



Economic Regulation Authority

Financial Hardship Policy Guidelines – Gas Licences

July 2024

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Contents

1.	Introduction	2
2.	Background	3
2.1	Payment assistance	3
2.2	Financial hardship	3
3.	Retailer obligations	4
3.1	Policy - Minimum requirements	4
3.2	Procedures - Minimum requirements	5
3.3	Initial Hardship Policy & Hardship Procedures.....	5
3.4	Review and amendment of Hardship Policy & Hardship Procedures	5
3.4.1	Review	5
3.4.2	Amendment	5
4.	Elements of hardship policies and procedures	7
4.1	Consulting with relevant consumer representatives.....	7
4.2	Identifying customers experiencing financial hardship	8
4.3	Treating customers sensitively and respectfully	9
4.4	Reduction or waiver of fees, charges or debt.....	9
4.4.1	Circumstances that may warrant a reduction or waiver	9
4.4.2	Types of fees, charges or debt that may be reduced or waived	9
4.4.3	Manner in which fees, charges or debt may be reduced or waived	10
4.5	Recovery of debt	10
4.6	Suspension of disconnection and debt recovery procedures	11
4.7	Overview of assistance.....	11
4.8	Concessions and grants	12
4.9	Training of staff.....	12
4.9.1	Content of training	13
4.9.2	Timing of training	13
4.9.3	Development of training.....	13
4.10	Payment plans: Assessing usage and capacity to pay	14
4.10.1	Determining the conditions of a payment plan	14
4.10.2	Assessment made by a financial counsellor	15
4.10.3	Negotiating payment plans with customers.....	15
4.11	Direct telephone number for credit management staff	16
4.12	Accessibility & privacy	16
4.13	Complaints handling	17

List of appendices

Appendix 1	Hardship policy checklist	19
Appendix 2	Hardship procedures checklist	21

1. Introduction

The *Compendium of Gas Customer Licence Obligations* (Compendium) requires retailers that supply residential customers to develop, maintain and implement a Hardship Policy and Hardship Procedures to assist customers to meet their financial obligations and responsibilities to the retailer.¹ The Compendium sets out the minimum requirements for Hardship Policies and Hardship Procedures.²

These *Financial Hardship Policy Guidelines – Gas Licences* (Guidelines) have been developed to provide retailers with additional guidance in meeting the requirements set out in the Compendium and detail what the ERA will consider when assessing Hardship Policies and Hardship Procedures.

¹ Compendium of Gas Customer Licence Obligations, ERA ([online](#))

² Clause 40(2) and 40(3) of the Compendium.

2. Background

The Compendium regulates the conduct of retailers and distributors that supply gas to residential and small business customers and sets service standards covering billing, payments, financial hardship, disconnections, and complaints handling. The ERA established the Compendium under section 11M of the *Energy Coordination Act 1994*, as a licence condition to protect the interests of gas customers who have little or no market power, in the same way that the Electricity Code protects electricity customers.

All licensed gas retailers and distributors must comply with the Compendium as a condition of their licence.

2.1 Payment assistance

Part 6 of the Compendium addresses payment assistance and sets out requirements for:

- Assessment of a customer's financial situation.
- Payment assistance.
- Additional assistance available to residential customers experiencing financial hardship.
- Business customers experiencing payment difficulties.

2.2 Financial hardship

The Compendium defines 'financial hardship', in relation to a residential customer as:

a state of long-term financial disadvantage as a result of which the customer is unable to pay an outstanding amount as required by a retailer without affecting the customer's ability to meet the basic living needs of the customer or a dependant of the customer.

Financial hardship may be caused by (but is not limited to) the sustained burden of one or more of the following factors:

- loss of the customer's or family member's primary income
- separation or divorce from a spouse
- physical and mental health problems
- loss of a spouse or a loved one
- a chronically ill child or other family member
- domestic or family violence
- budget management difficulties because of a low income
- other unforeseen factors affecting a customer's capacity to pay, such as a reduction in income or an increase in non-discretionary expenditure.

3. Retailer obligations

Retailers are required to develop, maintain and implement a Hardship Policy and Hardship Procedures to assist customers to meet their financial obligations and responsibilities to the retailer.³

The Hardship Policy only needs to contain information of direct interest to customers. For example, details of staff training are not of particular interest to a customer who is in hardship, so does not need to appear in the publicly available policy. It should, however; be included in the Hardship Procedures as it is of interest to the ERA.

