised solutions
- making referrals to support services (this can be transferring them directly to the appropriate team within the organisation or, if the customer is talking to the specialised team member, external referrals to support service organisations).<sup>64</sup>

**Coliban Water** trains its customer support team to ensure staff are mentally prepared to provide quality and timely support should a customer disclose family violence. All staff at **Lower Murray Water** took part in introductory training and front end staff and managers took part in more specialised training.

### Case study – Coliban Water

Coliban Water engaged the Centre for Non-Violence to provide accredited training to its customer support staff. This provided valuable resources that were displayed around the customer support department area to encourage discussion about family violence.

The customer support manager spoke to each of her team members to ensure they felt supported and confident enough to discuss and provide assistance to victim-survivors and perpetrators. This approach provided the staff member the opportunity to discuss or raise concerns in a confidential setting.

Once staff had received accredited training and had the opportunity to actively participate in creating procedures their confidence increased. They also felt comfortable to discuss family violence and make referrals for victim-survivors and perpetrators to external agencies.

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<sup>63</sup> Economic Abuse Reference Group, op. cit., p. 2.

<sup>64</sup> WEstjustice, op. cit., p. 11.

## Case study – Lower Murray Water

Lower Murray Water found staff training was a critical aspect of its family violence response. Staff across the business received a level of training in family violence, and frontline staff and people leaders attended training specific to their roles.

Following the training Lower Murray Water said staff were more vigilant and recognised the importance of keeping customer data secure. Customers told the business they appreciated the ability to have their data secured and that they were relieved to be taken seriously.

Lower Murray Water sees this as a continuing and combined effort across the organisation to ensure all staff have a clear and up-to-date understanding of family violence and supporting the privacy and safety of victim-survivors.

Tailored training for senior roles helps management effectively implement policy, improve processes and support their staff. It also increases leadership support. The **Thriving Communities Partnership** considers leadership support as imperative to responding to family violence. Leadership support ensures there is funding available for training and resources.<sup>65</sup>

**Horsham City Council** commissioned **Women's Health Grampians** to provide leadership briefing and intensive 'bystander training' to senior management across Wimmera councils as part of the Act@Work program.

"Bystander training aims to raise awareness of sexism, discrimination and violence against women. Educating senior management about these issues has helped each council develop a framework for taking action and to progress work in relation to preventing violence against women." – Horsham City Council



Gas and electricity retailers must ensure training is provided to any employee (or contractor) who engages with customers as well as that employee's

manager.

See 106F of the Energy Retail Code.



Water businesses must train staff to deal appropriately with affected customers. See clause 14(a) of the Urban Water Business Customer Service

Code and clause 11(a) of the Rural Water Business Customer Service code.

<sup>65</sup> Thriving Communities Partnership, op cit., p. 21.

## Support staff to understand their role and limitations

Customers will receive more consistent responses when staff members are clear about what is expected of them. All staff members should understand:

- the nature of family violence
- the organisation's family violence policies
- their responsibilities relevant to their individual role.

Information about the organisation's response to family violence must be clear to employees. In this way staff will feel confident and better able to efficiently and effectively assist customers affected by family violence. Customers will benefit from a more efficient and less stressful process. The risk of staff experiencing vicarious trauma can also be reduced.

City West Water ensures all its employees who work with customers affected by family violence, have ongoing training, supporting processes and the required knowledge. This is so they can identify and appropriately respond to customers affected by family violence in accordance with its family violence policy.

**North East Water** trained its frontline staff on the support options available to its customers and what they expected of staff in responding to customers. This helped to create a clear and consistent response for customers affected by family violence. For **Barwon Water**, staff training was integral to staff understanding the limitations in their role in supporting customers. Staff at **Yarra Valley Water** sought further training on working with perpetrators of abuse so that they better understood their responsibilities.

### Case study – North East Water

In its training to staff North East Water reiterated that while staff were expected to respond to customers affected by family violence they were not expected to be counsellors. The message to staff was that they may not be able to fix the situations being faced by their customers, but they could provide valuable information about referral services.

### Case study – Barwon Water

Barwon Water's customer centre staff refer customers that disclose family violence to its credit and hardship team. This specialist team may offer referrals to appropriate support organisations, however they noted the referrals are not always accepted. This team recognises the limitation of how they can support customers and leave it to the customer to decide what they will accept.

### Case study – Yarra Valley Water

Yarra Valley Water's WaterCare Support Team – who provide case management to customers affected by family violence – identified that while they were comfortable and confident working with victim-survivors, they needed additional skills and capability when engaging with those who use violence, as those calls were becoming a regularity.

Recognising that staff were not clear about how to respond to perpetrators, Yarra Valley Water engaged No to Violence to deliver tailored training to help staff understand their responsibilities. The training was a full day session that covered men's behaviour change and how to respond safely and effectively when engaging with men who use violence.

The training has now been delivered to the WaterCare Support Team and other key people across Yarra Valley Water including people from performance and culture, and debt management teams. This initial training was extremely well received and provided these teams with additional skills that can be applied in the interactions that Yarra Valley Water has both with customers and potentially staff.



