

# Decision – Outstanding Water Financial Hardship Policies

3 July 2014

**Economic Regulation Authority**

WESTERN AUSTRALIA

## Decision

1. Pursuant to clause 26 of the *Water Services Code of Conduct (Customer Service Standards) 2013 (Code)*, the Economic Regulation Authority (**Authority**) approves the financial hardship policies submitted by:
  - Shire of Brookton;
  - Shire of Coolgardie;
  - Shire of Dumbleyung;
  - Shire of Kent;
  - Shire of Morawa; and
  - Shire of Wickepin.

## Background

2. Clause 26 of the Code requires certain holders of a water licence to have a written policy in relation to financial hardship (**hardship policy**). A hardship policy does not have effect unless it is approved by the Authority.
3. As the Code does not specify the matters that must be addressed in a hardship policy, the Authority published the *Financial Hardship Policy Guidelines for Water Services (Guidelines)* in December 2013, which explain what the Authority expects to be addressed in a hardship policy under the Code.
4. The Code requires all licensees who held a water licence under the previous *Water Services Licensing Act 1995* to have their approved hardship policy in effect within 6 months of the commencement of the new *Water Services Act 2012 (Water Act)*. This means that existing licensees had an obligation to have a hardship policy that is duly approved by the Authority in place by 18 May 2014.
5. Twenty-three (23) licensees are currently captured by the obligation to have an approved hardship policy. Of those 23 licensees, 17 licensees had their hardship policies approved by 18 May 2014 as set out in the Authority's Decision of 16 May 2014.
6. The Authority decided not to approve the hardship policy for the Shire of Wickepin as it did not meet the requirements of the Water Act, Code and Guidelines.
7. The Authority noted that the Shire of Brookton, the Shire of Coolgardie, the Shire of Dumbleyung, the Shire of Kent and the Shire of Morawa failed to submit a compliant policy.
8. The Authority advised the Shires listed in paragraphs 6 and 7 that they had until 18 June 2014 to submit compliant hardship policies and supporting information. The Authority also advised that should any of these licensees fail to submit a compliant policy by this date, the Authority would issue a rectification notice under Section 31 of the Water Act, requiring them to rectify the failure within a specified period.

## Reasons

9. Six licensees submitted a final copy of their outstanding hardship policy and supporting information for consideration by the Authority by 18 June 2014. These licensees are listed in paragraph 1 of this Decision.
10. As required under the Code and Guidelines, all six licensees consulted with a relevant consumer organisation on the content of their hardship policy. Each licensee also provided reasonable information on the training they (will) provide to their staff on the issue of financial hardship and how they (will) ensure their hardship policy is accessible to all customers, including those with special needs.

## Approved hardship policies

11. The Authority considers that the hardship policies of the licensees listed in paragraph 1 of this Decision now meet the relevant requirements of the Water Act, Code and Guidelines.
12. A copy of each of the approved hardship policies is included as **Appendices 1 to 6** of this Decision.
13. All licensees must ensure their hardship policy is publicly available.

## **Appendix 1: Hardship Policy – Shire of Brookton**

# Financial Hardship Policy

## 1. Objectives

This Financial Hardship Policy outlines how the Shire will assist a customer who cannot pay a debt because of financial hardship.

The policy applies to charges levied against you or your property including water charges (see clause 5) if applicable. Tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

## 2. What is Financial Hardship?

You will be considered to be in financial hardship if paying an amount to the Shire will affect your ability to meet your basic living needs – in short, if you have the intention but, due to exceptional circumstances, are not able to pay.

Financial Hardship may, for example, be caused by

- spousal separation or divorce
- loss of a spouse or loved one
- physical or mental health issues
- a chronically ill family member

## 3. Identifying customers in financial hardship

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask a financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we may refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history.

As soon as we have made our assessment we will advise you of the outcome.

## 4. Payment plans

If we determine that you are in financial hardship, we will offer you more time to pay the amount in question or a payment plan. We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting conditions of the plan, we will consider your capacity to pay and any other relevant issues. We will ensure that you are accessing any applicable pensioner and/or senior rebates. It may be appropriate to use a Centrepay option as part of the payment plan.

If appropriate, we will review and revise your extension of payment plan.

We do not have to, but may, offer a payment plan to a customer who has had 2 payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension of payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the landowner.

