Getting to Fair: Advancing Equity – Draft Strategy Consultation

About the Centre

The Centre for Excellence in Child and Family Welfare (the Centre) is the peak body for child and family services in Victoria and Tasmania. For over 100 years we have advocated for the rights of children and young people to be heard, to be safe, to access education and to remain connected to family, community and culture. We represent over 150 Victorian community service organisations, students and individuals working across the continuum of child and family services, from prevention and early intervention through to tertiary and crisis intervention.

The Centre for Excellence in Child and Family Welfare welcomes the opportunity to contribute to the Getting to Fair: Advancing Equity draft strategy consultation.

Overview

The Centre represents service providers who work with children, young people and families who face complex and intersecting challenges such as poverty, AOD, family violence, disability, mental health issues, homelessness or insecure housing, isolation and discrimination. They might be from a culturally and linguistically diverse community with limited English. They might not have a car or ready access to public transport or work shift hours and are not able to access services during business hours. They might be immersed in statutory systems. Our submission focuses on how fairness can be embedded at the point of essential service delivery for customers experiencing hardship, disadvantage and vulnerability.

The Centre supports the goal articulated in the draft strategy – *to promote just outcomes and equitable access to essential services for all Victorians* – and the proposed implementation of a First Nations self-determination framework and an energy justice framework. In our response, we address the priority themes with some additional recommendations for improving equity for at risk families across Victoria who have not been mentioned in the draft strategy.

Priority Theme 1: Business conduct

Equitable Essential Service communication standards

Victoria is one of the most culturally and linguistically diverse states in the nation, with 35 per cent of the Victorian population born overseas, higher than the national average of 27.6 per cent.[1] Around 30 per cent of Victorians speak a language other than English at home.[2] If Essential Services are to operate in ways that ensure equity for all customers, then this diversity is important to understand and respond to effectively. The Centre recommends that plain-language, accessible, and tiered information,

[1] Australian Bureau of Statistics, 2021a. *Cultural diversity in the 2021 Census*.
[2] Australian Bureau of Statistics, 2021b. *2021 Census Quick Stats: 2*.

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consistent with the Australian Energy Regulator's (AER) 'Better Bills Guideline', is extended across ESC regulated entities.[3]

The experiences of our members highlight the importance of including interpreter prompts at first contact with customers in addition to multi-format accessibility standards such as Web Content Accessibility Guidelines.[4] These accessibility standards are critical for service users whose first language is not English and/or those with limited digital confidence and literacy.

The Centre recommends the publication of an Equitable Essential Service Communication Standards (plain language, accessibility, interpreter prompts, etc.) and that the Standards are monitored via targeted audits and public compliance snapshots.

System-level responses

Hardship and payment difficulty conduct

Since 2020, Australia has experienced a series of disasters across communities, including COVID-19, bushfires, and flooding, which have disrupted food and energy supply chains. These events have led to a significant rise in the cost of essentials, including rent and mortgage, bills, food, and petrol.[5] Arguably, they have also created new inequities with many people left homeless or with temporarily uninhabitable homes, physical and mental health impacts, community displacement and lost livelihoods.

The significant increase in cost-of-living pressures disproportionately affects already vulnerable groups, including people with disability, single parents and carers, young people, and temporary visa holders.[6] Our members report needing to provide more emergency aid to prevent families from slipping further into poverty. The complex of needs of many families, exacerbated by rising living costs, means essential services need to be easily accessible, reliable, timely and meet customer needs. There needs to be appropriate protections for customers struggling to meet day to day expenses.