To assist retailers in ensuring their Hardship Policy and Hardship Procedures comply with the Compendium, tables of the requirements for a Hardship Policy and Hardship Procedures are contained throughout these Guidelines. Summary tables are contained in Appendix 1 (requirements for Hardship Policies) and Appendix 2 (requirements for Hardship Procedures).

3.1 Policy - Minimum requirements

Under clause 40(2) of the Compendium a Hardship Policy must:

- a. include a statement encouraging customers to contact their retailer if they are experiencing problems paying their bill; and
- b. include a statement advising that the retailer will treat all customers sensitively and respectfully; and
- c. include a statement that the retailer may reduce or waive fees, charges or debt; and
- d. include an objective set of hardship indicators; and
- e. include:
 - i. an overview of the payment and other assistance available to customers under this Part (other than the retailer's requirement to advise the customer of the ability to pay in advance and the matters referred to in clauses 39(3)(a), (b) and (d)); and
 - ii. a statement that the retailer offers residential customers the right to pay their bill by Centrepay; and
 - iii. a statement that the retailer is able to provide further details on request.
- f. include an overview of any concessions that may be available to the retailer's customers; and
- g. include-
 - i. the telephone number for interpreter services identified by the National Interpreter Symbol; and
 - ii. the telephone number (or numbers) for services that can assist customers with a speech or hearing impairment; and
- h. for printed copies of the hardship policy - be available in large print copies; and
- i. include a statement specifying how the retailer will treat information disclosed by the customer to the retailer and information held by the retailer in relation to the customer.

Section 4 of the Guidelines provides additional guidance on the matters to be included in a Hardship Policy.

³ Clause 40(1) of the Compendium.

3.2 Procedures - Minimum requirements

Under clause 40(3) of the Compendium Hardship Procedures must:

- a. provide for the training of staff (including call centre staff, field officers and all subcontractors employed to engage with customers experiencing financial hardship) about issues related to financial hardship and its impacts, and how to deal sensitively and respectfully with customers experiencing financial hardship; and
- b. include guidance –
 - i. that assists the retailer in identifying residential customers who are experiencing financial hardship; and
 - ii. that assists the retailer in determining a residential customer's usage needs and capacity to pay when determining the conditions of payment plan; and
 - iii. about the suspension of disconnection and debt recovery procedures; and
 - iv. about the reduction or waiver of fees, charges or debt; and
 - v. about the recovery of debt; and
- c. require that the retailer's credit management staff have a direct telephone number and that the number be provided to relevant consumer representatives.

Section 4 of the Guidelines provides additional guidance on the matters to be included in Hardship Procedures.

3.3 Initial Hardship Policy & Hardship Procedures

A retailer must have a Hardship Policy and Hardship Procedures in place at the time the licence is granted. The ERA does not approve licensees' gas Hardship Policies or Hardship Procedures, however the ERA will assess the Hardship Policy and Hardship Procedures to determine compliance with the Compendium.

3.4 Review and amendment of Hardship Policy & Hardship Procedures

3.4.1 *Review*

Retailers are required to review their Hardship Policies and Hardship Procedures when directed by the ERA.⁴

If a retailer is directed by the ERA to review its Hardship Policy and/or Hardship Procedures, it must consult with relevant consumer representatives about any changes to these documents. The retailer must submit the results of its review to the ERA within a specified period. This applies whether or not the review leads to changes to the Hardship Policy or Hardship Procedures.

3.4.2 *Amendment*

A retailer may amend its Hardship Policy and/or Hardship Procedures at any time.

⁴ Clauses 40(6) of the Compendium.

A retailer must consult with relevant consumer representatives if it makes a material amendment to its Hardship Policy.⁵

A copy of the amended policy must be provided to the ERA within 5 business days. A retailer is not required to provide the ERA with a copy of its amended Hardship Procedures unless it was directed to review them by the ERA.⁶

⁵ Clause 40(4) of the Compendium.

⁶ Clauses 40(5) - (6) of the Compendium.

4. Elements of hardship policies and procedures

This section provides guidance on the components of a Hardship Policy and Hardship Procedures to meet the requirements of the Compendium.

These Guidelines do not replace the obligations contained in the Compendium and retailers should review the Compendium when preparing, reviewing or amending their Hardship Policies and Hardship Procedures.

4.1 Consulting with relevant consumer representatives

A retailer is required to consult with relevant consumer representatives when developing or when it has been directed to review its Hardship Policy and Hardship Procedures by the ERA.⁷ A retailer must also consult when making a material amendment to its Hardship Policy (see Table 1).