## Principle Five: Acknowledge and address barriers to access



This principle asks businesses to recognise and address the factors which increase the likelihood of experiencing family violence and which can make accessing services more difficult.

This principle may be achieved by:

- understanding the gendered nature of family violence
- providing support that is inclusive for all Victorians
- providing referrals to expert support services.

Principle	Actions	Page No.
Acknowledge and address barriers to access	Understand the gendered nature of family violence	55
	Provide support that is inclusive for all Victorians	58
	Provide referrals to expert support services	61
	Promote the options available to customers	63

## Understand the gendered nature of family violence

The Royal Commission into Family Violence found that:

“The strategy to address family violence must continue to recognise that most family violence incidents occur in the context of intimate partner relationships. The significant majority of perpetrators are men, and the significant majority of victims are women and their children.”<sup>66</sup>

Research demonstrates that Australian women are nearly three times more likely than men to experience violence from an intimate partner.<sup>67</sup> As noted by Our Watch and No to Violence, recognising the gendered patterns of violence does not dismiss the experiences of male victim-survivors. Instead it recognises that the most prevalent pattern of family violence in Australia is male violence against women.<sup>68</sup> This prevalence highlights the need for an approach that accounts for and addresses the gendered nature of family violence.<sup>69</sup>

For businesses this means victim-survivors will predominantly be women and perpetrators will predominantly be men. Businesses will need to consider this as they develop or build on their approach to responding to family violence. Organisations can help to prevent violence by developing systems that promote safe, respectful work environments that embrace gender equity.

“In recent years we have made significant progress in achieving balance in leadership and technical roles however we recognise that we have further to go and must maintain a strong focus over time.” – Yarra Valley Water

Given that family violence is a gendered issue, this is an important part of a family violence response. There are resources available to support workplaces in preventing violence against women, for example:

- Our Watch Workplace Equality and Respect Standards<sup>70</sup>
- Workplace Gender Equality Agency<sup>71</sup>
- RMIT University: Practices in Workplace and Organisational Approaches for the Prevention of Violence Against Women (2015).

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<sup>66</sup> State of Victoria, ‘Royal Commission into Family Violence: Summary and recommendations’, Parl Paper No 132 (2014-16), p. 2.

<sup>67</sup> Our Watch, referencing Australian Bureau of Statistics, 2017, Personal Safety, Australia, ABS cat. no. 4906.0, <https://www.ourwatch.org.au/Understanding-Violence/Facts-and-figures>, accessed 04 October 2018.

<sup>68</sup> Our Watch and No To Violence Men’s Referral Service, op. cit., p. 7.

<sup>69</sup> Our Watch, ‘Facts and figures’, <https://www.ourwatch.org.au/Understanding-Violence/Facts-and-figures>, accessed on 04 October 2018.

<sup>70</sup> Our Watch, ‘Workplace Equality and Respect’, <https://workplace.ourwatch.org.au/>, accessed 11 July 2019.

<sup>71</sup> Workplace Gender Equality Agency, [www.wgea.gov.au](http://www.wgea.gov.au), accessed 11 July 2019.

Delivering clear messages to staff about the gendered nature of family violence will support female employees to feel believed and respected if they disclose experiences of family violence. It's also an opportunity to highlight that men can have an active role in preventing all forms of violence against women by challenging sexist attitudes and behaviours.

**Yarra Valley Water, Wannon Water and Horsham Rural City Council** implemented work to promote gender equality as a way of demonstrating their commitment to staff and their broader community in creating social change.

#### Case study – Yarra Valley Water

Yarra Valley Water recognises that gender equality is fundamental in preventing violence. It has a clear and demonstrated commitment to gender equality within its workforce, including through its publicly available Diversity and Inclusion strategy, which has gender equality as one of the key focus areas.

#### Case study – Wannon Water

In 2015, Wannon Water partnered with Women's Health and Wellbeing Barwon South West to participate in 'Take a Stand' workplace training. The program aims to increase awareness of the role of gender inequity in violence against women, including family violence.

Since this training, Wannon Water has undertaken initiatives to improve gender equity, including flexible workplace arrangements. By encouraging men to take up these arrangements, Wannon Water seeks to improve men's work-life balance and consequently expand choices for the women in their lives. Wannon Water also promotes campaigns such as the 16 Days of Activism (a global initiative to raise awareness of family violence) and trains staff to assist employees affected by family violence to access support.

#### Case study – Horsham Rural City Council

Horsham Rural City Council is a member of the Communities of Respect and Equality (CoRE) Alliance to prevent violence against women and their children. The council worked with Women's Health Grampians to develop and deliver the Act@Work program to staff across Wimmera councils. The program aims to change the culture within organisations by highlighting sexism, discrimination and violence against women and giving workers skills to take action and intervene safely and effectively.

A review of the training program indicated a positive shift in attitudes and an increase in knowledge and skills of the staff who attended. Staff also showed a willingness to use the

bystander training that they participated in. The program has seen a positive step towards changing the culture of the councils that participated.

