Keywords: Hardship, resident, sewerage

Corporate Plan:	
Classification:	
First Issued/Approved:	*March 2010*
Review Frequency:	*Every 3 years*
Last Reviewed:	*January 2025*
Next Review Due:	*January 2028*
Responsible Officer(s):	*Manager Corporate Services*
Council File Reference:	*N/A*
Applicable Legislation:	*Water Industry Act 2012* *Essential Services Commission Act 2002*
Relevant Policies:	*N/A*
Related Procedures:	*N/A*
Delegations:	*N/A*

1. Purpose

This policy is based on the customer hardship policy for minor and intermediate retailers made by the Minister for Communities and Social Inclusion, pursuant to Section 37 of the Water Industry Act 2012, under delegation by the Minister for Water and the River Murray, without modification.

Berri Barmera 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.

2. Definitions

Accredited financial counsellor	In South Australia this 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	an agreed point of supply at which a customer receives a retail service from a supplier
Consumer	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	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	this policy is for minor and intermediate retailers, that has been adopted by Berri Barmera Council, in accordance with section 37 of the *Water Industry Act 2012*
Financial counsellor	refer accredited financial counsellor
Financial hardship	a circumstance of experiencing a lack of financial means, that 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	financial hardship
Hardship customer	a residential customer who has been identified under, accepted into, or is eligible for assistance under our hardship program
Hardship program	an agreement between us and a hardship customer for payment of outstanding sums due for retail services
Intermediate retailer	a retailer that provides retail services to more than 500 but less than 50000 connections
Minor retailer	a retailer that provides retail services to less than 500 connections
Our, us, we	Berri Barmera Council
Policy	this customer hardship policy
Regulations	regulations under the *Water Industry Act 2012*
Residential customer	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	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 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	the holder of a licence issued by the Essential Services Commission of South Australia under the *Water Industry Act 2012*
Sewerage	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	• a service constituted by the collection, storage, treatment or conveyance of sewerage 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 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 sewerage (as defined in the *Water Industry Act 2012*)
Water service	• 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*)

3. Principles

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.

4. Policy Statement

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

Residential customers who may be identified as experiencing temporary hardship are those who 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.

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 CWMS services is due to the customer experiencing payment difficulties due to hardship.

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,
- 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 that may be resolved in the near to medium-term, where others may require a different type of assistance for ongoing financial issues.

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

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 is 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 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.

Retail services provided by Councils

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

If you are a residential customer in receipt of a retail service provided by a council and you are experiencing financial hardship, then only the retail service 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 non-retail services may be dealt with under the council's existing hardship policies. The council may exercise its discretion to apply this hardship policy to other sums due.

Payment plans

Our payment plan for a hardship customer will be established having regard to:

- the customer's capacity to pay and current financial situation
- any arrears owing by the customer

The payment plan will also include an offer for the hardship customer to pay for their retail services in advance or in arrears by instalment payments at a frequency agreed with the customer (e.g. weekly, fortnightly, monthly or as otherwise agreed with the customer).

Where a payment plan is offered to a hardship customer, we will inform the customer in writing, within 10 business days of an agreement being reached, of:

- the duration of the plan
- the amount of each instalment payable under the plan, the frequency of instalments and the date by which each instalment must be paid
- if the customer is in arrears – the number of instalments to pay the arrears, and
- if the customer is to pay in advance – the basis on which instalments are calculated.

We will waive any fees for late payment of a bill for a hardship customer.

Where a hardship customer is seeking assistance in accordance with this policy, but has failed to fulfil their obligations under an existing hardship arrangement, we will require them to sign up for direct debit deductions or Centrepay (where available).

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.

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.
- Receive information about alternative payment arrangements, this customer hardship policy, and government concessions, rebates, grants and assistance programs.
- Negotiate an amount they can afford to pay on a payment plan or other payment arrangement.
- Consider various payment methods, and receive written confirmation of the agreed payment arrangement within 10 business days.
- Renegotiate their payment arrangement if there is a change in their circumstances.
- 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.
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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.berribarmera.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.

Complaints handling

Details of our customer complaints and dispute resolution process are available at our website: www.berribarmera.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.

5. Confidentiality

Any information provided will be treated as strictly confidential. Information provided to the Council's Chief Executive Officer (CEO) will be securely retained within Council's records.

Electronic version on the Intranet is the controlled version.
Printed copies are considered uncontrolled.
Before using a printed copy, verify that is the current version.