This requirement recognises the expertise of consumer representatives and the importance of involving them in developing and maintaining Hardship Policies and Hardship Procedures that will assist customers. Consumer representatives, such as financial counsellors, have extensive experience in dealing with customers in financial hardship and may provide retailers with valuable insights on current issues affecting hardship.

A retailer may consult on its Hardship Policy and Hardship Procedures in many ways. For example, it could seek feedback by meeting with one or more relevant consumer representatives. Alternatively, a retailer may opt to conduct a telephone survey or send a copy of the proposed Hardship Policy and Hardship Procedures to relevant consumer representatives with a request to provide feedback.

A retailer should engage with consumer representatives on the manner and format of the consultation process to ensure that the process is appropriate for both parties.

Table 1: Consulting with relevant consumer representative when

Document	Requirement	Compendium Reference
Hardship Policy	Developing the hardship policy. Making a material amendment. Directed by the ERA to review the hardship policy	Clause 40(4)(a) & (b) Clause 40(6)
Hardship Procedures	Developing the hardship procedures. Directed by the ERA to review the hardship procedures.	Clause 40(4)(a) Clause 40(6)

A retailer should provide the following information to demonstrate compliance with the Compendium:

- The names of the consumer representatives that were consulted.
- The manner in which those representatives were consulted (e.g. workshop, telephone, e-mail, etc).

⁷ Relevant consumer representatives are defined in the Compendium as a person who may reasonably be expected to represent the interests of residential customers who are experiencing – (i) difficulties in paying their bills; or (ii) financial hardship; and includes financial counsellors.

- The matters on which those representatives were consulted.

4.2 Identifying customers experiencing financial hardship

It is important that a customer in financial hardship is identified before the customer has accumulated a large debt to the retailer. To assist customers to self-identify financial hardship, retailers can encourage them to make contact by including a statement on bills, reminders notices and other correspondence that assistance is available by contacting their retailer. A Hardship Policy must include a statement encouraging customers to contact their retailer if a customer is having trouble paying the retailer's bill.

A retailer is required to include an objective set of criteria in its Hardship Policy to assist its staff to identify customers in financial hardship, as well as assisting customers to self-identify. Criteria could include one or more of the factors listed in Section 2.2.

Retailers can help customers to self-identify by ensuring service staff are trained to communicate sensitively with customers in financial hardship (see Section 4.3).

The Compendium requires Hardship Procedures to include guidance that assists the retailer to identify residential customers who are experiencing financial hardship. To address this requirement, a retailer could establish processes to proactively identify customers in financial hardship. For example, the Compendium requires a retailer to use its best endeavours to contact a customer before arranging disconnection of the customer's gas supply.⁸ For customers who have a history of late payments, a retailer may establish processes to contact these customers personally to determine whether they are in financial hardship and may be eligible for the assistance available under Part 6 of the Compendium.

Retailers can also identify customers in financial hardship by using a specialist team who are trained to deal with customers in financial hardship. The retailer's call centre staff could refer customers who are in financial hardship to this team.

The requirements for a Hardship Policy and Hardship Procedures about identifying customers in financial hardship are set out in Table 2.

Table 2: Identifying customers in financial hardship

Document	Requirement	Compendium Reference
Hardship Policy	Include a statement encouraging customers to contact their retailer if they are experiencing problems paying their bill.	Clause 40(2)(a)
	Include an objective set of hardship indicators.	Clause 40(2)(d)
Hardship procedures	Include guidance that assists the retailer in identifying residential customers who are experiencing financial hardship.	Clause 40(3)(b)(i)

⁸ Clause 42(1)(b) of the Compendium.

4.3 Treating customers sensitively and respectfully

Customers in financial hardship may find it difficult to discuss their financial problems with their retailer for a variety of reasons. Customers who put off contacting their retailer are more likely to accumulate large debts, which is not in the customer's or the retailer's best interest. A customer is more likely to contact their retailer if the customer feels that they will be respected and listened to without judgement.

Retailers are required to train staff on how financial hardship affects customers and how to communicate sensitively and respectfully with customers in financial hardship. Section 4.9 provides guidance on the staff training requirement for Hardship Procedures.

Table 3 sets out the requirements for a Hardship Policy about treating customers sensitively and respectfully.

