

Wednesday 22 October 2025

Essential Services Commission
By electronic submission via Engage Victoria

Dear Gerard and the regulatory team,

RE: Proposed billing exception approval for Greater Western Water

I am writing on behalf of Financial Counselling Victoria and the financial counsellors of our Essential Services Network, Metro West Network and Western Regional Network to provide feedback on the proposed billing exception approval for Greater Western Water (GWW).

Importantly, we note that as a government-owned essential service, GWW operates in a context where failures and penalties are ultimately borne by the public. Any compensation or penalty payments made by GWW are effectively paid by taxpayers rather than by those directly responsible for operational and governance failures. This structure creates a critical accountability gap.

We therefore urge the ESC to require stronger and more direct accountability mechanisms for those in decision-making roles at GWW. Genuine accountability would include:

- transparent reporting of management and governance failings that led to this issue;
- personal performance consequences for responsible senior executives and Board members; and
- public assurance that lessons learned are embedded through meaningful and lasting governance, administrative and procedural reform.

Without such measures, the public perception will remain that GWW's consumers pay twice, once through service failures, and again through taxpayer-funded remediation.

We provide further commentary below on specific concerns relating to the draft enforceable undertaking.

1. Backbilling beyond statutory timeframes sets a dangerous precedent

We are deeply concerned by Part B of the draft enforceable undertaking, which permits GWW to issue delayed bills up to 12 months after the end of a quarterly usage period (clauses 9.2, 9.3 and 10.1). This effectively authorises backbilling beyond the four-month limitation in clause 6.7(a) of the Water Industry Standard – Urban Customer Service (WIS).

Such an exemption risks normalising weaker standards for government-owned corporations than for private entities. This undermines regulatory consistency, erodes consumer trust, and signals tolerance for systemic mismanagement.

2. Continuing poor communication and customer confusion

While Annexure A (Action Plan) contains some commitments to customer communication improvements, we believe that there should be more detail provided given the magnitude of ongoing harm.

Financial counsellors have reported that:

- clients have received multiple indecipherable written correspondence with confusing messaging about under- and over-charging;
- clients are unable to reach GWW by phone or are disconnected after long waits;
- inconsistent and incorrect information is routinely provided when a call is connected; and
- even customers capable of self-advocacy are confused about their charges after a call.

The enforceable undertaking (clauses 3.2 and 17.1) acknowledges these issues but does not impose clear, measurable communication standards. We recommend that the ESC require, for at least a set amount of time through this proposed redress process, the following measures from GWW:

- public reporting on key customer access metrics such as call centre wait times, abandonment rates, complaints;
- provision of plain English, translated materials and professional interpreter services for affected communities;
- mandate co-design of communication materials and community engagement workshops with community legal centres and financial counselling agencies; and
- public reporting on engagement activities and accessibility metrics.

These measures are necessary to ensure that affected customers, particularly those from culturally and linguistically diverse communities, can understand their bills, redress credits, and rights to complaint and review.

3. Unclear treatment of pre-2024 debts

The draft enforceable undertaking explicitly addresses 2024 Charges and forward periods (clauses 12–15) but is silent on pre-2024 debts that may have arisen. Financial counsellors are already assisting clients with legacy arrears that overlap with the period of systemic failure.

We urge the ESC to clarify:

- how GWW will identify and review debts incurred before 2024;
- how GWW will identify whether those debts may have been inflated by unissued or miscalculated bills; and
- how affected customers can seek redress where pre-2024 debts have been inflated due to the billing errors.

4. Impact on EWOV and broader consumer harm

Clause 19 of the Undertaking appropriately requires GWW to inform customers of their right to escalate complaints to the Energy and Water Ombudsman Victoria (EWOV). However, in

practice, EWOV has already experienced a substantial surge in GWW-related complaints, reportedly slowing overall complaint handling and resolution times for consumers statewide.

We recommend that the ESC works with EWOV to analyse where non-GWW complaints to the service may have been delayed due to the influx of GWW complaints.

Based on the results of this analysis, GWW should be required to fund additional capacity for EWOV to ensure that vulnerable consumers across Victoria, not only in GWW's catchment area, do not continue to face delayed complaints and prolonged hardship.

5. Embedding understanding of harm and vulnerability

Although the Compliance Improvement Action Plan (Annexure A, clauses 16–18) refers to staff training, there is no explicit requirement for training on vulnerability, financial hardship, or trauma-informed practice.

Financial counsellors consistently report that GWW staff seem to lack awareness of the human impact of billing errors, including the stress, confusion, and credit consequences for affected clients. The ESC should require GWW to:

- develop and implement trauma-informed hardship training in partnership with community sector experts;
- include these modules in all staff induction and refresher programs; and
- publicly report on staff participation and outcomes.

This would strengthen GWW's capacity to handle hardship cases with empathy and accountability.

A final word

While the enforceable undertaking contains positive measures such as the \$55 million redress fund which we welcome, these must not substitute for true accountability and reform. The ESC should ensure that:

- responsibility for systemic failures sits with those who oversee and manage GWW;
- regulatory standards are upheld equally across government-owned and private providers; and
- all consumers, particularly those experiencing vulnerability, are protected through transparent, equitable redress.

Thank you for your consideration of the above feedback through this consultation process. Please contact FCVic's Advocacy Manager Amanda Chan on achan@fcvic.org.au if you have further questions.

Regards,



Zyl Hovenga-Wauchope
Chief Executive Officer
Financial Counselling Victoria