

Community Wastewater Management Scheme (CWMS) Hardship Policy

Strategic Reference	Objective 1; A caring, healthy and resilient community. Strategy 1.7; Achieve or implement the statutory and core responsibilities of Council.
File reference	AR17/16686
Responsibility	Community & Corporate Department
Revision Number	1
Effective date	June 2015
Last revised date	September 2018
Minutes reference	187/18, 172/15
Next review date	Every two years, September 2020
Applicable Legislation	Water Industry Act 2012 Water Industry Regulations 2012
Related Policies	Complaints and Compliments Policy Debt Recovery & Financial Hardship Policy
Related Documents:	Coorong District Council Community Wastewater Management System (CWMS) and Recycled Water Customer Charter

1. Purpose

Coorong District Council is committed to assisting residential customers of water and sewerage services, who are experiencing financial hardship, to manage their payments in a manner that best suits the customer, and ensuring they remain connected to a retail service.

The purpose of this policy is to identify residential customers who are experiencing payment difficulties due to hardship, and assist those customers to better manage their bills on an ongoing basis.

This policy sets out:

- processes to identify residential customers experiencing payment difficulties due to hardship, including identification by us, self-identification by a residential customer, identification by an accredited financial counsellor, or welfare agency, and
- an outline of a range of processes or programs that we will use, or apply, to assist our customers who have been identified as experiencing payment difficulties.

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2. Background

This **policy** is based on the customer hardship policy for intermediate retailers, made by the Minister for Communities and Social Inclusion, pursuant to section 37 of the *Water Industry Act 2012*, under a delegation by the Minister for Water and the River Murray,

3. Definitions and interpretation

In this **policy**:

accredited financial counsellor means a person who holds a Diploma of Community Services (Financial Counselling), and who has worked at least 12 months as a financial counsellor under the supervision of the South Australian Financial Counsellors Association;

connection means an agreed point of supply at which a customer receives a retail service from a supplier;

consumer means a person supplied with retail services as a consumer or user of those services (as defined in the *Water Industry Act 2012*) (*Note: you may be a consumer by virtue of being a council ratepayer*);

customer means a person who owns land in relation to which a retail service is provided and includes:

- where the context requires, a person seeking the provision of a retail service, and
- in prescribed circumstances, a person supplied with retail services as a consumer or user of those services (without limiting the application of this definition to owners of land), and
- a person of a class declared by the regulations to be customers

(as defined in the *Water Industry Act 2012*) (*Note: you may be a customer by virtue of being a council ratepayer*);

customer hardship policy means this policy which has been adopted by Coorong District Council, in accordance with section 37 of the *Water Industry Act 2012*;

financial counsellor means accredited financial counsellor;

financial hardship means a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary, but does not include circumstances where a person chooses not to meet a liability for an unpaid debt;

hardship customer means a residential customer who has been identified under, accepted into, or is eligible for assistance under Council's hardship program;

hardship program means an agreement between us and a hardship customer for payment of outstanding sums due for retail services;

intermediate retailer means a retailer that provides retail services to more than 500 but less than 50000 connections

minor retailer means a retailer that provides retail services to less than 500 connections;

policy means this Community Wastewater Management Scheme (CWMS) Hardship Policy for Residential Customers of Water and Sewerage Services and customer service charter;

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regulations means regulations under the *Water Industry Act 2012*

residential customer means a customer or consumer who is supplied with retail services for use at residential premises (as defined in the *Water Industry Act 2012*) (*Note: you may be a residential customer by virtue of being a council ratepayer*)

retail service means a service constituted by:

- the sale and supply of water to a person for use (and not for resale other than in prescribed circumstances (if any)) where the water is to be conveyed by a reticulated system, or
- the sale and supply of sewerage services for the removal of sewage (*including but is not limited to community wastewater management systems*)

(even if the service is not actually used) but does not include any service, or any service of a class, excluded from the ambit of this definition by the regulations (as defined in the *Water Industry Act 2012*).

retailer means the holder of a licence issued by the Essential Services Commission of South Australia under the *Water Industry Act 2012*

sewage includes any form of waste that may be appropriately removed or dealt with through the use of a sewerage service (as defined in the *Water Industry Act 2012*)

sewerage service means:

- a service constituted by the collection, storage, treatment or conveyance of sewage through the use of a reticulated system, or
- any other service, or any service of a class, brought within the ambit of this definition by the regulations

(as defined in the *Water Industry Act 2012*) (*Note: sewerage service includes but is not limited to community wastewater management systems*)

water includes rainwater, stormwater, desalinated water, recycled water and water that may include any material or impurities, but does not include sewage (as defined in the *Water Industry Act 2012*)

water service means:

- a service constituted by the collection, storage, production, treatment, conveyance, reticulation or supply of water, or
- any other service, or any service of a class, brought within the ambit of this definition by the regulations.

(as defined in the *Water Industry Act 2012*)

4. Identifying residential customers experiencing financial hardship

A residential customer experiencing financial hardship is someone who is identified by themselves, by us, by an accredited financial counsellor, or by a welfare agency as having the intention, but not the financial capacity, to make required payments in accordance with our payment terms.

There are two types of financial hardship: ongoing and temporary. Depending on the type of hardship being experienced, hardship customers will have different needs and will require different solutions.

Residential customers that are identified as experiencing ongoing hardship are generally those on low or fixed incomes. These customers may require ongoing assistance.

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Residential customers that may be identified as experiencing temporary hardship are those that have experienced a short-term change in circumstances, such as serious illness, disability or death in the family, loss or change in income, separation, divorce or other family crisis, a loss arising from an accident, or some other temporary financial difficulty. These customers generally require flexibility and temporary assistance, such as an extension of time to pay or an alternative payment arrangement.

The extent of hardship will be determined by either our assessment process or by an external body, such as an accredited financial counsellor.

Where we assess a residential customer's eligibility for hardship assistance, we will consider indicators including (but not limited to) whether:

- the customer is on a Centrelink income and holds a Pensioner Concession Card or holds a Centrelink Low Income Health Care Card
- the customer is eligible for a South Australian Government concession
- the customer has been referred by an accredited financial counsellor or welfare agency
- the customer advises they have previously applied for emergency relief (irrespective of whether or not their application was successful)
- the customer's payment history indicates that they have had difficulty meeting their retail services bills in the past
- the customer, through self assessment, has identified their position regarding their ability to pay.
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5. Assisting residential customers who are experiencing financial hardship

We will inform a residential customer of this customer hardship policy where:

- it appears to us that non-payment of a bill for retail services is due to the customer experiencing payment difficulties due to hardship, or
- we are proposing to install a flow restriction device.

Where a residential customer has been identified as experiencing financial hardship, we will offer the customer, as soon as is reasonably practicable, flexible and frequent payment options that have regard to the hardship customer's usage, capacity to pay and current financial situation. These options will include the following:

- an interest and fee free payment plan which complies with our Payment Plan See *Section 7 below*
- Centrelink's Centrepay service (only where available), or
- other arrangement, under which the customer is given more time to pay a bill or to pay in arrears (including any disconnection or restriction charges),

recognising that some residential customers have a short-term financial hardship issue which may be resolved in the near to medium-term, where others may require a different type of assistance for ongoing financial issues.

We will not charge a residential customer a reconnection charge where that customer is experiencing financial hardship and should have been identified as eligible for this customer hardship policy, so long as the customer agrees to participate in our hardship program, upon reconnection.

We will engage in discussion with the hardship customer to determine a realistic payment option in line with the customer's capacity to pay.

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We will work with a hardship customer's financial counsellor to determine the payment arrangement and instalment amount that best suits the customer and their individual circumstances.

Where a hardship customer's circumstances change, we will work with the customer, and their financial counsellor, to re-negotiate their payment arrangement.

We will not require a hardship customer to provide a security deposit.

We will not restrict a hardship customer's retail services if:

- the customer has agreed to a payment arrangement and continues to adhere to the terms of that arrangement, or
- we have failed to comply with the requirements of this customer hardship policy, or
- the customer's retail service is a community wastewater management system or other sewerage service.

We will also offer the hardship customer:

- where appropriate, information about the right to have a bill redirected to a third person, as long as that third person consents in writing to that redirection
- information about, and referral to, Commonwealth and South Australian Government concessions, rebates, grants and assistance programs
- information about, and referral to, accredited financial and other relevant counselling and support services, particularly where a customer that is identified as experiencing ongoing financial hardship.