Table 3: Treating customers sensitively and respectfully

Document	Requirement	Compendium Reference
Hardship Policy	Include a statement advising that the retailer will treat all customers sensitively and respectfully.	Clause 40(2)(b)

4.4 Reduction or waiver of fees, charges or debt

A retailer must give reasonable consideration to a request by a customer, or a relevant consumer representative for the customer, for a reduction of the customer's fees, charges or debt. A retailer must also take into account its hardship policies and procedures.⁹

4.4.1 *Circumstances that may warrant a reduction or waiver*

A retailer should consider clarifying within its Hardship Policy when a customer may be eligible for a reduction or waiver of fees, charges or debt. For example, a retailer could indicate in its Hardship Policy that it will generally waive a debt if death, spousal separation, or domestic violence causes financial hardship.

4.4.2 *Types of fees, charges or debt that may be reduced or waived*

As a minimum, a Hardship Policy must specify that a customer will not be charged a late payment fee if the customer is experiencing financial hardship (Compendium clause 30(1)(d)).

A retailer should consider specifying within its Hardship Policy what other fees, charges or debt it may consider reducing or waiving. For example, a Hardship Policy could provide for reconnection and/or disconnection fees to be waived for customers in financial hardship.

⁹ Clauses 39(1) and 39(2) of the Compendium.

4.4.3 *Manner in which fees, charges or debt may be reduced or waived*

Fees, charges or debt may be waived in full or partially. A retailer may also make the waiver of fees, charges or debt conditional upon the customer meeting certain conditions. Hardship Procedures should set out the manner and conditions under which a retailer may reduce or waive fees, charges or debt.

For example, a retailer could offer to match any payments a customer makes towards an outstanding debt or agree to waive the debt once the customer has repaid a certain percentage of the debt.

Table 4 sets out the requirements for a Hardship Policy and Hardship Procedures about the reduction or waiver of fees, charges or debt.

Table 4: Statement that a retailer may reduce/waive debt

Document	Requirement	Compendium Reference
Hardship Policy	Include a statement that a retailer may reduce or waive fees, charges or debt.	Clause 40(2)(c)
Hardship Procedures	Include guidance about the reduction or waiver of fees, charges or debt.	Clause 40(3)(b)(iv)

A retailer should provide the following to demonstrate compliance with the Compendium and Guidelines:

- The circumstances under which the retailer will consider reducing or waiving fees, charges or debt.
- The types of fees, charges or debt that the retailer will consider reducing or waiving.
- The manner in which fees, charges or debt may be reduced or waived.

4.5 Recovery of debt

The Compendium sets out the requirements a retailer must meet prior to disconnecting a customer for failing to pay a bill.¹⁰ These requirements will generally also apply to the recovery of debt. For example, before disconnecting a customer for failing to pay a bill, the retailer must give the customer at least one reminder notice and disconnection warning.

A retailer must not commence proceedings for the recovery of debt from a financial hardship customer who continues to make payments under an alternative payment arrangement.¹¹ These requirements also apply if a retailer outsources the recovery of its debt to a debt collection agency.

Table 5 sets out the requirements for a Hardship Policy and Hardship Procedures on debt recovery. The requirement is optional for retailers to include in their Hardship Policy.

¹⁰ Clauses 42 to 44 of the Compendium.

¹¹ Clause 32(1)(b) of the Compendium.

Table 5: Statement that a retailer may reduce/waive debt

Document	Requirement	Compendium Reference
Hardship Policy	Include wording to advise customers that additional fees may be incurred if a retailer refers debt to debt collection agencies (if applicable).	(optional)
Hardship Procedures	Include guidance about the recovery of debt.	Clause 40(3)(b)(v)

4.6 Suspension of disconnection and debt recovery procedures

Hardship Procedures must include guidance about the suspension of disconnection and debt recovery procedures.¹²

The Hardship Policy should specify that the retailer will not arrange for disconnection for failure to pay a bill if the customer is adhering to the customer's obligation to make payments in accordance with an agreed payment plan or other payment arrangement relating to the payment of the bill.

A retailer may not commence proceedings to recover debt from a customer who is experiencing payment problems and who continues to make payments under an alternative payment arrangement.¹³

Table 6 sets out the requirement for Hardship Procedures on the suspension of disconnection and debt recovery procedures.

Table 6: Suspension of disconnection and debt recovery procedures

Document	Requirement	Compendium Reference
Hardship Procedures	Include guidance on the suspension of disconnection and debt recovery procedures.	Clause 40(3)(b)(iii)

4.7 Overview of assistance

Part 6 of the Compendium details a variety of forms of assistance that are available to customers who are in financial hardship, such as alternative payment arrangements, payment plans, the suspension of disconnection and debt recovery procedures, and the possibility of the reduction or waiver of fees, charges or debt.

