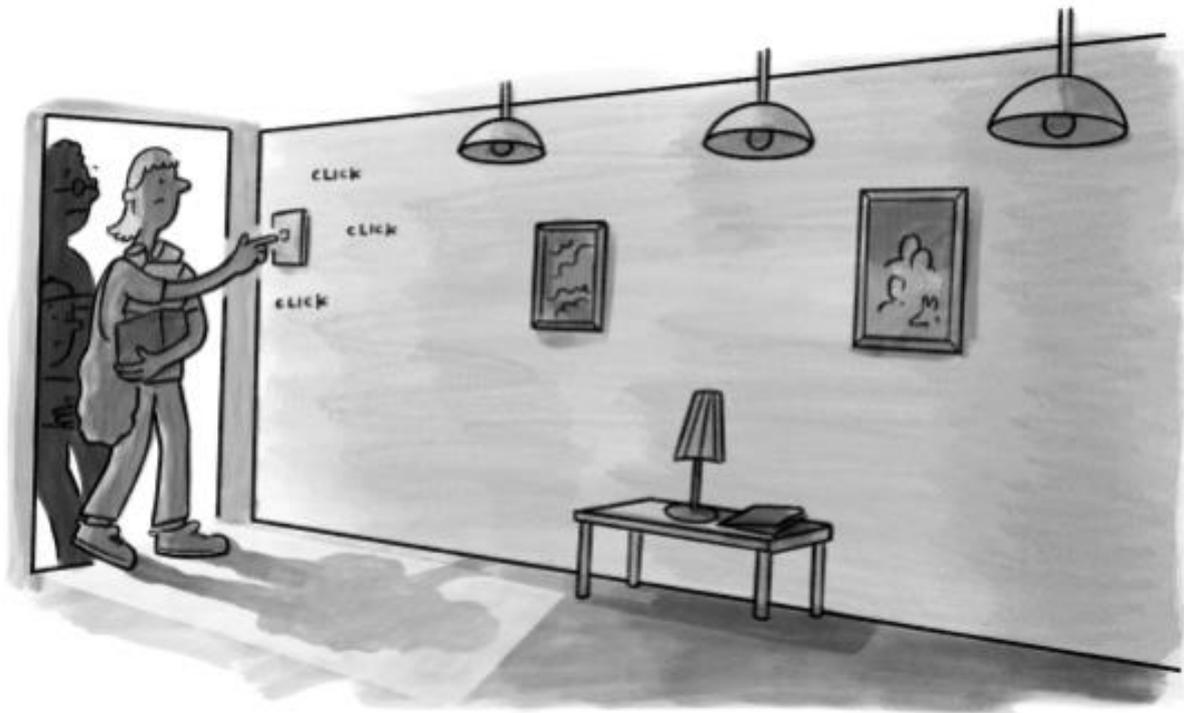


Report on the deliberative engagement process with Victorian consumers

To inform the Essential Services Commission's 'Getting to fair' strategy

4 May 2021





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Summary

Executive summary

This report documents the deliberative community engagement program that was delivered by Desley Renton and Nicola Mendleson in partnership with the Essential Services Commission which will inform Vulnerability Strategy to facilitate more equitable access to essential services.

The engagement program ran from 11 November to 6 December 2020. A community panel of 37 people was established to provide insights and recommendations to us. 29 panel members completed the entire process.

The remit of the panel was to develop recommendations on how to address vulnerability in our regulated and administered sectors, and to develop a definition of wellbeing in the context of being able to access and pay for essential services. The recommendations can be found in Appendix A of this report and a summary illustration is provided on page five.

The engagement program was designed and implemented within tight timeframes, with three weeks for the recruitment process and four weeks for the panel process. Due to coronavirus restrictions, the process was conducted entirely online including all client and panel meetings.

Project success criteria

It was important that the deliberative engagement process delivered:

- a positive experience for participants
- clear consensus-based recommendations to support the Vulnerability Strategy
- commissioner involvement and confidence in the outcomes
- internal skill development and capacity building in engagement processes
- reputation enhancement.

About the process

The facilitated process stepped participants through the stages of the deliberative democracy methodology (learning, understanding, focusing, deliberating, agreeing, presenting) over a series of five meetings.

In these meetings, panel members developed an understanding of the role of the commission and service providers. They focused on the impacts on those who identify as vulnerable and shared stories from their own lived experience. Panel members deliberated

on what it means to be vulnerable, and how this knowledge could be developed into a definition of wellbeing.

Recommendations to address vulnerability of access to essential services were developed and agreed upon before being presented back to us. We committed to hosting a follow-up meeting with panel members in April 2021 to brief them on how their feedback has been used.

As part of their contribution to ongoing learning and capacity building, Nicola and Desley developed a series of mentoring workshops that explored deliberative democracy methods, processes and evaluation. These sessions were attended by three commission staff and one community member.

Evaluation

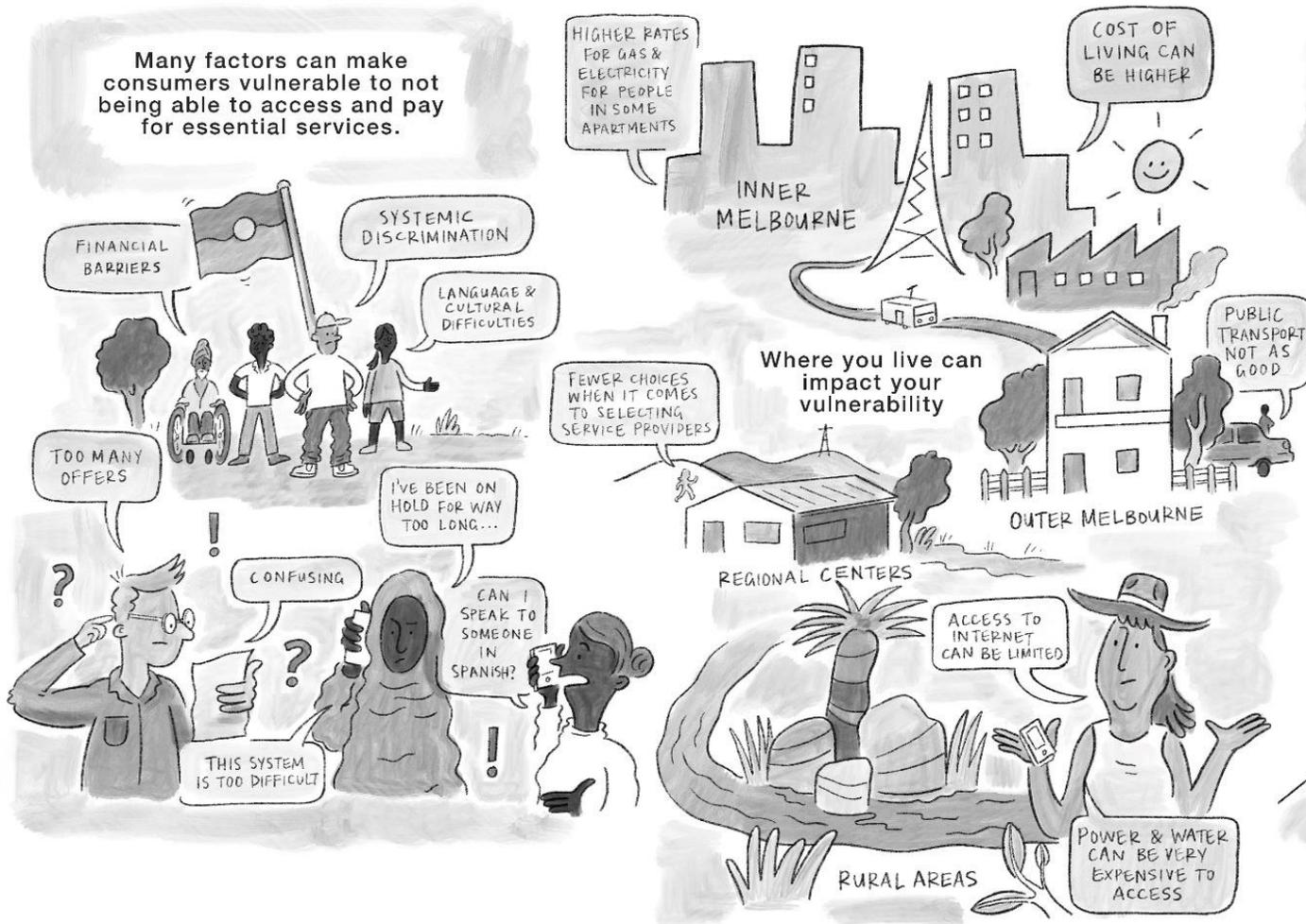
- A clear set of success criteria were developed at the outset of the project. The extent to which these were met was measured via a pre- and post-poll with participants (see attachment 1); a lessons-learnt workshop with the project team and consultant observations recorded throughout the process.