## **5. Waste Water Service Charges**

This section only applies to charges levied against you for water services (sewerage). The content of this section is governed by the Water Services Act 2012 and associated Water Services Code of Conduct.

- We will not charge you any fees or interest as part of your arrangement. However, if the arrangement is not honoured fees and interest will be charged and backdated if applicable.
- If you are in financial hardship, we will consider reducing the amount you owe us.

## **6. Debt reduction and collection**

We will also not commence or continue proceedings to recover your debt;

- while we are assessing whether or not you are in financial hardship, or
- if you are complying with your payment plan or another payment arrangement you have made with us.

If you do not comply with your payment plan or other payment arrangement we may commence debt recovery proceedings. When collecting your debt, we or any third party we engage will comply with part 2 of the ACCC and ASIC's Debt Recovery Guidelines for Collectors and Creditors.

The Shires has a Debt Recovery Procedures policy which can be found on the Councils website (Policy 4.10 of the policy manual)

We may outsource the debt to a debt collection agency; additional fees may apply in this instance.

You may be entitled to a rebate on your rates if you are currently in receipt of

- A pension and hold a Pensioner Concession Card (Centrelink or Veteran Affairs), State Concession Card or hold a Commonwealth Seniors Health Card AND a WA Seniors card OR
- A WA Seniors card only.

Please contact our office if you feel you are eligible for a rebate.

## **7. Useful information**

- We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill,
- You may pay your rate notice by direct debit, internet, Centrepay, telephone or post.
- If you feel you may need financial counselling services we suggest you contact the Financial Counsellors Association of WA. It provides a free confidential service. Its contact details are

Financial Counsellors' Association of WA  
Phone (08) 9325 1617  
Email [afm@financialcounsellors.org](mailto:afm@financialcounsellors.org)  
Website [www.financialcounsellors.org](http://www.financialcounsellors.org)  
Financial Counselling Helpline 1800 007 007

A list of the Shires Fees and Charges can be found on its website [www.brookton.wa.gov.au](http://www.brookton.wa.gov.au)

## 8. Complaints handling

The Shire has adopted a complaints handling policy which can be found at its website [www.brookton.wa.gov.au](http://www.brookton.wa.gov.au). This policy outlines how complaints are handled by the Shire and the actions you may take if you feel your complaint has not been handled correctly.

An unresolved complaint may be arbitrated by an independent third party such as the Government Ombudsman or the Energy and Water Ombudsman.

The Government Ombudsman contact details are

Phone 1800117000  
Email [mail@ombudsman.wa.gov.au](mailto:mail@ombudsman.wa.gov.au)  
Postal Ombudsman Western Australia  
PO Box Z5386  
St Georges Terrace Perth WA 6831

The Energy and Water Ombudsman contact details are

Phone 1800 754 004  
TIS 131 450  
TTY 133 677  
Email [energyandwater@ombudsman.wa.gov.au](mailto:energyandwater@ombudsman.wa.gov.au)  
Postal Energy and Water Ombudsman Western Australia  
PO Box Z5386  
St Georges Terrace Perth WA 6831

## 9. Approval and review

This policy was adopted by the Council on March 20, 2014; it has been approved by Economic Regulation Authority.

We will review the policy every five years to ensure it remains up to date and relevant

## 10. Our Contact Details

Address	14 White Street, Brookton
Postal	PO Box 42 - Brookton WA 6306
Phone	9642 1106
TIS	131450
TTY	133 677
Fax	9642 1173
Email	<a href="mailto:mail@brookton.wa.gov.au">mail@brookton.wa.gov.au</a>
Website	<a href="http://www.brookton.wa.gov.au">www.brookton.wa.gov.au</a>

## **Appendix 2: Hardship Policy – Shire of Coolgardie**



# Shire of Coolgardie

## Financial Hardship Policy for Water Services

March 2014

Shire of Coolgardie

Contact us on :

(08) 9080 2111

TTY : 131 677

TIS : 131 450

# 1 Purpose

This Financial Hardship Policy outlines how Shire of Coolgardie (“**we**”) will assist a residential customer (“**you**”) who cannot pay a rate notice because of financial hardship.

Our policy applies only to the **water services portion** of your rate notice.<sup>1</sup> Residential tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

If you are also having difficulty paying other charges on your rate notice or if you are a commercial customer, we encourage you to still talk to us.