The requirements for a Hardship Policy to provide an overview of assistance are set out in Table 7.

¹² Clause 40(3)(b)(iii) of the Compendium.

¹³ Clause 43(1)(b) of the Compendium.

Table 7: Overview of Assistance

Document	Requirement	Compendium Reference
Hardship Policy	Include an overview of the payment and other assistance available to customers under Part 6 of the Compendium (other than the retailer's requirement to advise the customer of the ability to pay in advance and the matters referred to in clause 39(3)(a), (b) and (d)).	Clause 40(2)(e)
	Include a statement that the retailer offers residential customers the right to pay their bill by Centrepay.	
	Include a statement that the retailer is able to provide further details on request.	

4.8 Concessions and grants

The Compendium requires retailers to advise customers in financial hardship of any concessions and grants available to the customer.^{14, 15}

The Government's Hardship Utility Grant Scheme provides grants to customers in financial hardship to assist them to pay their outstanding gas debts. Retailers may also provide concessions to holders of certain concession cards. Advising customers in financial hardship of concessions and grants can assist the customer to stay connected to gas supply.

The requirement for a Hardship Policy to provide information about concessions is set out in Table 8.

Table 8: Concessions and grants

Document	Requirement	Compendium Reference
Hardship Policy	Include an overview of any concessions that may be available to the retailer's customers.	Clause 40(2)(f)

4.9 Training of staff

The Compendium requires Hardship Procedures to provide for the training of staff, including call centre staff, field officers and all subcontractors employed to engage with customers experiencing financial hardship.¹⁶ Comprehensive training should be provided to these staff and retailers should consider whether some general awareness training of hardship will be provided to all staff.

¹⁴ Clause 39(3)(c) of the Compendium.

¹⁵ Concession is defined in the Compendium as a concession, rebate, subsidy or grant, available to residential customers only, related to the supply of gas.

¹⁶ Clause 40(3)(a) of the Compendium.

A Hardship Policy and Hardship Procedures are more likely to succeed if senior management's commitment to the training program is clearly communicated to the organisation.

4.9.1 *Content of training*

Staff training must focus on financial hardship and its effects, and how to deal with customers in a sensitive and respectful manner (see section 4.3).

As a minimum, training should be provided on the retailer's obligations in Part 6 of the Compendium, to all front-line staff (such as staff in call centres and credit management departments). This includes, for example, granting a temporary suspension of actions, offering alternative payment arrangements, giving consideration to reducing fees, charges or debt, and providing information to customers.

Training should also address the main cultural and social issues for significant customer groups, help staff to develop communication skills for engaging with customers in financial hardship, and enable staff to educate customers by providing information on concessions, rebates, payment methods such as Centrepay.

4.9.2 *Timing of training*

Training of front-line staff should occur before, or at least as soon as possible after, an employee is engaged in a position that requires them to interact with customers in financial hardship.

Retailers should provide staff with regular refresher training every two years.

4.9.3 *Development of training*

Retailers should consider consulting qualified and experienced consumer representatives when developing training packages. Consulting consumer representatives may be particularly valuable when developing training on how financial hardship affects customers, how to communicate with customers in financial hardship, and some of the main cultural and social issues to consider when dealing with disadvantaged customers.

The staff training requirements that must be in Hardship Procedures are set out in Table 9.

Table 9: Staff training

Document	Requirement	Compendium Reference
Hardship Procedures	Provide for the training of staff including call centre staff, field officers and all subcontractors employed to engage with customers experiencing financial hardship.	Clause 40(3)(a)
	Provide for the training of staff on issues related to financial hardship and its impacts, and how to deal with customers sensitively and respectfully.	Clause 40(3)(a)

A retailer should provide the following to demonstrate compliance with the Compendium:

- A short description of the training provided by the retailer to its staff.

- A general description of the staff that have received training over the past 12 months (e.g. call centre staff, contractors, senior management, etc.) and how often that training has been provided.
- Information on whether any consumer representatives were consulted on the development of any of the training packages and, if so, which representatives were consulted.

4.10 Payment plans: Assessing usage and capacity to pay

A residential customer can access additional time to pay a bill or a payment plan for the amount owing.¹⁷ Additional assistance is available for customers assessed as experiencing financial hardship.

A retailer must assess whether a residential customer is experiencing financial hardship, within five business days of being informed by a customer that they are experiencing payment problems.¹⁸

If the retailer determines that the customer is experiencing financial hardship, it must make available to the customer a payment plan for the amount owing and additional assistance under clause 39 of the Compendium, without the need for a customer to request it.¹⁹

4.10.1 Determining the conditions of a payment plan

A retailer's Hardship Procedures must include guidance that assists the retailer to determine a residential customer's usage needs - including ongoing usage and capacity to pay - when determining the conditions of a payment plan.