Success criteria	Evidence of how the criteria was met
A positive experience for participants	<ul style="list-style-type: none"> • A positive group culture of listening and respect was developed at the outset and adhered to throughout the process. • Participants strongly articulated the experience to be a positive one. • Consultants observed positive interaction in all sessions. • Participants expressed a desire to stay in touch and attend a follow-up meeting in April 2021.
Clear consensus-based recommendations developed to support the Vulnerability Strategy	<ul style="list-style-type: none"> • Draft recommendations were developed. • Final consensus-based recommendations (80 per cent majority) were agreed to and presented to the commissioners. •
Commissioner involvement and confidence in the outcomes	<ul style="list-style-type: none"> • Commissioners expressed confidence in the outcomes and committed to a rigorous assessment of the recommendations.

	<ul style="list-style-type: none"> • All four commissioners attended sessions, some on more than one occasion.
Internal skill development and capacity building in engagement processes	<ul style="list-style-type: none"> • Participants recorded an increase in capacity. • commission staff participated directly in all aspects of the engagement process. • A small number of commission staff attended mentoring sessions.
Reputation enhancement	<ul style="list-style-type: none"> • Participants expressed confidence in the commission and its commitment to implementing the recommendations.

'Good to see some direct democracy in action.' Panel member

KEY THEMES FROM THE ESSENTIAL SERVICES COMMISSION COMMUNITY PANEL



Definition of wellbeing in the context of being able to access and pay for essential services could include:

- Key concepts such as trust, accessibility, peace of mind, sense of control over your life and suppliers need to be fair and honest, proactive and are easily accessible.



ILLUSTRATION BY MADISON KITCHING

RECOMMENDATIONS

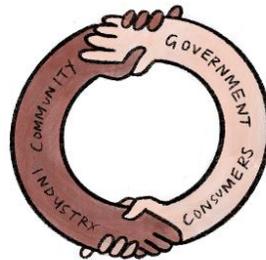
Recommendation 1: ESC must work with providers to ensure bills, forms and communications are understandable, inclusive and accessible for all Victorian consumers and are tested with a diverse group of people experiencing hardship. Methods of communication must be driven by the consumer, not the provider.



Recommendation 5: ESC to work directly with consumers, and in partnership with other organisations, to help and educate consumers to become more aware of their rights, entitlements and obligations so that they are confident and empowered to understand, act and navigate the system with positive outcomes.



Recommendation 2: ESC to work with providers to ensure that when people are facing hardship (need to set triggers), it triggers being contacted by an empathetic and trained person who will help them – i.e. a 'hardship expert /vulnerability champion'. This includes being able to access someone with appropriate cultural and language skills who will case manage your issue and can work closely with you.

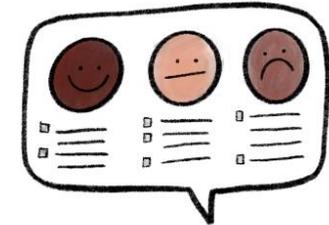


Recommendation 6: ESC must form active partnerships with relevant government, community and industry entities to take collective responsibility for consumers experiencing hardship. These partnerships will deliver tangible outcomes and system improvement – delivering affordability, equity and accessibility – which are supported through internal and external accountability. ESC to engage with the sector, across government and with other organisations.

Recommendation 3: ESC works with providers to improve consumer communication and engagement to ensure better outcomes for those facing hardship. Providers to be regularly monitored and penalties applied for poor performance.



Recommendation 7: The term vulnerability needs to be investigated further, there may be more appropriate words to use in different situations.



Recommendation 4: ESC develops minimum standards to ensure providers respond in an appropriate way when dealing with people from diverse cultures, backgrounds and needs. This is monitored to ensure compliance.



Recommendations 8: ESC maintains regular engagement with the community, in particular to gain insights about consumers who are facing hardship, their concerns and circumstances.

Introduction

The Essential Services Commission is developing a vulnerability strategy to facilitate more equitable access to essential services.

This report documents the deliberative community engagement program that was developed and delivered in partnership with the commission team. The outputs from this process will inform the vulnerability strategy, alongside the commission's other research and engagement work, including consultation with the community sector, academic research and benchmarking with similar work being done overseas to facilitate access to essential services.

The engagement program ran from 11 November to 6 December 2020. A community panel of 37 people was established to provide insights and recommendations to the commission. 29 people completed the entire process.

Important things to note:

1. The remit of the community panel was to develop recommendations on how to address vulnerability, and to develop a definition of wellbeing in the context of being able to access and pay for essential services.
2. This is the first time that the commission has taken the approach of running an external deliberative engagement program. The team running the project hoped that this would be a positive experience that would encourage the organisation to do more of this type of engagement in the future.
3. The engagement program was designed and implemented within tight timeframes, with three weeks for the recruitment process and four weeks for the panel process.
4. Due to coronavirus restrictions, the process was conducted entirely online including all client and panel meetings.

Stories shared by panel members about their experiences in accessing or paying for essential services:

As a student, I was living in a share house and we got a water bill for over \$600. The person who held the lease refused to call the provider to question the bill, so we just had to find the money between us. It was a lot of money to pay and we didn't understand why it was so much.

When we moved into a new house, we signed up to gas but never received a bill and I never thought about it until we received a bill three years later for thousands of dollars.

It was a big shock and my provider let us pay it off in instalments, but it made life really difficult until we paid it off.

When my husband died, my pension nearly halved, but all the bills remained pretty much the same. Plus, I had to pay someone to do a lot of the work around the farm that he used to do ...

After my father passed away when I was 12, I had to help my mum with all the bills. She didn't speak English and found managing the bills very stressful and difficult to understand. She would get very anxious when she couldn't pay or understand what it was for.

I spoke with my grandchildren about their experiences with bills and was surprised to learn that they found the bills as confusing as I do. I had assumed that because they were young and tech savvy that they would be fine.

Project success criteria

The project team determined at the outset that it was important that the deliberative engagement delivered:

- a positive experience for participants
- clear consensus-based recommendations to support the Vulnerability Strategy
- commissioner involvement and confidence in the outcomes
- internal skill development and capacity building in engagement processes
- reputation enhancement.

In the past I would not have thought a community group could make a difference. After this experience I am not so sure, it was so thought provoking and the support we got from [the commission] was incredible, making us believe what we think can make a difference.

‘This experience has been incredible — thank you everyone.’ Panel member

The approach

Nicola Mendleson and Desley Renton developed an innovative approach that honoured deliberative democracy principles and was accessible in an online environment. The consultants were mindful that a number of people were not used to video conference discussions and/or deliberative democracy processes and required support to participate.