The Wimmera councils received funding for a Gender Equity Officer to support how they responded to the action plan from the Act@Work program. This officer assists the councils with activities including promoting more equitable participation across council processes. Overall the councils have completed 80% of the actions in its plan two years after it was first developed.

The **Carlton Football Club** aims to raise awareness of the prevalence and gendered nature of violence against women through its Carlton Respects program. Recognising the influential role it plays in the community Carlton chose to highlight the impact of gender inequality on the high levels of family violence.

### Case study – Carlton Football Club

As part of its Carlton Respects program, Carlton developed an education program in both schools and workplaces with advice from Our Watch. The schools program also aligns to the Victorian Government Rights, Resilience and Respectful Relationships curriculum. The program, facilitated by male and female Carlton players, is aimed at primary and secondary school students and is offered to schools within its catchment area to the north and north east of Melbourne. Further, the Club also utilise the platform of sport to run two Carlton Respects Games during the AFL & AFLW season.

Having undergone Our Watch's 'Workplace Equality and Respect project', Carlton's CEO Cain Little sits as part of the 'Male Champions of Change' program. It has a gender-neutral recruitment policy and adopts a gender-neutral tone on its website, demonstrating its deliberate shift towards a culture that is inclusive and respectful of women and women's perspectives. Additionally, Kate Jenkins, the Australian Sex Discrimination Commissioner, was a Carlton Football Club Director. Kate has recently stepped down and was replaced by Patty Kinnersly, the CEO of Our Watch, a national organisation driving cultural change against domestic violence. Having a senior advisor on gender issues in one of its top leadership roles further attests to the club's commitment to genuine cultural change.

## Provide support that is inclusive for all Victorians

As well as gender inequality, other forms of inequality and discrimination experienced (for example by people with a disability, migrant refugee backgrounds, Aboriginal and Torres Strait Islander people) can increase the risk of family violence, and shape their experience of family violence.

Discriminations such as racism, ableism, homophobia and transphobia will impact how people will experience services such as the police and the courts and even their utility company. This coupled with family violence will further shape the access people have to services and the power and authority they may (or not) be able to leverage when accessing services.<sup>72</sup>

In our research on customers' experiences of the family violence provisions in water businesses, financial counsellors and family violence service providers described who was currently seeking their services due to family violence.<sup>73</sup> While the majority were female, there were some male, people of various ages, cultural backgrounds, family situations and socioeconomic situations.<sup>74</sup> Our research also highlighted that some groups of people have a more difficult time accessing assistance than others.<sup>75</sup>

“It is really difficult for some in our community to actually access supports they need, have an understanding of what’s available to them and actually get access to those things.” – Customer advocate<sup>76</sup>

It is important for businesses to understand these often compounding forms of discrimination and barriers to accessing services. By understanding this, businesses can come up with solutions to these challenges and create policies and services that everyone can access equally.

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<sup>72</sup> Economic Abuse Reference Group submission to ‘Providing Family Violence Support: Exploring Ways Energy Retailers can Provide Family Violence Assistance that is Safe and Effective’, 10 December 2018.

<sup>73</sup> Wallis Market and Social Research, op. cit., p. 7.

<sup>74</sup> ibid

<sup>75</sup> ibid

<sup>76</sup> ibid., p. 23.

In order to support groups who find accessing assistance for family violence more difficult than others, **Yarra Valley Water** has sought new ways to connect with its broader community.

### Case Study – Yarra Valley Water

Yarra Valley Water has published family violence fact sheets on its website, which provide an overview of their family violence policy in 10 languages other than English.

It continues to work with its financial counselling partner to ensure it supports culturally and linguistically diverse customers appropriately and engages with multilingual communities through bilingual financial counsellors and the use of an interpreter service. It also partners with organisations to gain a greater awareness of issues associated with different communities, including Aboriginal and Torres Strait Islander communities.

It piloted a shopping centre hub to provide greater access to services for more vulnerable customers such as those that have poor literacy, are living with a disability, have limited English and that are experiencing homelessness. Through face to face discussion, including with bilingual staff, customers have an opportunity to raise issues that they may not feel comfortable discussing over the phone.

People living with a disability experience greater difficulty accessing essential services and can be at a higher risk of experiencing violence. In a survey conducted by the Australian Bureau of Statistics, almost twice the amount of people living with a disability or long-term health condition reported experiencing sexual harassment in 2016 than those living without a disability.<sup>77</sup> It is vital that business implement family violence policies that respond to the additional needs of people living with disabilities. **SA Water** discovered that often by tailoring services to suit customers with the most complex needs, many others will also benefit.

“If you’ve never walked a mile in someone else’s shoes, you often just don’t know what their life is like and therefore can’t appreciate the issues they face – and we needed to do that.” – Kerry Rowlands, SA Water<sup>78</sup>

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<sup>77</sup> Australian Bureau of Statistics, ‘Experiences of Violence and Personal Safety of People with Disability’, 2016 <https://www.abs.gov.au/ausstats/abs@.nsf/0/7F8F3ECBBA976E2CCA258352000F295E?Opendocument>, accessed 11 July 2019.