A retailer should ask a customer how much they can afford to pay and determine a realistic payment plan based on the customer's circumstances. If a retailer requires the customer to make an upfront payment to enter the payment plan, the amount of the upfront payment should be reasonable.

Customers may commit to repaying more than they can afford because they are anxious to either avoid disconnection or to be reconnected. Retailers have legitimate commercial objectives, and a Hardship Policy does not allow customers to avoid their financial obligations to the retailer.

Retailers should consider the customer's capacity to pay when setting the duration and payments in a payment plan. Customers with a large debt are unlikely to meet a payment plan if a large payment is required upfront followed by substantial instalments in quick succession. Any payment plan that over-commits a customer is unlikely to succeed and may result in the customer being disconnected. Retailers should involve the customer and their financial counsellor when applicable, in setting a payment plan.

A retailer must review a payment plan at the request of the customer, however the retailer is not required to undertake a review on more than two occasions in any 12-month period (but may agree to undertake one or more additional reviews if the retailer thinks fit). The retailer

¹⁷ Subject to limitations on payment extensions under clause 36 of the Compendium.

¹⁸ Clause 34(1) of the Compendium.

¹⁹ Clause 35(3) of the Compendium.

must offer to vary a payment plan if a review indicates that the customer is unable to meet the obligations under the payment plan.²⁰

4.10.2 Assessment made by a financial counsellor

If the customer has seen a financial counsellor, the retailer should consider the financial counsellor's assessment of the customer's usage needs and capacity to pay. Financial counsellors help each client in financial hardship develop a budget and assess a customer's capacity to pay.²¹

A retailer must give reasonable consideration to advice given (if any) by a relevant consumer representative when assessing a customer's financial situation.²²

A retailer may further adopt an assessment carried out by a relevant consumer representative for the purposes of determining financial hardship.²³ Where an assessment is to be provided by a relevant consumer representative, a retailer should provide the representative with any relevant information on the customer's financial situation (subject to privacy and customer consent requirements).

4.10.3 Negotiating payment plans with customers

A retailer's staff should be empowered to negotiate and agree on appropriate measures for customers. Staff should be aware of the agencies to which customers can be referred for further advice, along with other services that may assist the customer in managing their future gas consumption and financial obligations. This may include providing gas efficiency information and offering payment options such as Centrepay.²⁴

Table 10 sets out the requirements for Hardship Procedures governing the conditions of a payment plan.

Table 10: Determining a customer's usage needs and capacity to pay when determining the conditions of a payment plan

Document	Requirement	Compendium Reference
Hardship Procedures	Provide that, within 5 business days of being informed by a residential customer that they are experiencing payment problems, the retailer will assess whether the customer is experiencing financial hardship.	Clause 34(1)
	Include guidance on how to determine a residential customer's usage needs and capacity to pay when determining the conditions of a payment plan.	Clause 40(3)(b)(ii)
	Provide for reasonable consideration of advice (if any) by a relevant consumer representative.	Clause 34(3)(b)

²⁰ Clauses 38(1) – 38(3) of the Compendium.

²¹ Financial Counsellors are relevant consumer representatives for the purpose of clause 34(3)(b).

²² Clause 34(3)(b) of the Compendium.

²³ Clause 34(2) of the Compendium.

²⁴ Centrepay helps customers who receive Centrelink payments to budget for essential household bills, such as utilities.

4.11 Direct telephone number for credit management staff

A retailer's credit management staff must have a direct telephone number, and that number must be provided to relevant consumer representatives.²⁵

Having a direct line to the retailer's credit management staff will assist communication between credit management staff and relevant consumer representatives.

The requirements for Hardship Procedures to include a retailer's contact details are set out in Table 11.

Table 11: Direct telephone number for a retailer's credit management staff

Document	Requirement	Compendium Reference
Hardship Procedures	Require the retailer's credit management staff to have a direct telephone number.	Clause 40(3)(c)
	Require the retailer's direct telephone number for credit management staff to be provided to relevant consumer representatives.	

A retailer should provide the following to demonstrate compliance with the Compendium:

- The retailer's credit management staff's direct telephone number.
- Which relevant consumer representatives has the number been provided to.