The facilitated process stepped participants through the following stages of the deliberative democracy methodology over a series of meetings:

- learning
- understanding
- focusing
- deliberating
- agreeing
- presenting.
- The consultants worked very closely with the commission Project team. This partnership supported participants by ensuring that their questions and comments were heard firsthand and responded to quickly. Project Team members were directly involved in the

recruitment criteria and development of participant information kit to ensure that the commission needs were met and that panel members had accurate and timely data to inform their decision-making process.

Recruitment

The successful approach was underpinned by a thorough recruitment process. The group of 39 people was randomly selected, using a number of criteria, to form a 'mini-public' representation of Victoria. The selected participants broadly matched the demographics of the Victorian consumers of the regulated sectors with regard to:

- gender
- age range
- geographic location
- household type
- different job type and economic status, e.g., farmers, unemployed and underemployed, business community, helping professions, carers and teachers
- cultural backgrounds
- disability (including physical and/or intellectual disabilities).

The decision to recruit equal numbers of participants from four distinct geographical areas (rural, regional, urban fringe, metropolitan Melbourne) was strategic, based on the understanding that where you live affects the relationships you have with the commission's regulated sectors, i.e., how people purchase and use water, energy, transport and council services. It also affects how people in your community may be vulnerable.

For example, the cultural, economic and social demographics of citizens who live on the urban fringe differ from their city-based neighbours. People who live on rural farms or larger properties will have different requirements to people living in the other geographic areas and may have different pressures affecting their ability to pay their bills. It was felt that each sub-group would have a unique perspective on the issues central to this strategy.

Nicola and Desley worked with a specialist recruiter to add another layer of independence and transparency to the process. This recruiter advertised widely across a variety of networks and also approached people directly via its databases. In addition, the panel opportunity was promoted through the Engage Victoria platform and interested parties were passed on to the recruiter who interviewed all participants and used a rigorous selection process to determine the final group. The Expression of Interest to join the community panel was also published on the RMIT jobs board.

The approach

Around 1,000 people were contacted with the aim of securing 50 appropriate candidates who were further shortlisted to 37. The consultants and recruiter then assessed the shortlisted candidates to select the final group. As part of the selection process, participants agreed to attend all sessions and familiarise themselves with all materials as required.

An incentive, or stipend, is typically paid to compensate community attendees for their time and commitment. As this project required participants to commit around 20 hours of their time, including pre-reading and conversations between workshops as well as attending workshops, a stipend of \$500 per person was paid. Payment of the stipend was conditional on attending all of the meetings.

Thirty-seven people started the process and 29 completed all sessions. A drop-out rate of around 15 per cent is usual with these types of processes.

Initial contact

Nicola and Desley contacted all panel members by telephone prior to the first meeting to check that they had received the emails, dates and meeting links, and to ask whether they had used Zoom before and if they had any questions. Around 10 panel members were supported to use Zoom, including undertaking a short training session to assist them with downloading and using the software. This was vital to ensuring that meetings could start on time with full attendance and to ensure that all participants felt confident using the platform.

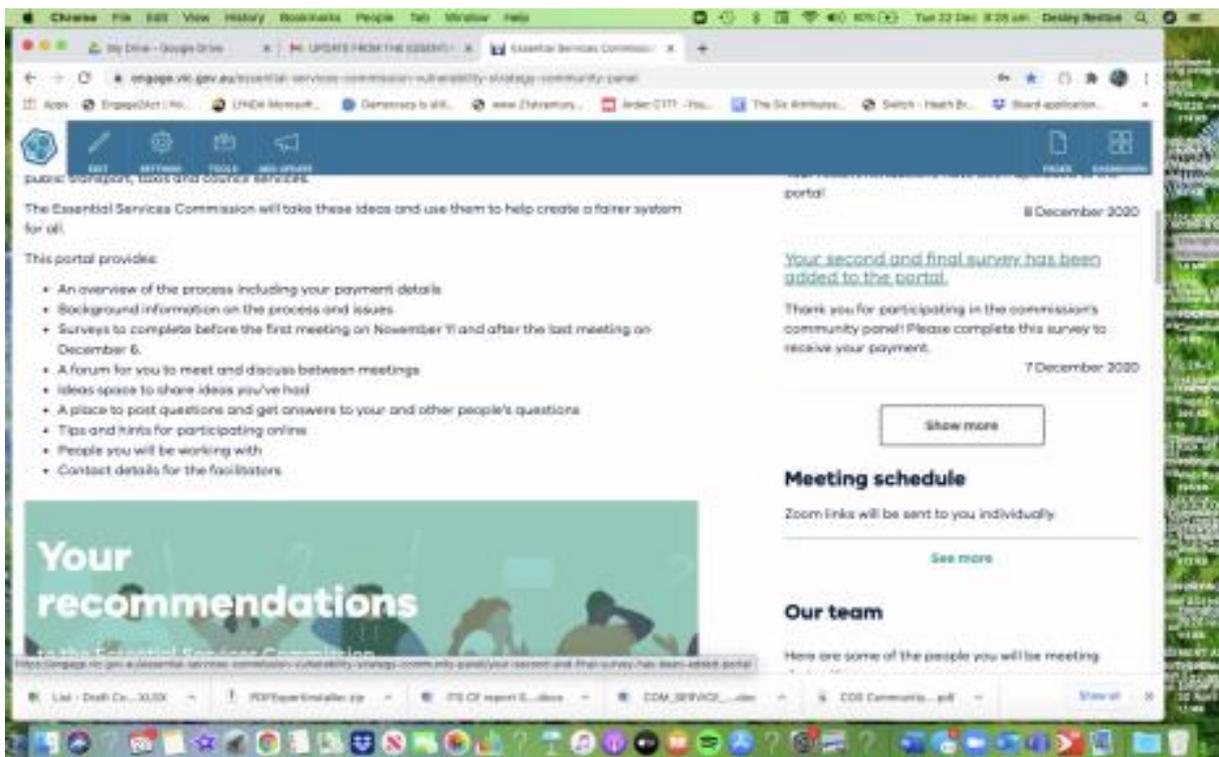
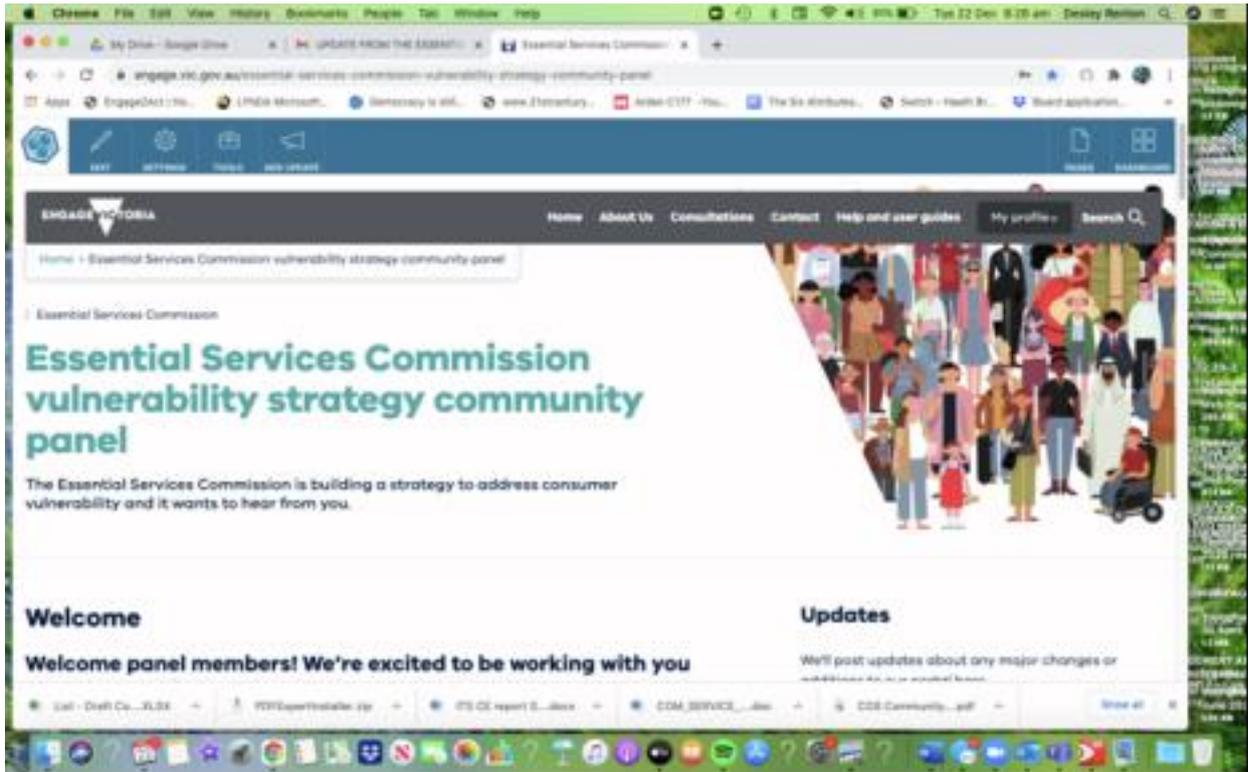
Information pack