<sup>78</sup> SA Water, ‘SA Water shapes industry-lead support for customers living with disability’, <https://www.sawater.com.au/news/sa-water-shapes-industry-leading-support-for-customers-living-with-disability>, accessed 11 July 2019.

## Case study – SA Water

Through its Wider World program, SA Water has set out to make its services more easily accessible to customers living with a disability or medical condition.<sup>79</sup>

Over a 12-month period SA Water engaged with the Department of Human Services and South Australian Council of Social Services and held one-on-one meetings with its customers living with disabilities and their carers. It found that there were opportunities to provide more inclusive services and by catering to its most vulnerable customers its wider customer base often benefited.<sup>80</sup>

It also surveyed another 50 customers living with a disability to better understand how people living with various disabilities and medical conditions experience its services. In response to an overwhelming number of reports that water bills and meters were difficult to read SA Water simplified its water bills and initiated meter reading help.<sup>81</sup>

A number of organisations have expertise on understanding and preventing family violence in an inclusive way. Useful resources include:

- Multicultural Centre for Women's Health's Intersectionality Matters: A guide to engaging immigrant and refugee communities in Australia, 2017.
- Women with Disabilities Victoria's Voices Against Violence Research Project.
- Our Watch, 2017, Equality and Respect - Practice Guidance - Equality and Respect for All Women, an Intersectional Approach.<sup>82</sup>

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<sup>79</sup> ibid.

<sup>80</sup> ibid.

<sup>81</sup> ibid.

<sup>82</sup> Our Watch, Practice guidance: Equality and respect for all women – an intersectional approach', <https://workplace.ourwatch.org.au/resource/practice-guidance-equality-and-respect-for-all-women-an-intersectional-approach/>, accessed 19 July 2019.

## Provide referrals to expert support services

Businesses are not expected to be experts on family violence or to provide counselling as part of their family violence response. However, they are well placed to provide customers with information about support services that may be able to help. For example they can refer customers to family violence services, financial counsellors or services for Aboriginal and Torres Strait Islander communities, and culturally and linguistically diverse (CALD) communities.

Customer facing staff should only refer customers when they consider it safe, respectful and appropriate to do so; they are not required to offer referrals every time a customer makes contact. There may be instances where it isn't safe or convenient for a customer to write down the number of another service. In making a referral staff should ask whether the customer is already receiving support (and from which kind of service) before referring them elsewhere. Employees will need to draw on their family violence training and take the customer's circumstances into account to determine what's best at the time.

Businesses should have a list of referral options for staff to use that makes it as easy as possible to know which service/s would be most appropriate for the customer. The Economic Abuse Reference Group recommends businesses consider the level of training staff have received and their ability to choose between services when developing their referral lists for staff. They also recommend businesses consider:

- Developing relationships with particular services
- Using the knowledge and skills of staff that have a higher level of training
- Including specialist services in line with the nature of the business.

Water businesses and energy retailers are required to publish an up-to-date list of referral services on their website. Victim-survivors may use the website to access referral information when they don't feel safe to speak to the business directly about their experience, but still need help.

In developing their family violence provisions, **North East Water**, **Central Highlands Water** and **Western Water** developed relationships with family violence and other services to encourage warm referrals and improve opportunities for supporting their customers.

### Case study – North East Water

North East Water has developed relationships with local family violence organisations that provide advice on which services to include on North East Water's public facing referral list. It now has a list of local and national family violence services that includes local Aboriginal corporations and the Aboriginal Family Violence Legal Prevention Service.



### Case study – Central Highlands Water

Through feedback from customers and community leaders Central Highlands Water learnt that many victim-survivors were not aware of the support services available in the local area.

In response to this Central Highlands Water works closely with local welfare agencies and financial counsellors to provide an improved service to its customers.

These relationships work to strengthen and streamline referral processes to agencies in the local area. In doing so, customers can be better assisted on their path out of family violence or financial hardship.

### Case study – Western Water

Western Water approached the community health family violence service in their area. It did this to establish a relationship and develop a ‘warm referral’ process for customers affected by family violence who had not already accessed support. This process connects customers with intake workers who assess the customer’s needs. They link the customer in with support, in the same way other clients of the family violence service would be assisted.

By taking this approach Western Water built positive working relationships with local service providers. It supported employees to feel confident in referring customers affected by family violence. It also ensured that customers in the business’s country community could access help in their local area, rather than needing to travel to Melbourne. The arrangement raised Western Water’s awareness of the challenge to keep up with demand for family violence support, as more victim-survivors speak up about their experience.



Gas and electricity retailers must provide an affected customer with information about external family violence support services at a time and in a manner that is safe,

respectful and appropriate.

See clause 106K of the Energy Retail Code.



Water businesses must provide a means for referring customers who may be affected by family violence to specialist family violence services.

See clause 14(g) of the Urban Water Business Customer Service Code and clause 11(g) of the Rural Water Business Customer Service code.

## Promote the options available to customers

Businesses should make clear to their customers what assistance is available to them if they're affected by family violence. Publishing a family violence policy on a website is a good first step, but it's more effective when accompanied by clear and accessible information about how the business can help, why they're committed to responding to family violence and what will happen when a customer asks for help.