Regulatory responses need to include the proactive identification of payment difficulty before clients self-identify to reduce stigma and provide relief early rather than as problems compound and escalate. Hardship arrangements, for example, could include realistic plans, pauses, and limits on automated collections where vulnerability indicators exist.[7] These measures would build on Victoria's 'Payment

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[3] Australian Energy Regulator (2023). *Better Bills Guideline (version 2)*.
[4] World Wide Web Consortium (W3C) (n.d). *Web Content Accessibility Guidelines (WCAG)*.
[5] House of Representatives Standing Committee on Agriculture and Water Resources (2023). *Australian Food Story: Feeding the Nation and Beyond - Chapter 5: The supply chain*.
[6] Senate Community Affairs References Committee (2023). *The Extent and Nature of Poverty in Australia (Interim Report) - Chapter 3: The human impact of poverty*.
[7] Consumer Policy Research Centre (2021). *Exploring regulatory approaches to consumer vulnerability: A CPRC report for the AER*.

Difficulty Framework'[8] and the ESC's guidance which seeks consistent and earlier support and intervention to avoid disconnection from Essential Services.[9]

The Centre recommends that reviews target high-harm practices (e.g., ineffective hardship triage, unfair fee structures, etc.) and that an equitable Hardship and Payment-Difficulty Conduct framework be developed and promoted so that customers are aware of the assistance available.

Regulatory inclusion

Equity Impact Assessments

Equity Impact Assessments (EIAs) are reviews used by regulators to predict and address how proposed reforms or amendments will affect different cohorts before they take effect.[10] The Centre suggests that EIAs are developed for licencing and pricing decisions for services to show evidence of how decisions and changes will impact vulnerable cohorts, and how these could be mitigated (e.g., plain-language, accessible communications).

Implementation of EIAs reflects good regulatory practice internationally. For example, in the United Kingdom, *Ofgem*, the energy regulator for Great Britain, has developed a Consumer Vulnerability Strategy which provides a framework for how Ofgem and energy companies identify and treat consumers in vulnerable situations, and embed consideration of vulnerability across the energy sector.[11] This framework highlights outcome-focused, transparent protections.[12]

Implementing EIAs across Essential Services takes into consideration the challenges that families face such as income stress, the need to test ESC reforms that might have financial implications for fairness, and publish the rationale and mitigations alongside decisions resulting from the EIA. We recommend that Equity Impact Assessments are formalised across Essential Services, that entities show co-design for major consumer-facing changes, and that the EIA process is summarised and evaluated and that the rationale behind decisions is shared.

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[8] Essential Services Commission (2024). *Payment Difficulty Framework Guideline*.
[9] Ibid.
[10] Scholz, N., et al. (2024). *A realist impact evaluation of a tool to strengthen equity in local-government policy-making*. International Journal for Equity in Health.
[11] Ofgem (2019). *Consumer Vulnerability Strategy*.
[12] Ibid.

Challenges and barriers

Fragmented data and inconsistent definitions

Fragmented data and inconsistent definitions across Essential Services and service systems undermine equity and fairness by obscuring who is affected by regulatory decisions. This makes it difficult to compare impacts, track trends, or intervene early when harms emerge for vulnerable cohorts.

Adopting a universal data expectations and definitions will enable the ESC to consistently identify impacts on cohorts (e.g., by language need, disability, geography, etc.), strengthening evidence-informed decision-making based on accurate data collection.

Performative engagement

Barriers such as performative engagement (where consumers are consulted but their input does not have any bearing on outcomes) can also undermine fairness, equity and trust, as well as weaken the ESC's regulatory authority.

EIAs can help make sure that consumer needs and experiences influence decision-making across essential services. This recommendation could deliver transparent, outcomes-focused inclusion, mirroring good international regulatory practice to embed vulnerability considerations into measurable, publicly accountable outcomes.

Overall

As the peak body for child and family services in Victoria, the Centres sees daily how essential services and their practices can either compound hardship or build stability in the lives of families. The ESC's three themes set solid foundations for the strategy. Clear, enforceable conduct standards and genuine inclusion can deliver tangible improvements for families. The Centre would welcome an opportunity to further discuss ways of making sure essential services build fair and equitable strategies for inclusion with the ESC.