All participants received an information package in advance of the first meeting with information about the commission, the vulnerability strategy project, the community panel remit, draft group rules and decision-making process (which were endorsed by the panel at the first meeting), information about the portal and contact details.

The information pack was essential to build the capacity of the participants early in the process. The consultants recognised that the technical nature of the issue would take time for people to fully comprehend. Indeed, this was an ongoing issue as the role and function of the commission, and that of the regulators, was consistently revisited throughout the process.

Portal

The approach



The approach

Essential Services Commission Report on the deliberative engagement process with Victorian consumers

A private portal was established on the Engage Victoria website for the sole use of the panel members to aid and encourage communication, discussion and generation of ideas between meetings. It contained the following sections:

- background information about the commission, the vulnerability strategy, the community panel remit
- group rules and decision-making process
- information about the facilitators and key commission staff
- contact details
- a discussion forum
- an 'ideas space' to post ideas for recommendations
- pre- and post-process surveys.

The portal was highly successful with 24 out of 29 panel members posting content, including 23 posts in the ideas space and 117 posts in the discussion forum, often as part of conversations with multiple people.

Meetings

The process included five meetings which all took place online via the Zoom videoconferencing platform. A commissioner or senior commission staff member attended all meetings to observe the process and to be available to answer questions. At most meetings, they were an important part of the conversation, especially as a sounding board with regard to developing relevant and appropriate recommendations that could be delivered by the commission.

Meeting one took the form of a two-hour meeting that included all the panel members. The purpose was to brief the panel members on the process, their remit and provide information about the Vulnerability Strategy. Presentations were made by Commissioners and team members about the commission, its role, the Vulnerability Strategy and emphasised the commission's commitment to taking onboard the feedback received through this process.

Meeting two took the form of four small group meetings of two hours each, based on where the participants lived, i.e., rural, regional, urban fringe or metropolitan Melbourne. The concept of vulnerability was discussed generally and in terms of the particular factors that might affect access to essential services based on the areas in which the participants lived. For example, the group from rural areas discussed how living in a rural area may affect people being able to access and pay for essential services. Discrete factors were identified in each group which validated this approach. Homework was set asking each participant to discuss with around three other people, the concept of vulnerability and what might affect

The approach

people's ability to access and pay for essential services. They were asked to particularly approach young people in their teens or early 20s as this is a group that is often difficult to access in consultative processes.

I found great value in hearing from fellow panel members who come from different backgrounds and with differing circumstances and locations throughout Victoria ... it opens my thinking and considerations hearing and understanding different aspects than what I may have thought. Panel member

Meeting three took the form of four small group meetings of two hours each, in mixed groups, i.e., each group comprised people living in a range of areas. Members reported back on their homework, further discussed what could be done to improve access to essential services and discussed what could be included in a definition of wellbeing in this context.

After the first three meetings, all the ideas and insights generated to date were collated and synthesised by the facilitators into themes, draft recommendations and draft definition. This content was reviewed by the commission and then sent to the panel members to consider prior to the final meetings.

Meetings four and five took place on the Saturday and Sunday of the final weekend and each ran from 9.00am to 12.30pm. At meeting four, the draft recommendations were reviewed and discussed, and the panel endorsed all but one of them. The draft definition was also reviewed and endorsed. Two groups elected to do further work overnight – one did some more work on the recommendation yet to be endorsed and the other developed an overarching Statement of Intent that underpinned the recommendations.

At the final meeting, all the recommendations were endorsed by the panel members as well as the definition and Statement of Intent. It was noted that these would be placed on the portal for a further week in case panel members wished to make additional comments. Several panel members presented the recommendations to commissioners and another group reflected on the process. Panel members celebrated what they had achieved. Commissioners thanked the panel and advised the next steps of the process, which will include a workshop in 2021 to update the panel members on how their input has been used.

Graphic facilitator

A graphic facilitator was used to add interest to the process, to visualise the recommendations and to create a visual record of the outcomes for sharing with the broader community.

The approach



The deliberative process and discussions

This section outlines the progression of the panel discussions over the process. It is grouped into two sections:

- 6.1 Summary of the discussions generated from the small group discussions.
- 6.2 Final recommendations and actions generated from the final whole panel meetings.

6.1 Summary of the discussions generated from the small group discussions

At the first meeting, the commission and consultants briefed the community panel on the context and background, explained the panel remit and answered questions about the process.

Community panel participants then met in small groups over the two consecutive weekends. The first weekend groups were allocated depending on where participants lived (rural, regional, urban fringe or metropolitan Melbourne) and the next weekend groups were mixed to include people from all the different areas. Four meetings were held each weekend, with around nine participants in each group.

Many ideas and insights were shared over these two weekends on the two tasks which included:

- Developing a definition of wellbeing in the context of being able to access and pay for essential services.
- Developing recommendations as to how all Victorians can access and pay for essential services.

After these meetings, the consultants reviewed the discussions and ideas generated, and developed draft recommendations based on the key themes in the discussions. Due to the nature of the online process, it was felt that it would be very difficult and time-consuming for the panel members to do this analysis.

A document (Appendix A) was sent to the community panel members to review prior to the final meetings where the panel met as a whole group to finalise the definition and recommendations, present these to the commissioners and reflect on the process.

The following is a summary of the key themes and ideas that were generated by panel members in the small group discussions.

What is vulnerability in the context of not being able to access or pay for essential services?

A wide range of factors can make consumers vulnerable to not being able to access or pay for essential services, including:

Systemic factors

- Systemic forms of discrimination or barriers to access (e.g. for people from Indigenous communities, people with low or no English or low or no literacy, new migrants).
- It is important to make a distinction between disadvantage and vulnerability. Disadvantage can be things like not speaking English or not having access to the internet. Vulnerability can be short-term or permanent and can be due to long-term structural issues.
- A range of mental health issues. It is important for the supplier response to take this into account. People might be stressed, anxious and fearful if they get into hardship. Having to get on the phone and deal with one or more service suppliers can add to this stress.

Personal factors

- Financial barriers.
- Not having resources or support systems. Those on low incomes often do not have support networks, as they can't afford to pay for assistance.
- People can be affected differently and may experience a number of factors, e.g. single older person, single person with a disability.
- There may be language and cultural difficulties. People may be reluctant to divulge living arrangements and vulnerability to authorities.