Where a hardship customer requests information or a redirection of their bills, we will provide that information or redirection free of charge.

We will provide information to the hardship customer on how to reduce usage and improve water efficiency, which may include referral to relevant government water efficiency programs. This will be provided at no charge to the customer.

We will explain to the hardship customer how and when the customer will be returned to regular billing cycles (and collection), after they have successfully completed the hardship program.

We will also explain to the hardship customer that they will be removed from our hardship program, and be returned to our standard collection cycles, including debt recovery, should they cease to make payments according to the agreed payment arrangement or fail to contact us for a period of greater than 90 days.

We will not take any action to remove a customer from our hardship program until we have sent the customer a written notice, allowing them 10 working days from the date of the notice to contact us to re-negotiate their re-entry into the program.

6. Retail services provided by Council

Council rates are made up of retail services (as defined in this policy) and non-retail services, for example refuse collection and parks and playgrounds.

If you are a residential customer in receipt of a retail service provided by Coorong Council and you are experiencing financial hardship, then only the retail service percentage element of the council rates will be subject to the terms of this hardship policy. All or any other sums that are due to the council for rates or non-retail services will be dealt with under the council's existing hardship policies.

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7. Payment Plan

Council may grant a payment plan in accordance with Council's Debt Recovery & Financial Hardship Policy.

8. Debt recovery

We will suspend debt recovery processes while negotiating a suitable payment arrangement with a hardship customer.

We will not engage in legal action or commence proceedings for the recovery of a debt relating to a retail service for a hardship customer if:

- the customer has agreed to a payment arrangement and continues to adhere to the terms of that arrangement, or
- we have failed to comply with the requirements of this customer hardship policy.

9. Rights of residential customers experiencing financial hardship

Every residential customer experiencing financial hardship has the right to:

- Be treated respectfully on a case-by-case basis, and have their circumstances kept confidential.
- Consider various payment methods in accordance with Council's Debt Recovery and Financial Hardship Policy.
- Receive information about free and independent, accredited financial counselling services.
- Receive a language interpreter service at no cost to the customer.
- Be shielded from legal action and additional debt recovery costs, whilst they continue to make payments according to an agreed payment arrangement.
- Not have retail services restricted or disconnected as long as they have agreed to a payment arrangement and continue to make payments according to an agreed plan.

10. General provisions

We will ensure residential customers have equitable access to this customer hardship policy, and that this policy is applied consistently.

We will ensure appropriate training of staff dealing with residential customers in hardship to enable them to treat customers with respect and without making value judgements. Training will also assist staff in the early identification of hardship customers, with establishing payment plans based on a hardship customer's capacity to pay, and include processes for referral to an accredited financial counsellor or welfare agency for assistance.

This customer hardship policy is available on our website: www.coorong.sa.gov.au .

We will also make a copy of this policy available to a customer, upon request, and at no charge to the customer, as soon as practicable following a request to do so.

This customer hardship policy does not limit or prevent us from waiving any fee, charge or amount of arrears for the provision of retail services to customers who are experiencing financial hardship.

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11. Confidentiality

Any information disclosed by a customer is confidential and will not be used for any purpose other than the assessment of an application for assistance.

12. Complaints handling

Details of our customer complaints and dispute resolution process are available at our website: www.coorong.sa.gov.au .

We will also make a copy of this process available to a residential customer, upon request, and at no charge to the customer.

A residential customer experiencing hardship has a right to have any complaint heard and addressed by us, and in the event that their complaint cannot be resolved, the right to escalate their complaint to the external dispute resolution body approved by the Essential Services Commission of South Australia.

13. Further information

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's website: www.coorong.sa.gov.au.

Coorong Civic Centre

95-101 Railway Terrace
Taillem Bend
Phone: 1300 785 277
Fax: 8572 3822

Meningie Information Hub

49 Princes Highway
Meningie
Phone: 1300 785 277

Tintinara Customer Service Centre

37 Becker Terrace
Tintinara
Phone: 1300 785 277

Copies will be provided to interested parties upon request. Email council@coorong.sa.gov.au.

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.