Our research on customer experiences of the family violence provisions in water businesses found that customers are not always aware of the assistance available to them if they're experiencing family violence. Most counsellors and advocates said their believed clients didn't know support was available before working with the counsellor, and the quality of information on a business's website was a key factor in customer awareness.<sup>83</sup>

“I think the main thing is about access, how clients find out about what's available. And ensuring that if they know what's available, they're able to access it.” – Family violence service provider

Information needs to be easily found by a customer through the website's navigation and search functionalities, and through other forms of communication. It should also sit alongside a list of external specialist support services. When victim-survivors understand their options and what will happen once they seek assistance, they feel empowered – an important part of supporting them to manage and overcome the effects of family violence.<sup>84</sup>

**North East Water** has a dedicated page with information about the support it offers and a list of external support services developed with input from a local family violence service.<sup>85</sup> **NAB** has a section of its website dedicated to its work on family violence, including support options for customers and how it helps its employees. It also includes articles on issues like community attitudes towards violence and people who use violence.<sup>86</sup>

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<sup>83</sup> Wallis Market and Social Research, op. cit., p. 8-9.

<sup>84</sup> Family Safety Victoria, op. cit., p. 26.

<sup>85</sup> North East Water, 'Domestic violence support', <https://www.newater.com.au/help-advice/domestic-violence-support#1606281-women-and-childrens-services>, accessed 04 July 2019.

<sup>86</sup> NAB, 'Domestic and family violence support', <https://www.nab.com.au/about-us/social-impact/customers/domestic-and-family-violence>, accessed 04 July 2019.



Gas and electricity retailers must publish on their website, and keep up to date one or more external family violence support services.

See clause 106K of the Energy Retail Code.



Water business must publish on its website and keep up to date, the assistance and referrals available to customers affected by family violence and how customers may access such assistance. See clause 14(h) of the Urban Water Business Customer Service Code and clause 11(h) of the Rural Water Business Customer Service code.

The screenshot shows the North East Water website's domestic violence support page. The header includes the North East Water logo, navigation links (Manage Your Account, Help & Advice, Developers & Plumbers, What We Do), a search icon, and a 'Contact Us' button. The main content area features a dark blue banner with the title 'Domestic violence support' and a sub-header 'We offer support and assistance to customers experiencing domestic violence.' Below this, a photograph shows two women in a conversation. The text continues: 'North East Water is proud to be a White Ribbon accredited organisation and understands domestic violence is a serious issue that poses substantial risk to the health and wellbeing of our customers. We actively endorse measures to support women, children and men who are experiencing domestic violence.' A 'White Ribbon Workplace' logo is displayed on the right. The section 'We can assist by:' lists five bullet points: ensuring confidentiality, taking customers at their word, assigning a case manager, offering flexible payment options, and providing financial support.

**North East Water**

Manage Your Account | Help & Advice | Developers & Plumbers | What We Do | [Contact Us](#)

## Domestic violence support

We offer support and assistance to customers experiencing domestic violence.

North East Water is proud to be a White Ribbon accredited organisation and understands domestic violence is a serious issue that poses substantial risk to the health and wellbeing of our customers.

We actively endorse measures to support women, children and men who are experiencing domestic violence.

**White Ribbon Workplace**

**We can assist by:**

- ensuring confidentiality
- taking customers at their word
- assigning a case manager
- offering flexible payment options
- providing financial support

