

# Water Codes Review 2019 | Stakeholder Working Group | Meeting 4: The future | Minutes

Thursday 5 December  
 10.30am – 1.30pm  
 Marriot Hotel, Boardroom 103  
 Corner Exhibition and Lonsdale Streets, Melbourne 3000

## Agenda

| When            | What                               | Who                        |
|-----------------|------------------------------------|----------------------------|
| 10.15 - 10.30am | Arrival                            | All                        |
| 10.30 - 10.40am | Housekeeping<br>Overview of agenda | Kat George                 |
| 10.40 - 12.00pm | Activity #1: Digital water futures | Kat George and Lucy Weston |
| 12.00 - 12.30pm | Lunch                              | All                        |
| 12.30 – 1.30pm  | Activity #2: Reforming the codes   | Kat George and Lucy Weston |

## Attendance

| Name         | Position         | Organisation                  |
|--------------|------------------|-------------------------------|
| Kat George   | Policy Adviser   | Essential Services Commission |
| Lucy Weston  | Manager          | Essential Services Commission |
| Chris McLeod | Customer Liaison | Barwon Water                  |

|                  |   |                                       |
|------------------|---|---------------------------------------|
| Debbie Mackinlay | Manager Customer Service                                  | North East Water                      |
| Fabian McCloy    | Head of Customer and Community                            | Goulburn-Murray Water                 |
| Hayley Johnson   | Business Services Manager                                 | Southern Rural Water                  |
| Kerri Noonan     | Executive General Manager Customer and Community          | Coliban Water                         |
| Rosemary Lowe    | Strategic Projects, Customer and Community Relations Lead | Western Water                         |
| Sally Marshall   | Executive Manager Business Planning and Performance       | GWM Water                             |
| Traci Pevy       | Manager of Customer Experience                            | Lower Murray Water                    |
| Zac Gillam       | Senior Policy and Stakeholder Engagement Officer          | Energy and Water Ombudsman (Victoria) |

## Apologies

| Name       | Position                                | Organisation    |
|------------|---|-----------------|
| Paul Clark | General Manager, Customer and Community | Gippsland Water |

## Welcome and housekeeping

*Kat George*

- The Working Group was welcomed and thanked for their attendance.
- Minutes from each Working Group will be circulated in the week following the Working Group meeting, and published on the Essential Services Commission's website, on the [resources page for the Water Codes Review 2019](#).

## Activity #1: Digital water metering

*Facilitated by Kat George, Policy Adviser—Customer Engagement*

Kat asked our working group to map the process of operationalising digital water metering, from installation to the customer journey. Using this map, the working group was asked to identify points at which code reform might be necessary to ensure adequate customer protection in the advent of digital water metering. This included:

- Customer engagement—providing proactive and explicit information to customers about the operation of digital water metering before, during and after implementation.
- Family violence—ensuring that current family violence provisions operate to protect customer data.
- Communications access—ensuring that digital water metering systems and portals used to access them are inclusive of the needs of all consumers.
- Consent to alerts—where customers do not opt-in to receiving alerts from a water business, establishing where the duty of care lies in the case of a leak i.e. even if the customer has opted-out from alerts, what is the water business' responsibility to contact them upon detection of a leak regardless?
- Principles over minimum standards for data collection, storage and use—to define a clear expectation for business practice in the water industry, while avoiding overlap with the Australian Privacy Principles. Principles should ensure that data collected through digital water metering is relevant and used in the customer's best interests.
- Industry consensus on prohibited practice—for instance, prohibiting the on-selling of data to third parties for commercial use.

## **Activity #2: The future of the codes**

*Facilitated by Kat George, Policy Adviser—Customer Engagement*

Kat asked the working group to reflect on the water codes review process, and identify areas for priority reform.

### **What is the purpose of the codes?**

- To provide context to the responsibilities of businesses and customers
- To detail standards and conditions water businesses must comply with
- To ensure fairness
- Accountability of water businesses regarding service standards
- Guiding principles of service that convey standards (either minimum or must) that water businesses use in everyday practice
- To provide a clear summary of water business and customers rights and obligations
- To set standards or conduct, so they may be enforced
- To provide customers with consistency
- To promote trust with the community
- Governance of customer protection

## **Are there any reforms necessary to ensure the codes are future proofed in the wake of emerging technologies and changing community expectations?**

- Provision for digital water meters
- Practice communications in regards to non-typical (i.e. higher) usage and or/suspected leak
- Provision for data security/protection when using data
- Keeping reference to business privacy policies not too prescriptive to allow for technology changes
- Provide an assurance to customers of how data will be used, stored and shared
- Allow businesses to be innovative with changing technology and customer expectations
- Technology should be implemented with business and consumer interests at front of mind (e.g. data use should be meaningful/relevant)

## **Where are there opportunities to introduce either principles or minimum standards into the codes to enhance consumer outcomes?**

- Clear minimum standards are preferable to principles, easier to interpret and enforce, and more useful in dispute resolution
- Minimum standards are easier to interpret, but principles can convey intent
- Potential to have 'reasonable endeavours' for communication with customer who have opted out of having data communicated to them i.e. duty of care in the case of leaks
- Minimum standards may lead to a lower bar for everyone, and an incentive mechanism might be a more effective tool
- Minimum standards must take into account the tension between compliance and performance

## **What are the urgent priorities for reform?**

- Balancing prescriptiveness and flexibility in the codes
- Ensuring flexibility to support customers in hardship
- Future proofing language in the codes to keep up with digital technologies
- Flexibility for introducing new technology
- Payment difficulties framework style approach to managing customers experiencing vulnerability
- Aligning existing customer protections (i.e. hardship and family violence) with changes to digital technology
- Updating the reasonable endeavours checklist under the hardship GSL to be more relevant to business practice

- Definition of 'customer' needs to be updated
- GSLs process need to be updated to include digital technology

## **Next steps**

Our Working Group agenda for 2019 is now finalised. We will convene the Working Group again in February 2020 to review selected draft amendments to the codes.

If you have any questions or feedback please contact Kat George, Policy Adviser, on [Kat.George@esc.vic.gov.au](mailto:Kat.George@esc.vic.gov.au) or (03) 9032 1392 with questions, thoughts and ideas.