Situational factors

- It can include both long-term and short-term issues, e.g. bushfires.
- Vulnerability can be situational, e.g. death of a partner, sickness, pandemic. These people need help quickly so that they can recover quickly and not progress to long-term disadvantage.
- Our society is geared towards pairs and dual income couples, and unfairly disadvantages single people, e.g. when a partner dies the pension is reduced.
- Low socio-economic areas are especially at risk, e.g. in Corio/Norlane young people leave school early, there is intergenerational unemployment and high levels of substance abuse.
- Rental properties often have low efficiency fixtures (windows) and appliances such as heaters.

The deliberative process and discussions

It was also noted that:

- Many aspects of vulnerability have deeper root causes that cannot be addressed in this process due to the scope of the Essential Services Commission's role, but there is an advocacy role for the commission to consider.
- There is a need to differentiate and consider both access to essential services, in terms of the physical infrastructure required being available (e.g. water mains in rural areas), as well as awareness, financial capacity and support of customers.
- There is a need to be careful not to create a stigma around vulnerability. Do need to think broadly, as many as two-thirds of people may experience vulnerability at some time.

Factors that affect vulnerability depending upon where you live

Rural areas

- Access to power and water can be very expensive, e.g. cost to get power connected.
- Multiple layers of bureaucracy and overlays that make it difficult and expensive to navigate.
- Access to the internet can be limited.
- People can be asset-rich but cash poor. They may own property but have little income and can't access welfare because of their assets, e.g. farmers.
- Rural people may be suddenly thrust into loss or sickness and have to confront travel to a city. It can be difficult to navigate public transport systems and pay for accommodation.
- Lack of medical facilities and access to a variety of services.
- Facing city bureaucracies when you're not used to it. There's a real fear of the city.
- Not everyone is computer literate or has the equipment. Used to be able to get forms from the post office, now download only and many people don't know how to use computers or don't have a printer.

Regional centres

- Higher number of lower socio-economic groups than other areas.
- Fewer choices than other areas when it comes to selecting utility companies.
- Fewer internet options and poorer connection compared to metropolitan areas.
- Fewer well-paid jobs than metropolitan areas.

Outer Melbourne

- Often higher levels of social disadvantage compared to urban areas.
- Can be higher transport costs to get to work and more commuting time than metropolitan areas.

The deliberative process and discussions

- Public transport infrastructure not as good as inner city.
- Fewer well-paid jobs than inner city.

Inner Melbourne

- Tolls can be expensive and there can be long travel times due to congestion and multiple forms of public transport.
- Cost of living can be higher.
- Some people live in apartments where they pay a flat higher rate for gas and electricity no matter how much or how little they use.

Definition of wellbeing in the context of being able to access and pay for essential services

One of the tasks of the panel was to develop an agreed definition of wellbeing in the context of being able to access and pay for essential services. The following draft definitions were developed as well as a number of words and phrases that could be part of a definition.

Draft definitions

- Consumers should have complete trust in their providers to consider their individual situation knowing that they will be fair and honest, proactive and are easily accessible – and knowing that they will be able to access the services.
- Ability to manage your responsibilities in a supportive, convenient and accessible way so that it doesn't impact on your physical and mental health.
- People need predictability and regularity – it's the peace of mind knowing that you can have a stable, independent lifestyle which comes with regularity of work/social/emotional life so that you can have a positive outlook and a sense of control over your life.

It was also noted by panel members that 'vulnerability' was possibly not the right word to use in the strategy, and so this term was also explored in the final meetings.

Final recommendations and actions generated from the final whole panel meetings

In the final two meetings, the draft recommendations were reviewed by the panel and some changes were made. Most of the recommendations were endorsed at the Saturday meeting including a definition of wellbeing.

Two groups worked overnight to refine some of the materials. One group worked on an overall Statement of Intent which the panel felt was required to provide the context for the recommendations. Another group did further work on one of the recommendations. The Statement of Intent, the recommendations and definition were endorsed at the final meeting.

The panel also reflected on the term ‘vulnerability’ and possible alternatives but there was insufficient time to explore this in detail. The overall conclusion was that the term may need to be replaced by a number of words depending on the context and this needed to be explored further by the commission. Possible alternatives could be:

- hardship
- financially challenged
- something more positive, e.g., rent relief.

The final versions of the statement of intent, recommendations and actions are below.

Statement of intent

The community panel presents the following recommendations for consideration by the Essential Services Commission in fulfilling its role and responsibilities under the relevant legislation and statements of expectations that may be issued by the relevant minister(s).

The recommendations are based on a series of discussions held by the panel addressing the primary public objective of ‘fair and equitable access of essential services for all members of our community’.

In arriving at these recommendations, due consideration has been given to the following:

- The panel’s understanding of the current remit of the commission – some of the recommendations therefore are based on outcomes that the commission can more directly give effect to, whilst others are areas where the commission can play the primary role of advocacy.
- The recommendations have a strong focus on driving higher standards of compliance, monitoring and assurance of provider organisations. In doing so, it is recognised that any related performance metrics need to be developed through a collaborative, consultative

The deliberative process and discussions

process involving supplier groups, social organisations, government and diverse community representation.

- Notwithstanding the point above, there is also a recognition of the need to drive a culture of support and empathy within supplier organisations to deliver sustainable community outcomes. This also involves engaging across sectors to agree a more streamlined and responsive approach to communications and service delivery processes.
- The panel recognises the importance of the language used in the wording of the recommendations. In this regard, focus should be placed on:
- Recognising vulnerability as something that people may feel rather than something that a person is. There is a need therefore to be specific about identifying the reasons for vulnerability and ensuring programs are tailored to address these.
- Hardship – in terms of ability to gain access to services as well as ability to pay.

Some examples include, but are not limited to:

- Culturally and linguistically diverse, and migrant communities – language barriers
- social and economic inclusion – access to family support networks and financial assistance
- health and wellbeing – including mental health, disability, domestic violence
- economic – job support, financial counselling

The deliberative process and discussions

Final versions of the recommendations

Recommendation 1: The commission must work with providers to ensure bills, forms and communications are understandable, inclusive and accessible for all Victorian consumers and are tested with a diverse group of people experiencing hardship. Methods of communication must be driven by the consumer, not the provider.

Recommendation 2: The commission to work with providers to ensure that when people are facing hardship (need to set triggers), it triggers being contacted by an empathetic and trained person who will help them – i.e., a ‘hardship expert /vulnerability champion’. This includes being able to access someone with appropriate cultural and language skills who will case manage your issue and can work closely with you.

Note: the group was fairly evenly divided on whether this service should be a centralised, separate/independent entity or is part of what providers offer as part of their service.

Recommendation 3: The commission works with providers to improve consumer communication and engagement to ensure better outcomes for those facing hardship. Providers to be regularly monitored and penalties applied for poor performance.

Recommendation 4: The commission develops minimum standards to ensure providers respond in an appropriate way when dealing with people from diverse cultures, backgrounds and needs. This is monitored to ensure compliance.

Recommendation 5: The commission to work directly with consumers, and in partnership with other organisations, to help and educate consumers to become more aware of their rights, entitlements and obligations so that they are confident and empowered to understand, act and navigate the system with positive outcomes.

To do this, the following actions were identified:

(the group noted that this list could be edited and simplified)

5.1 Raise awareness of where consumers can go to get assistance and options if facing difficulties accessing and paying for essential services. This must be tailored to different groups and use channels that will reach people that don’t have internet.

5.2 The commission needs to be more innovative and proactive in its communications, e.g. wider use of more social media platforms to reach a wider demographic and different cultural groups.

5.3 Ensure that there are people that consumers can access when they need help to provide a human and timely response that is standard across all suppliers. This could be establishing a network of places where people can access a person to get help, e.g. post offices, as well as a universal hotline or portal.

5.4 Support consumers to be able to engage with suppliers by standardising information, offers and contracts provided by all suppliers so that offers can be easily compared. Ensure all important information is communicated up front.

5.5 Have a central platform where there is information about services available to help and information about accessing and paying for essential services, what to look for when looking for a supplier, questions to ask, what to do if you are having difficulties.