We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

# 2 What is financial hardship?

You will be considered to be in financial hardship if paying the water services portion of your rate notice will affect your ability to meet your basic living needs<sup>2</sup> – in short, if you have the intention but not the financial capacity to pay.

Financial hardship may, for example, be caused by:

- loss of your or a family member’s primary income;
- spousal separation or divorce;
- loss of a spouse or loved-one;
- physical or mental health issues;
- a chronically ill child;
- budget management issues associated with a low income; and
- other unforeseen factors affecting your capacity to pay, such as a reduction in income or an increase in non-discretionary spending.

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<sup>1</sup> This is because the *Water Services Code of Conduct (Customer Service Standards) 2013* and our water licence only require us to have a hardship policy for any water services we provide to residential customers.

<sup>2</sup> Clause 19 of the *Water Services Code of Conduct (Customer Service Standards) 2013* defines financial hardship as “being in an ongoing state of financial disadvantage in which the customer’s ability to meet the basic living needs of the customer or a dependant of the customer would be adversely affected if the customer were to pay an unpaid bill for a water service supplied in respect of the place used solely or primarily as the customer’s dwelling”.

### **3 Identifying customers in financial hardship**

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask your financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we will refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history.

As soon as we have made our assessment, we will advise you of the outcome.

### **4 Payment plans**

If we determine that you are in financial hardship, we will offer you more time to pay the water services portion of your rate notice or a payment plan for this portion. We will not charge you any fees or interest as part of your extension or payment plan.

We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting the conditions of the plan, we will consider your capacity to pay and, if relevant, your usage needs.

If appropriate, we will review and revise your extension or payment plan.

We do not have to offer you a payment plan if you have had two payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension or payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the land owner.

### **5 Debt reduction and collection**

If you are in financial hardship, we will consider reducing the amount you owe us.

We will also not commence or continue proceedings to recover your debt:

- while we are assessing whether or not you are in financial hardship; or
- if you are complying with your payment plan or another payment arrangement you have with us.

If you do not comply with your payment plan or other payment arrangement, we may commence debt recovery proceedings. When collecting your debt, we will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

We may outsource your debt to a debt collection agency. Please be advised that additional fees may apply in this case. We will ensure that any debt collection agency we engage will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

## 6 Useful information

- **Redirection of rate notice:** We will redirect your rates notice to another person on your request and at no charge if you are or will be unable to pay your rates notice because of your absence or illness.
- **Payment options:** You may pay your rate notice in person, by BPoint via telephone or internet, Centrepay, internet transfer, or post.

Paying by internet transfer or Centrepay may help you manage your bills more easily as your bills will be paid through regular deductions.

For more information on your payment options, please contact us on (08) 9080 2111 or email [rates@coolgardie.wa.gov.au](mailto:rates@coolgardie.wa.gov.au) .

- **Concessions and other financial relief and assistance:** You may be eligible for concession(s) and/or financial relief for the water services portion of your rate notice under the Rates and Charges (Rebates and Deferments) Act 1992
  - Part 2 Division 1 Section 22 through 26
  - Part 4 Division 1 Section 43 through 47

If you hold a Health Care Card you are invited to contact the Shire to discuss your entitlements. Applications for the concessions can be made through the Water Corporation by telephoning 1300 659 951 or on the web at <https://www.watercorporation.com.au/my-account/i-want-to/apply-for-a-concession>.

- **Financial counselling:** We will advise you of any financial counselling services or other organisations that may be available to you.

Financial counsellors offer free, independent information to help you take control of your financial situation.

The Financial Counsellors' Association of WA (FCAWA) can refer you to a financial counsellor in your area. Alternatively, you can call the Financial Counselling Helpline. The Helpline provides a free confidential service for all Western Australians with financial problems and queries.

The FCAWA's contact details are:

Financial Counsellors' Association of WA  
Financial Counselling Helpline 1800 007 007  
Phone: (08) 9325 1617  
Email: [afm@financialcounsellors.org](mailto:afm@financialcounsellors.org)  
Website: [www.financialcounsellors.org](http://www.financialcounsellors.org)

- **Fees and charges:** We will charge you for the water services we provide to you.

We may charge you an interest fee if you do not pay your rates notice by the due date. A list of our fees and charges may be found on our website.

## 7 Complaints handling

If you have a complaint, please contact us first. Our contact details are included in section 9 below.