Figure 2 North East Water Domestic Violence Support Webpage

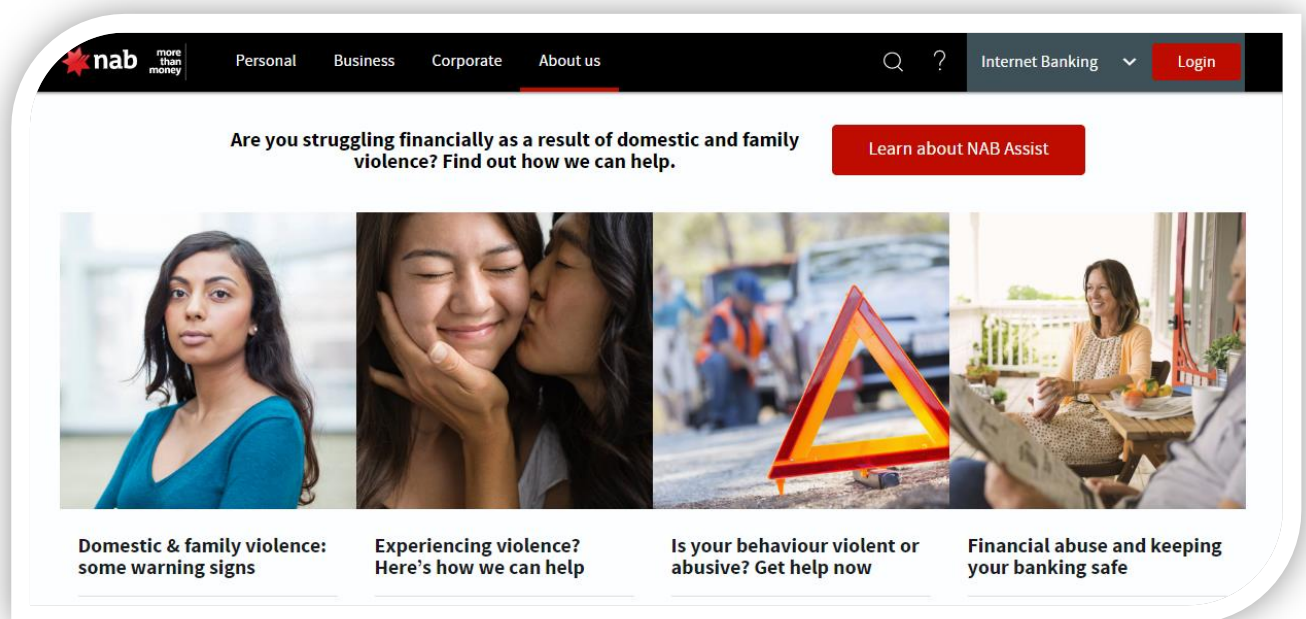


Figure 3 NAB Domestic and Family Violence Webpage

## Appendix A – Water Service Codes

Family violence provisions: clause 14 *Customer service code – urban water businesses 2017*; and clause 11 *Rural water customer service code 2017*.

A water business must have and implement a family violence policy.

As a minimum, the policy must:

- (a) provide that all relevant staff have ongoing training to:
  - (1) identify customers affected by family violence;
  - (2) deal appropriately with customers affected by family violence; and
  - (3) apply the water business's family violence policy and related policies and procedures to customers affected by family violence;
- (b) identify the support the water business will provide to staff affected by family violence, including any training, leave, external referrals and counselling available;
- (c) promote customer safety by providing for the secure handling of information about those affected by family violence, including in a manner that maintains confidentiality;
- (d) specify the water business's approach to debt management and recovery where a customer is affected by family violence, including, but not limited to:
  - (1) the recovery of debt from customers with joint accounts; and
  - (2) the circumstances in which debt will be suspended or waived;
- (e) recognise family violence as a potential cause of payment difficulties and as an eligibility criterion for access to the water business's hardship policy under clause 5.3 and 5.4, and address what payment support will apply to customers affected by family violence;
- (f) provide for a process that avoids customers having to repeat disclosure of their family violence, and provides for continuity of service; and
- (g) provide a means for referring customers who may be affected by family violence to specialist family violence services.

A water business must:

- (h) publish on its website, and keep up to date, the assistance and referrals available to customers affected by family violence and how customers may access such assistance;
- (i) provide a copy of the policy to a customer upon request; and
- (j) provide for a periodic review mechanism of the policy and its associated procedures.

## Appendix B – Energy Retail Code

### AMENDMENTS TO THE ENERGY RETAIL CODE: FAMILY VIOLENCE SUPPORT AND ASSISTANCE

21 May 2019

#### Amendments made by the Essential Services Commission on 21 May 2019

#### 1 Nature and commencement of this instrument

- (1) This instrument amends the *Energy Retail Code*.
- (2) This instrument comes into operation on 1 January 2020.

#### 2 Table of amendments

- (1) Insert the following definition in clause 3 after *additional retail charge*:  
  
*affected customer* means any *customer*, including a former *customer*, who is or was a *small customer* and who may be affected by *family violence*;
- (2) Insert the following definition in clause 3 after *exempt person arrangement*:  
  
*family violence* has the meaning given in section 5 of the *Family Violence Protection Act 2008* (Vic);
- (3) In clause 40 after subclause (7) insert new subclause (7A):  
  
(7A) In considering whether to require a *customer* who is an *affected customer* to pay a *security deposit* the *retailer* must take into account the particular circumstances of that *customer*.
- (4) In subclause 40(10) after “clause” insert “, other than subclause (7A),”.
- (5) In subclause 89(1) before paragraph (a) insert new paragraph (aa):  
  
(aa) in any dealing with an *affected customer* who is receiving, or is entitled to receive, assistance pursuant to Part 3A (Assistance for customers affected by family violence), take into account the particular circumstances of that *affected customer*; and
- (6) In paragraph 89(1)(f) delete “, including customers who may be affected by *family violence*” and insert “.”
- (7) In subparagraph 111(1)(f) delete “.” and insert “; and”.

- (8) In subclause 111(1) after paragraph (f) insert new paragraph (g):
  - (g) where the *customer* is an *affected customer*, the *retailer* has taken into account the particular circumstances of that *customer*.
- (9) In subclause 111(6) after “clause” insert “, other than paragraph (1)(g),”.
- (10) In subclause 111A(1) after subparagraph 111A(1)(a)(v) insert new subparagraph
  - (vi) has, where the *customer* is an *affected customer*, taken into account the particular circumstances of that *customer*; and
- (11) In subclause 111A(2) after “clause” insert “, other than subparagraph (1)(a)(vi),”.
- (12) Insert new Part 3A after clause 106.