5.6 Develop a central service where you can get support to deal with all your hardship applications at the same time.

5.7 Promote financial counselling earlier, strengthen links between agencies and companies so that people get referred earlier.

5.8 Increase awareness of apps available to track energy usage.

Recommendation 6: The commission must form active partnerships with relevant government, community and industry entities to take collective responsibility for consumers experiencing hardship. These partnerships will deliver tangible outcomes and system improvement – delivering affordability, equity and accessibility – which are supported through internal and external accountability. The commission to engage with the sector, across government and with other organisations as appropriate to:

6.1 Raise awareness of difficulties people/specific groups have in accessing and paying for essential services and advocate for things that could be addressed but are not in its specific remit.

6.2 Raise awareness of where people can go to get assistance and options if facing difficulties accessing and paying for essential services.

6.3 Work collaboratively with the sector to identify what is not working in the sector and address this.

6.4 Develop a program where the state government or a not-for-profit provides lower cost energy to low-income people.

6.5 Develop an energy philanthropy program where people with solar panels donate some of the energy produced to help those disadvantaged/vulnerable.

Final versions of the recommendations

- 6.6** Ensure rental properties have energy efficient appliances.
- 6.7** Provide access to solar panels and batteries for low-income people.
- 6.8** Mandate that providers work with consumer advocacy organisations that charge no fee to consumers. Create linkages across essential service providers, welfare agencies and banks, etc. to enable a more holistic approach to case management. Also, so that there are people available to provide help, e.g. go to a post office and speak with someone rather than having to phone a call centre. These should be culturally appropriate.
- 6.9** Procure cultural and specific community-based organisations/leaders to produce and distribute information.
- 6.10** Obtain executive and frontline advocates (two in total from each organisation) who can meet with the commission and each other.
- 6.11** Have an ongoing consumer panel that meets quarterly (at a minimum) which works with peak bodies and networks.
- 6.12** Work with all free centralised portals for hardship support provided free of charge.
- 6.13** Provide equitable assistance to consumers who need support when transitioning into the 'system' e.g. newly arrived migrants or people leaving home for the first time – what to look for when choosing a supplier, how to navigate the system. Assistance needs to be free and in simple language.
- 6.14** Investigate a minimum of 50 per cent of all the complaints lodged with Energy & Water Ombudsman Victoria each year. (This recommendation would have to be interpreted as an investigation of categories of complaints, rather than of the complaints themselves, as the commission does not have the legislative ability to complete this task.)

Areas that emerged for the commission to consider exploring in partnership with other organisations:

- Pension is significantly reduced when a partner dies but the surviving partner still has all the bills and may have additional expenses to get help to do the tasks their partner did. Could costs be reduced when you become single? Balanced against equitable pricing for single households that have always been single.
- Include education on budgeting and managing credit in schools – young people need these life skills.
- Assess whether services are culturally safe for people from different backgrounds.

Final versions of the recommendations

- Question for the commission – Who are the state bodies? The sub-group suggested starting points would be both intrastate and interstate agencies, and national and international organisations, e.g. Department of Health and Human Services, Kildonan, Brotherhood of St Laurence, Salvation Army, Anxiety Recovery Centre Victoria, Mental Health First Aid, National Debt Helpline, Money Advice Trust (UK).

Recommendation 7: The term ‘vulnerability’ needs to be investigated further, there may be more appropriate words to use in different situations.

Recommendation 8: The commission maintains regular engagement with the community, in particular to gain insights about consumers who are facing hardship, their concerns and circumstances to:

- Ensure its work reflects community values and needs.
- Ensure its website and communication materials are easy to use and are useful for the community.
- Include consumer voice and feedback in its regulation of the sector.
- Review the cultural appropriateness of its own services and processes.

Draft definition of ‘wellbeing’ in terms of access and being able to pay for essential services

Ability to know and manage your responsibilities in a supportive, convenient and accessible way so that it doesn’t negatively impact on your physical and mental health.

Consumers should be able to have complete trust in their providers to consider their individual situation knowing that they will be empathetic, fair and honest, proactive, free from abusive practices, and provide easy access to a person who can help – and knowing that they will be able to access the services, and that no people in Victoria should be left without essential services and help will be available when you need it.

Alternative additional line: Consumers will have predictability and regularity of financial requirements/life – it is the peace of mind knowing that you can have a sense of stability for your life.

Evaluation and key learnings

- A clear set of success criteria was developed at the outset of the project. The extent to which these criteria were met was measured via :a pre- and post-poll with participants (see attachment 1); a lessons-learnt workshop with the project team and consultant observations recorded throughout the process.

Success criteria	Evidence of how the criteria was met
A positive experience for participants	<ul style="list-style-type: none"> • A positive group culture of listening and respect was developed at the outset and adhered to throughout the process. • Participants strongly articulated the experience to be a positive one. • Consultants observed positive interaction in all sessions. • Participants expressed a desire to stay in touch and attend a follow-up meeting in April 2021.
Clear consensus-based recommendations developed to support the Vulnerability Strategy	<ul style="list-style-type: none"> • Draft recommendations were developed. • Final consensus-based recommendations (80 per cent majority) were agreed to and presented to the commissioners. •
Commissioner involvement and confidence in the outcomes	<ul style="list-style-type: none"> • Commissioners expressed confidence in the outcomes and committed to a rigorous assessment of the recommendations. • All five commissioners attended sessions, some on more than one occasion.
Internal skill development and capacity building in engagement processes	<ul style="list-style-type: none"> • Participants recorded an increase in capacity. • Commission staff participated directly in all aspects of the engagement process. • A small number of commission staff attended mentoring sessions.
Reputation enhancement	<ul style="list-style-type: none"> • Participants expressed confidence in the commission and its commitment to implementing the recommendations.

Commissioners and panel members provided very positive feedback. All groups reported that the meetings had sparked many interesting conversations with commissioners and the commission team, and that there had been numerous reflections and comments about how valuable the process had been.

Key learnings to emerge from the reflections to take forward to inform future engagement programs include:

- A thorough recruitment process carried out by a professional recruiting company adds an additional layer of independence to the process. The group of 37 people was randomly selected, using a number of criteria, to form a 'mini-public' that broadly matched the demographics of the Victorian consumers of the regulated sectors.
- A private portal which contained information for panel members and interactive spaces to continue to post ideas and dialogue through the process.
- A graphic facilitator who enhanced the process by developing illustrations based on the discussions and recommendations.

Composition of the panel

There was an excellent mix of people with a good diversity of background, demographics and locations around Victoria which led to robust conversations and high level of quality recommendations. The make-up of the panel of participants from different geographic areas (rural, regional, urban fringe and metropolitan Melbourne) worked very well and resulted in a diversity of quality insights and recommendations into how access to essential services differs depending on where you live.

Online

The facilitators' expectations were exceeded in terms of what could be achieved in the online environment. Even with over 30 participants it was possible to create an atmosphere of intimacy where people felt safe sharing their experiences. All participants made valuable contributions and the standard of contribution was high, resulting in a wide range of quality recommendations.

Collaboration with the commission

There was a high level of collaboration between Mendleson and the commission.

The positive input provided by the commissioners and team members who attended the meetings was highly valued by the panel members. Everyone contributed with a high level of input and enthusiasm, which delivered a very powerful message about the genuine nature of

Evaluation and key learnings

the engagement – that the commission would consider and use the feedback provided by the panel.

Logistical support was essential, for example one commission member took charge of developing the Engage Victoria site and monitored it daily for questions and updates. The team also led the development of the pre-reading Information Package and attended to answering questions in a timely manner. Project team members managed the liaison between the panel and the commissioners and provided communications support throughout.