4.12 Accessibility & privacy

Retailers should actively promote awareness of their Hardship Policy to customers, relevant consumer representatives and other appropriate agencies. This could be done by including a statement on the bill or reminder notices, targeted mail distribution, provision of information to seminars and training events, or liaising with consumer representatives.

Retailers must ensure that their Hardship Policy is available on their website.²⁶ The Hardship Policy on the website should be on a page that is easy for customers to find.

If a customer requests a copy of the Hardship Policy, the retailer must provide a copy without charge.²⁷ Printed copies of the Hardship Policy should be available in large-print.²⁸

A hardship policy should be written in clear, simple and concise language and be in a format that makes it easy to understand.²⁹ Interpreter services for non-English speaking people and communications technology for the hearing and sight impaired must be made available that all customers may understand the policy.³⁰

²⁵ Clause 40(3)(c) of the Compendium.

²⁶ Clause 49(1)(c) of the Compendium.

²⁷ Clauses 49(4) and 49(5) of the Compendium.

²⁸ Clause 40(2)(h) of the Compendium.

²⁹ Clause 56(1) of the Compendium.

³⁰ Clause 57(1) of the Compendium.

A hardship policy must specify how the retailer will treat the customer's information.³¹

The accessibility and privacy requirements for a Hardship Policy are set out in Table 12.

Table 12: Accessibility and privacy

Document:	Requirement	Compendium Reference
Hardship Policy	Include the telephone number for interpreter services identified by the National Interpreter Symbol.	Clause 40(2)(g)(i)
	Include the telephone number (or numbers) for services that can assist customers with a speech or hearing impairment.	Clause 40(2)(g)(ii)
	Available on the retailer's website.	Clause 49(1)(c)
	Available in large print copies.	Clause 40(2)(h)
	Include a statement specifying how the retailer will treat information disclosed by the customer to the retailer and information held by the retailer in relation to the customer.	Clause 40(2)(i)
	Written in clear, simple and concise language and is in a format that makes it easy to understand.	Clause 56(1)

A retailer should provide the following information in relation to its Hardship Policy to demonstrate compliance with the Compendium:

- Confirmation that the Hardship Policy is available on the retailer's website.
- The format in which the Hardship Policy is available to customers (e.g. hard copy, electronic format, large print etc).

4.13 Complaints handling

Retailers are required to have a complaints handling process.³² To assist customers lodging a complaint about any of the retailer's obligations under Part 6 of the Compendium (such as the payment arrangement offered etc), retailers could include information on the complaints handling process and relevant contact details in the Hardship Policy.

³¹ Clause 40(2)(i) of the Compendium.

³² Clause 59(1) of the Compendium.

The complaints handling requirement for a Hardship Policy is set out in Table 13. This requirement is not a specific requirement of the Compendium and is therefore optional for retailers to include in their Hardship Policy.

Table 13: Complaints handling

Document	Requirement	Compendium Reference
Hardship Policy	Policy to include information regarding the retailer's complaints handling process, including the retailer's contact details and the Gas Ombudsman's contact details.	Guideline requirement (optional)

Appendix 1 Hardship policy checklist

Before submitting a copy of an initial or reviewed Hardship Policy, a retailer should review it against the following requirements. Unless all answers in the checklist column are marked with a 'Yes', it is unlikely the Hardship Policy will be compliant with the Compendium and Guidelines.

Table 14: Hardship policy checklist

Checklist reference number	Page no. in Guidelines	Compendium Clause	Requirements	Checklist
A1	7	Clause 40(4)(a) & (b)	Developing the hardship policy. Making a material amendment. Directed by the ERA to review the hardship policy	Yes / No
A2	9	Clause 40(2)(a)	Hardship Policy includes a statement encouraging customers to contact their retailer if they are experiencing problems paying their bill.	Yes / No
A3	9	Clause 40(2)(b)	Hardship Policy includes a statement advising that the retailer will treat all customers sensitively and respectfully.	Yes / No
A4	10	Clause 40(2)(c)	Hardship Policy includes a statement that the retailer may reduce or waive fees, charges or debt.	Yes / No
A5	9	Clause 40(2)(d)	Hardship Policy includes an objective set of hardship indicators.	Yes / No
A6	12	Clause 40(2)(e)(i)	Hardship Policy includes an overview of the assistance available to customers in accordance with Part 6 of the Compendium (other than the retailer's requirement to advise the customer of the ability to pay in advance and the matters referred to in clause 39(3)(a), (b) and (d)).	Yes / No
A7	12	Clause 40(2)(e)(ii)	Hardship Policy includes a statement that the retailer offers residential customers the right to pay their bill by Centrepay,	Yes/No
A8	12	Clause 40(2)(e)(iii)	Hardship Policy includes a statement that the retailer is able to provide further details of assistance available to customers in accordance with Part 6 upon request.	Yes / No
A9	13	Clause 40(2)(f)	Hardship Policy includes an overview of any concessions that may be available to the retailer's customers.	Yes / No
A10	18	Clause 40(2)(g)(i)	Hardship Policy includes the telephone number for interpreter services, identified by the National Interpreter Symbol.	Yes / No