## **Part 3A Assistance for customers affected by family violence**

### **Division 1 – Operation of this Part**

#### **106A Requirement**

A *retailer* is required to perform its obligations under this Part in a way that promotes the purpose of this Part.

#### **106B Purpose**

The purpose of this Part is to promote protections for *affected customers*.

#### **106C Interpretation of this Part**

The approach that the *Commission* will take to the interpretation of this Part is as follows:

- (1) clear words will be given their natural and ordinary meaning; and
- (2) where this Part appears to be capable of having more than one meaning, the *Commission* will have regard to the following, in the following order, in seeking to discover the intended meaning of the Part:
  - (a) first, the objective of the relevant Division(s);
  - (b) secondly, the purpose of this Part;
  - (c) thirdly, any guidelines published by the *Commission* under section 13 of the *Essential Services Commission Act 2001* (Vic);
  - (d) fourthly, any relevant guidance notes published by the *Commission* under its Energy Compliance and Enforcement Policy; and



- (e) fifthly, any written information issued by the *Commission* regarding an *affected customer's* entitlement to supporting measures under this Part.

## **Division 2 - Providing family violence assistance—minimum standards**

### **106D Requirement**

A *retailer* is required to perform its obligations under this Division in a way that promotes the objective of this Division.

### **106E Objective**

The objective of this Division is to give *affected customers* an entitlement to safe, supportive and flexible assistance from a *retailer* when managing their personal and financial security.

### **106F Training**

- (1) A *retailer* must ensure that training is provided to any person (including employees, agents and contractors) acting on its behalf who:
  - (a) may engage with *affected customers* by any means of communication; or
  - (b) is a manager of a person identified in paragraph (a); or
  - (c) is responsible for systems and processes that guide interactions with *customers*.
- (2) For the purposes of subclause (1), a *retailer* must ensure that the training provided addresses:
  - (a) the nature and consequences of *family violence*; and
  - (b) the application of the retailer's *family violence* policy; and
  - (c) how to identify *affected customers*; and
  - (d) how to engage appropriately and effectively with *affected customers*.

### **106G Account security**

- (1) Notwithstanding any other requirement in this Code, a *retailer* must not disclose or provide access to confidential information about an *affected customer* to any other person without the consent of the *affected customer*.
- (2) In this clause, the term “confidential information” refers to any information that may be used to identify or locate an *affected customer*, including information about their whereabouts, contact details, or financial or personal circumstances.
- (3) In this clause, the term “any other person” includes a person who is or has been a joint account holder with an *affected customer*.



- (4) To identify a safe method of communication with an *affected customer*, a *retailer* must:
  - (a) take reasonable steps to elicit the *affected customer's* preferred method of communication; and
  - (b) offer alternative methods of communication if the *affected customer's* preferred method of communication identified in paragraph (a) is not practicable.
- (5) An *affected customer's* entitlement for communications to be in accordance with the method of communication identified pursuant to subclause (4) takes precedence over any other *customer* entitlement or *retailer* requirement in this Code to communicate with or provide information to a *customer* in a particular way.
- (6) A *retailer* must keep a record of arrangements reached pursuant to subclause (4).

#### **106H Customer service**

A *retailer* must provide for a secure process designed to avoid the need for an *affected customer* to repeatedly disclose or refer to their experience of *family violence* by:

- (a) providing a method for readily identifying the account of a *customer* who has been identified as an *affected customer*; and
- (b) providing for effective ongoing engagement with an *affected customer*.

#### **106I Debt management**

- (1) Before taking action to recover arrears from an *affected customer*, a *retailer* must take into account:
  - (a) the potential impact of debt recovery action at that time on the *affected customer*; and
  - (b) whether other persons are jointly or severally responsible for the *energy* usage that resulted in the accumulation of those arrears.
- (2) Nothing in this Part prevents a *retailer* from waiving, suspending or repurchasing the debt of an *affected customer*.

#### **106J Family violence as a potential cause of payment difficulty**

A *retailer* must recognise *family violence* as a potential cause of payment difficulty.

## **106K External support**

- (1) A *retailer* must provide an *affected customer* with information about the availability of one or more external *family violence* support services at a time and in a manner that is safe, respectful and appropriate given the *affected customer's* circumstances.
- (2) A *retailer* must publish on its website and keep up to date a list of one or more external *family violence* support services.

## **106L Evidence**

- (1) A *retailer* may only seek documentary evidence of *family violence* when considering debt management and recovery under clause 106I, or restrictions on *de-energisation* in Part 6.
- (2) Any documentary evidence sought in accordance with subclause (1) must be limited to that which is reasonably required by the *retailer* for the purposes of considering debt management and recovery under clause 106I, or restrictions on *de-energisation* in Part 6.

## **106M Assistance beyond the minimum standards**

Nothing in this part prevents a *retailer* from providing assistance to *affected customers* in addition to the minimum standards set out in this Part.

## **Division 3 – Family violence policies**

### **106N Family violence policy**

A *retailer* must have a *family violence* policy that addresses this Part.