‘The commission was involved but never felt overpowering or like they were directing the conversation.’ Panel member

Collaboration between panel members

Panel members unanimously agreed to a set of group rules at the outset of the process. These rules were reiterated at the commencement of each meeting. The consultants observed a high level of regard for the group rules, with the overwhelming majority of members engaging in active listening and demonstrating respect for one another’s points of view, even when they differed from their own.

Panel members shared the responsibility of presenting the recommendations, even encouraging some of the quieter members to present on behalf of the group. Several members also spoke to the experience of being in a deliberative engagement process.

Meeting structure, content and length

The meeting structure and length worked well. In particular, the small group sessions proved successful in:

- drawing out a range of insights based on where you live
- encouraging all members to contribute, including the quieter voices.

The homework worked well, with panel members reporting that this deepened their experience and helped them understand the issues from a wider degree of perspectives. The conversations also provided participants’ family and friends with a greater understanding of the issues and their role on the community panel.

A majority of panel members expressed a desire for more time to undertake a deeper analysis of the issues impacting vulnerability and to identify solutions to address it.

Portal

The portal worked very well and there was a high level of use. As well as an easy-to-access repository for background and requested information, it also provided a direct link between the panel members, the commission and the consultants between the online sessions.

The support received from the commission team to liaise with Engage Victoria and load updates in a timely fashion was identified as a key strength.

Survey results

Panel members were asked to complete a survey before and after the process. Thirty-four of the 37 people who started the process (87 per cent) completed the pre-process survey and 26 out of the 29 people who finished the process (89 per cent) completed the post-process survey which is an excellent completion rate. Areas where there were large differences in responses between the surveys are noted below. In particular, survey results showed an increase in:

- trust in decision making processes
- understanding of the commission and its remit
- understanding of, and support for, collaborative decision-making processes.

For more details, see attachment 1.

Knowing more about the commission has allowed me to better grasp how vulnerability manifests itself in all facets of one's life. Knowing that regulators like the commission recognise this, and are attempting to improve outcomes for individuals experiencing vulnerability is comforting. Panel member

I was not aware of the commission before and am excited at what is available to those doing it tough, we just need to get the message out to those who need it. Panel member

I became more informed and aware; I became more understanding of the challenges posed for people who find themselves in a vulnerable position. Panel member

What could have been improved

- The timeframe for this process was very short. The ideal scenario would have been to have had an additional two weeks between sessions to give the panel members more of a break and not run the two last meetings on consecutive days.
- The process could have benefited from having another session with the full group to review the draft recommendations. However, in saying this, we are aware from our experiences with other deliberative process that there is almost always the feeling of needing more time no matter how long you have and that we could have spent weeks reviewing the recommendations.
- Additional time would also have allowed for more participant interaction between the work that was produced in the small groups and whole group. The consultants assisted with synthesising and formatting the small group work in preparation for the whole group discussion. Ideally, and with more time, this work could have been undertaken by the group.
- The commission remit was very complicated and differs between the regulated sectors. This resulted in questions about the commission's role and powers being raised throughout the process. This may have been abated by providing more information at the beginning of the process and including more content in the information package and on the portal that people could refer back to, ideally in the form of a diagram.
- It would have been valuable to have had guest speakers early in the process to share the perspective from service provider point of view, i.e. this is what we currently do to support and address vulnerability, how a provider arrived at this position and what has been tried, and what has and hasn't worked.

Appendix A: Draft recommendations

The consultants reviewed all the suggestions made in the small group meetings and grouped them into broad themes to help the panel sort all the ideas generated to date into a set of recommendations. We retained the notes from the meetings below each set of recommendations so that panel members could see what the recommendations cover. Panel members were asked to review this document before the final two meetings.

Theme	Recommendation
Improve plans, bills, communications and forms	<p>Recommendation 1</p> <p>The commission works with suppliers to make plans, bills, communications (written and online) and forms clearer and simpler.</p> <ul style="list-style-type: none"> • Reduce – there is TOO much information. Have a separate page for key information and use colour coding to identify important information. Further information can be provided on separate pages with icons to click on if you want more information. • Simplify text and remove jargon. • Make key information and hardship forms available for people in their first language. • Make default offers that establish basic price structures set by the commission more clearly available. • Standardise information across suppliers so that offers can be easily compared. • Research how people are managing right now and build an understanding of what is required across the sector so that communications are simpler and more accessible. More collaboration upfront with consumers and user testing. • Make short, humorous videos (like <i>The Check Out</i> on ABC tv).
Improve access to empathetic, timely and proactive human response	<p>Recommendation 2</p> <p>The commission works with suppliers to ensure that when people are facing hardship, they can quickly contact an empathetic person who will help them. This includes being able to access someone with appropriate cultural and language skills.</p> <p>Recommendation 3</p>

What could have been improved

	<p>The commission works with suppliers to develop a system whereby when someone misses a bill payment, they are contacted by an empathetic person/organisation to find out why they missed their payment and offering support and advice, if required. This service should include staff with appropriate cultural and language options. Dealing with long wait times on hold, robots and extended processes can exacerbate stress and hardship, especially for people who may be dealing with a number of suppliers and with limited options and ability to access phone and internet. Getting assistance swiftly may help people to get back on their feet quickly and reduce likelihood of long-term issues.</p>
<p>Build the capacity of supplier organisations</p>	<p>Recommendation 4</p> <p>The commission works with suppliers to create definitive codes to improve their engagement with consumers, especially those facing hardship. Codes need to be definitive, not simply guidance, include vulnerability provisions, and there needs to be monitoring and penalties for poor performance. A particular focus should be communication and engagement with consumers. Ensure performance measures include elements noted below.</p> <p>Recommendation 5</p> <p>The commission works with suppliers to ensure that companies respond in an appropriate way when dealing with people from diverse cultures, backgrounds and needs. A number of possible performance measures and considerations are outlined below.</p> <ul style="list-style-type: none"> • Dealing with suppliers can be difficult – being kept waiting, difficult systems, processes and language – especially challenging for people with mental health issues. There were lots of ideas generated to improve this and a general agreement that the onus is on the supplier organisations to take a proactive and empathetic approach, and improve their systems and processes. • Supplier responsibilities need to be substantive. The commission needs to drive this and push harder as we are dealing with the essentials of living. Codes need to be definitive with clear performance measures and KPIs, not simply guidance.

What could have been improved

Compliance must be monitored and penalties applied where performance does not meet stated standards.

- This needs a whole-system review, not just the call centre. How is empathy manifested throughout the system and all touchpoints within that organisation? Bills, online, websites, all communications and services touchpoints and background processes. These are big organisations and need to look at the whole picture.

Suggestions for suppliers to improve engagement with customers:

- Improve engagement and develop more empathetic ways of dealing with customers.
- Notify customers clearly that there are a number of options.
- Give customers a better idea of what their rights are, especially with disconnections that are often used as a threat. Often there is threat-based culture – need to cater for, not threaten, which will increase hopelessness, fear, anxiety, negativity, worry, stress, and mental and physical health.
- Provide easy access to phone numbers and then, having dialled, provide a fast response where you talk to a human, not a robot.
- Trauma-informed counselling needs to be widespread across any customer-facing service.
- Train staff in dealing with vulnerable people and having empathy (not just call centre staff but staff across the organisations; e.g. those controlling budgets).
- Provide long-term staff positions: customer services staff in regional areas tend to be more long term and get to know the customers and their situation. In the city, more casualised workforces mean that you have to deal with a new person each time.
- Provide easy ability to escalate to a decision maker.
- Avoid 1300 numbers where customers pay call costs.
- Should have to opt out for cheaper deals not opt in.
- Have data limit alerts where you get a text message when approaching your limit.
- Extend the amount of time required to pay bills.