Checklist reference number	Page no. in Guidelines	Compendium Clause	Requirements	Checklist
A11	18	Clause 40(2)(g)(ii)	Hardship Policy includes the telephone number (or numbers) for services that can assist customers with a speech or hearing impairment.	Yes / No
A12	18	Clause 49(1)(c)	Hardship Policy is available on the retailer's website.	Yes / No
A13	18	Clause 40(2)(h)	Hardship Policy is available in large print copies.	Yes / No
A14	18	Clause 40(2)(i)	Hardship Policy includes a statement specifying how the retailer will treat information disclosed by the customer to the retailer and information held by the retailer in relation to the customer.	Yes / No
A15	11	Clause 43(1)(b)	Hardship Policy includes a statement that it will not arrange for disconnection if a hardship customer is adhering to the customer's obligations to make payments in accordance with an agreed payment plan or other payment arrangement relating to the payment of the bill.	Yes / No
A16	18	Clause 56(1)	Hardship Policy is written in clear, simple and concise language and is in a format that makes it easy to understand.	Yes / No
A17	11	N/A (Guideline requirement)	Hardship Policy includes wording to advise customers that additional fees may be incurred if a retailer refers debt to debt collection agencies (if applicable).	Yes / No
A18	19	N/A (Guideline requirement)	Hardship Policy to include information regarding the retailer's complaints handling process, including the retailer's contact details and the Gas Ombudsman's contact details.	Yes / No

Appendix 2 Hardship procedures checklist

Before submitting a copy of initial or reviewed Hardship Procedures, a retailer should review them against the following requirements. Unless all answers in the checklist column are marked with a 'Yes', it is unlikely the Hardship Procedures will be compliant with the Compendium and Guidelines.

Table 15: Hardship procedures checklist

Checklist reference number	Page no. in Guidelines	Compendium Clause	Requirements	Checklist
B1	7	Clause 40(4)(a) Clause 40(6)	Developing the hardship procedures. Directed by the ERA to review the hardship procedures.	Yes / No
B2	14	Clause 40(3)(a)	Hardship Procedures provide for the training of staff, including call centre staff, field officers and all subcontractors employed to engage with customers experiencing financial hardship.	Yes / No
B3	14	Clause 40(3)(a)	Hardship Procedures provide for the training of staff on issues related to financial hardship and its impacts, and how to deal sensitively and respectfully with customers experiencing financial hardship.	Yes / No
B4	9	Clause 40(3)(b)(i)	Hardship Procedures include guidance that assists the retailer in identifying residential customers who are experiencing financial hardship.	Yes / No
B5	16	Clause 40(3)(b)(ii)	Hardship Procedures include guidance on how to determine a residential customer's usage needs and capacity to pay when determining the conditions of a payment plan.	Yes / No
B6	12	Clause 40(3)(b)(iii)	Hardship Procedures include guidance on the suspension of disconnection and debt recovery procedures.	Yes / No
B7	10	Clause 40(3)(b)(iv)	Hardship Procedures include guidance on the reduction or waiver of fees, charges or debt.	Yes / No
B8	11	Clause 40(3)(b)(v)	Hardship Procedures include guidance on the recovery of debt.	Yes / No
B9	17	Clause 40(3)(c)	Hardship Procedures require the retailer's credit management staff to have a direct telephone number	Yes / No

Checklist reference number	Page no. in Guidelines	Compendium Clause	Requirements	Checklist
B10	17	Clause 40(3)(c)	Hardship Procedures require the retailer's direct telephone number for credit management staff to be provided to relevant consumer representatives.	Yes / No
B11	16	Clause 34(1)	The Hardship Procedures provide that, within 5 business days of being informed by a residential customer that they are experiencing payment problems, the retailer will assess whether the customer is experiencing financial hardship.	Yes / No
B12	16	Clause 34(3)(b)	The Hardship Procedures provide that reasonable consideration is given to advice given (if any) by a relevant consumer representative.	Yes / No