### **106O Family violence policy to be accessible**

A *retailer* must ensure that its *family violence* policy is easily accessible on its website in a readily printable form.

### **106P Family violence policy to be reviewed**

A *retailer* must review its *family violence* policy no less than once every two years.

## **Division 4 – Compliance and reporting**

### **106Q Compliance**

- (1) A *retailer* must maintain records that are sufficient to evidence its compliance with this Part.
- (2) The *retailer* must ensure that the records required to be maintained pursuant to subclause (1) are retained:

- (a) for at least 2 years; or
- (b) for as long as the *customer* continues to receive assistance under this Part; or
- (c) where a *customer* has, within the periods referred to in paragraph (a) or (b) above, made a complaint or referred a dispute to the *energy ombudsman* in relation to the provision of *family violence* assistance by the *retailer*—for the period the complaint or dispute remains unresolved, whichever is the longer period.

## Appendix C – Learning from experts and industry

In all of our work on family violence we've drawn on the advice and resources from family violence experts. We've also drawn on the lessons of the water sector and other industries (not regulated by the commission) in developing and implementing their own family violence policies.



These experts include (but are not limited to):

### Thriving Communities Partnership

The Thriving Communities Partnership is a central platform for collaboration, learning, research and projects that advance organisational contributions to combatting customer vulnerability and hardship. Bringing together thinking and practice from leading Australian organisations, the partnership hosts resources and information about initiatives addressing vulnerability and building inclusion (including initiatives responding to customers who have experienced family violence). The partnership also organises regular workshops and events and an online platform to drive collective insight and action.

See <https://www.thriving.org.au/> for more information, including how to join the network.

## Economic Abuse Reference Group

The Economic Abuse Reference Group is a network of community organisations aiming to influence (government and industry) responses to the financial impacts of family violence. The network includes family violence services, community legal services and financial counselling services.

The group's work is focused primarily in Victoria but also extends to some national issues. They have written practice guides for businesses on making a start, staff training and referral lists. See [www.earg.org.au](http://www.earg.org.au) for more information.

## Our Watch – Workplace Equality and Respect Project

Our Watch is the national foundation to prevent violence against women and their children. Its Workplace Equality and Respect Project builds on existing initiatives to develop evidence-based standards and tools that support workplaces taking action to prevent violence against women.

As part of this project Our Watch worked in partnership with **No To Violence (Men's Referral Service)** – the peak body for working with men to end family violence in Victoria and New South Wales – to look at the issues in managing perpetrators of family violence in the workplace. The report suggests employers use a graduated model that enables them to take appropriate action while also taking into account factors for the individual organisation.

## Gendered Violence Research Network

The Gendered Violence Research Network at the University of New South Wales has a Gendered Violence & Organisation project aimed at supporting organisations that are building strategies to address gendered violence. They have an implementation framework that outlines five areas for organisations to consider in effectively mitigating risk and fulfilling their duty of care to their staff.<sup>87</sup>

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<sup>87</sup> Gendered Violence Research Network, 'Organisational Strategies', 2018, <https://www.arts.unsw.edu.au/research/gendered-violence-research-network/gendered-violence-organisations/organisational-strategies/>, accessed 22 October 2018.

## Appendix E – Learning from our work

We conducted research to learn about the experiences of water customers affected by family violence following the 2017 changes to the water customer service codes. We aimed to find out if these changes benefited water customers affected by family violence.

Financial counsellors, customer advocates and frontline family violence service providers across Victoria told us how the code changes have worked in practice for water customers affected by family violence.

Evaluating the experiences of customers allowed us to see the benefits of the intended outcomes and highlighted areas for improvement.

Overall the research was positive and endorsed the code changes. The majority of interviewees said that since the code changes they had noticed the support offered by water businesses for customers affected by family violence had improved.

The research also highlighted areas for improvement that are addressed in this guide:

- **Customers are not always aware of the assistance available to them.**  
Interviewees agreed that most customers have limited awareness about the assistance available. This is considered one of the main barriers to accessing assistance.  
See 'Promote the options available to customers' in 'Principle Five: Acknowledge and address barriers to access' for recommendations on how to address this issue.
- **Some customers still don't trust businesses to keep their personal information safe.**  
Victim-survivors living in remote and regional Victoria were especially concerned about the confidentiality of their information. Financial counsellors and customer advocates thought that this is because in smaller communities customers were more likely to know water business staff or staff were more likely to know the perpetrator.  
See 'Protect private and confidential information' in 'Principle Three: Prioritise safety and choice for victim-survivors' for recommendations on how to address this issue.
- **Some groups face greater difficulties when trying to get access to assistance.**  
Interviewees reported a broad range of people seeking support services due to family violence. These people represented varied ages, ethnicities, family situations and socioeconomic situations. Interviewees recognised certain groups, such as people from non-English speaking backgrounds, older people and people living with a disability, experienced greater barriers to accessing support.  
See 'Provide support that is inclusive for all Victorians' in 'Principle Five: Acknowledge and address barriers to access' for recommendations on how to address this issue.

For the full report see the commission website.