What could have been improved

- If everyone paid 1 per cent more this could go into a bucket for those who need it.
- Prepaid energy plans give more control.
- Paying fortnightly can make a big difference.
- People should not be penalised for not having internet – i.e. \$2.60 for paper bill.
- Credit card service fees are unfair.
- No on-selling of debt-to-debt collection agencies or allowing people's credit rating to be affected if they can't pay for essential services.
- Adopt a star rating approach (like banks do) of companies that are good to deal with and promote this in the media – organisations are very conscious of reputation. Ask people to review their provider and promote the comments.
- Do not just benchmark against the same sector, look at other industries (i.e. hospitality).
- User experience mapping (in partnership with a university).
- Measure impacts and improvements.
- Raise public awareness of issues.

Suggestions for suppliers to respond in an appropriate way when dealing with people from diverse cultures, backgrounds and needs:

- intermediary body that can support people regardless of sector
- monitor performance
- consumer panel with diverse backgrounds
- work with Consumer Affairs Victoria to support those who can least afford to pay
- draw upon organisations like Helping Hands
- simple translated materials
- have more staff from diverse backgrounds
- rest run communications with diverse focus groups
- establish 'one stop shop' to resolve and/or triage issues to appropriate place
- apply star rating

Capacity building
of customers

Recommendation 6

The commission works directly with consumers, and in partnership with other organisations, to help consumers become more confident and empowered to understand and negotiate the system.

To do this:

6.1 Raise awareness of where consumers can go to get assistance and options if facing difficulties accessing and paying for essential services. This must be tailored to different groups and use channels that will reach people that don't have internet.

6.2 The commission needs to be more innovative and proactive in its communications; e.g. wider use of more social media platforms to reach a wider demographic and different cultural groups.

6.3 Ensure that there are people who consumers can access when they need help to provide a human and timely response that is standard across all suppliers. This could be establishing a network of places where people can go and access a person to get help; e.g. post offices, as well as a universal hotline/portal.

6.4 Support consumers to be able to engage with suppliers by having standardised information, offers and contracts provided by all suppliers so that offers can be easily compared. Ensure all important information is communicated up front.

6.5 Have a central platform where there is information about services available to help and information about accessing and paying for essential services, what to look for when looking for a supplier, questions to ask, what to do if having difficulties.

6.6 Develop a central service where support is available to deal with all hardship applications at the same time.

6.7 Promote financial counselling earlier, strengthen links between agencies and companies so that people get referred earlier.

6.8 Increase awareness of apps available to track energy usage.

The commission could do this through a number of channels such as media, help lines, advocacy and awareness work, together with organisations such as VCOSS and community legal centres and develop an ambassador network (people who can feed information to their communities). Communication materials should be simple and

What could have been improved

	<p>could be placed in bills and in community meeting places such as doctors' surgeries, supermarket noticeboards and op shops.</p> <p>A key point raised was the need to reach people who don't have access to internet and may have low literacy, English and confidence, and the need to raise awareness of consumer obligations, which go beyond just paying your bills.</p>
<p>Collaboration and partnerships</p>	<p>Recommendation 7</p> <p>The commission to engage with the sector, across government and with other organisations as appropriate to:</p> <p>7.1 Raise awareness of difficulties people/specific groups have in accessing and paying for essential services and advocate for things that could be addressed but are not in its specific remit.</p> <p>7.2 Raise awareness of where people can go to get assistance and options if facing difficulties accessing and paying for essential services.</p> <p>7.3 Work collaboratively with the sector to identify what is not working in the sector and address this.</p> <p>7.4 Develop a program where the state government or a not for profit provides lower cost energy to low-income people.</p> <p>7.5 Develop an energy philanthropy program where people with solar panels donate some of the energy produced to help those disadvantaged or vulnerable.</p> <p>7.6 Ensure rental properties have efficient appliances.</p> <p>7.7 Provide access to solar panels and batteries for low income people.</p> <p>Areas for the commission to explore in partnership with other organisations:</p> <ul style="list-style-type: none"> • Pension is significantly reduced when a partner dies but the remaining partner still has all the bills and may have additional expenses to get help to do additional tasks. Could costs be reduced when someone becomes single? • Include education on budgeting and managing credit in schools – young people need these life skills. • Need advocates to support those who are vulnerable.

	<ul style="list-style-type: none"> • Avenues for assistance are complex, inconsistent and take too long to resolve: <ul style="list-style-type: none"> – Assistance is often based on whether individual/family is a Centrelink recipient. This makes it more difficult for those not on Centrelink to be heard and given hardship or assistance considerations. – Assess if services are culturally safe for people from different backgrounds. – Provide assistance when transitioning into the ‘system’; e.g. newly arrived migrants or people leaving home for the first time – what to look for when choosing a supplier, how to navigate the system. Assistance needs to be free and in simple language. • Opportunities exist to collaborate across sectors: <ul style="list-style-type: none"> – Centralised portals for hardship support provided free of charge. – Leverage cultural and specific community-based organisations or leaders to produce and distribute information. – Create linkages across essential service providers, welfare agencies and banks, etc., to enable a more holistic approach to case management. Also, have people there available to provide help; e.g. go to a post office and speak with someone rather than having to phone a call centre. These should be culturally appropriate. – Provide advocates who can meet with the commission and each other. – Have a consumer panel that works with peak bodies and networks.
Defining vulnerability	<p>Recommendation 8</p> <p>Change the word ‘vulnerable’.</p> <p>Perhaps ‘hardship’ is a better term or ‘challenged’. Note that this will be further explored in Meeting 5.</p>
Capacity building of the commission	<p>Recommendation 9</p>

What could have been improved

The commission continues regular engagement with community members to:

- ensure its work reflects community values
- ensure its website and communication materials are easy to use and are useful for the community
- include consumer voice and feedback in its regulation of the sector, in particular to gain insights about consumer experiences when facing hardship.

Recommendation 10

The commission reviews the cultural appropriateness of its own services, including taking calls from the community with translators available.

Attachment 1: Survey results

Panel members were asked to complete a survey before and after the process. Thirty-four of the 37 people who started the process (87 per cent) completed the pre-process survey and 26 out of the 29 people who finished the process (89 per cent) completed the post-process survey which is an excellent completion rate. Areas that recorded the largest differences in responses between the surveys are noted below. In particular, survey results showed an increase in:

- trust in decision making processes
- understanding of the commission and its remit
- understanding of, and support for, collaborative decision-making processes.

Increased trust in decision-making processes

I have a good understanding of the Essential Services Commission and its commitment to supporting Victorians experiencing vulnerability.

Pre-process survey: 56 per cent agreed or strongly agreed

Post-process survey: 100 per cent agreed or strongly agreed

What could have been improved

I am confident that my fellow community panel members have the skills and knowledge to contribute to decision-making processes.

Pre-process survey: 64.7 per cent agreed or strongly agreed

Post-process survey: 96.15 per cent agreed or strongly agreed

Knowledge of the Essential Services Commission

I understand the role of the Essential Services Commission.

Pre-process survey: 76.47 per cent agreed or strongly agreed

Post-process survey: 100 per cent agreed or strongly agreed

I understand the different ways the community intersects with the Essential Services Commission.

Pre-process survey: 32.35 per cent agreed or strongly agreed

Post-process survey: 79.23 per cent agreed or strongly agreed

I understand the services provided by the Essential Services Commission.

Pre-process survey: 50.3 per cent agreed or strongly agreed

Post-process survey: 92.3 per cent agreed or strongly agreed

I understand the roles and responsibilities of different agencies involved with the Essential Services Commission.

Pre-process survey: 32.35 per cent agreed or strongly agreed

Post-process survey: 65.38 per cent agreed or strongly agreed

Knowledge of collaborative community engagement processes

I value the diversity and perspective of others in decision-making processes.

Pre-process survey: 55.88 per cent strongly agreed

Post-process survey: 80.77 per cent strongly agreed

I value group community engagement processes in government decision-making.

Pre-process survey: 58.82 per cent strongly agreed

Post-process survey: 76.92 per cent strongly agreed