If you are not satisfied with the way we handle your complaint, you may refer your complaint to the Energy & Water Ombudsman. The Energy & Water Ombudsman will investigate your complaint and may mediate the dispute between you and us.

The Energy & Water Ombudsman's contact details are:

Mr Chris Field  
Energy and Water Ombudsman WA

2<sup>nd</sup> Floor, Albert Facey House  
469 Wellington Street  
Perth WA 6000

Po Box Z5386  
St Georges Terrace  
Perth WA 6831

Ph: (08) 9220 7588  
Freecall: 1800 754 004  
Fax: (08) 9220 7599  
Freefax: 1800 611 279

Email: [energyandwater@ombudsman.wa.gov.au](mailto:energyandwater@ombudsman.wa.gov.au)  
Website: <http://www.ombudsman.wa.gov.au/ewowa/index.htm>

## 8 Approval and review

Our policy was approved by the Economic Regulation Authority of WA.

We will review our policy at least every five years to ensure it remains up-to-date and relevant.

## 9 Our contact details

You can contact us at:

In person at our Offices on:

Bayley Street, Coolgardie WA 6429  
Irish Mulga Drive, Kambalda WA 6442

By Post to:

Po Box 138  
Kambalda, WA 6442

Ph: (08) 9080 2111

Fax: (08) 9027 3125

Email: [mail@coolgardie.wa.gov.au](mailto:mail@coolgardie.wa.gov.au)

Website: [www.coolgardie.wa.gov.au](http://www.coolgardie.wa.gov.au)

If you are deaf, or have a hearing impairment or speech impairment, contact us through the National Relay Service: <http://relayservice.gov.au>

- TTY users phone 133 677 then ask for (08) 9080 2111
- Speak and Listen users phone 1300 555 727 then ask for (08) 9080 2111 Internet relay users connect to the NRS ([www.relayservice.gov.au](http://www.relayservice.gov.au)) and then ask for (08) 9080 2111
- Video relay users choose the available NRS video relay contact on Skype and ask for (08) 9080 2111
- SMS relay users phone 0423 677 767 and ask for (08) 9080 2111
- TIS users phone 131 450

## **Appendix 3: Hardship Policy – Shire of Dumbleyung**

# **Shire of Dumbleyung**

## Financial Hardship Policy for Water Services

**February 2014**

Shire of Dumbleyung

(08) 9863 4012

TTY 133 677

TIS 131 450

0429634012

[ceo@dumbleyung.wa.gov.au](mailto:ceo@dumbleyung.wa.gov.au)

# 1 Purpose

This Financial Hardship Policy outlines how Shire of Dumbleyung (“**we**”) will assist a residential customer (“**you**”) who cannot pay a rate notice because of financial hardship.

Our policy applies only to the **water services portion** of your rate notice.<sup>1</sup> Residential tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

If you are also having difficulty paying other charges on your rate notice or if you are a commercial customer, we encourage you to still talk to us.

We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

## 2 What is financial hardship?

You will be considered to be in financial hardship if paying the water services portion of your rate notice will affect your ability to meet your basic living needs<sup>2</sup> – in short, if you have the intention but not the financial capacity to pay.

Financial hardship may, for example, be caused by:

- loss of your or a family member’s primary income;
- spousal separation or divorce;
- loss of a spouse or loved-one;
- physical or mental health issues;
- a chronically ill child;
- budget management issues associated with a low income; and
- other unforeseen factors affecting your capacity to pay, such as a reduction in income or an increase in non-discretionary spending.

## 3 Identifying customers in financial hardship

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask a financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we will refer you to a financial counsellor for assessment.

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<sup>1</sup> This is because the *Water Services Code of Conduct (Customer Service Standards) 2013* and our water licence only require us to have a hardship policy for any water services we provide to residential customers.

<sup>2</sup> Clause 19 of the *Water Services Code of Conduct (Customer Service Standards) 2013* defines financial hardship as “being in an ongoing state of financial disadvantage in which the customer’s ability to meet the basic living needs of the customer or a dependant of the customer would be adversely affected if the customer were to pay an unpaid bill for a water service supplied in respect of the place used solely or primarily as the customer’s dwelling”.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history.

As soon as we have made our assessment, we will advise you of the outcome.

## 4 Payment plans

If we determine that you are in financial hardship, we will offer you more time to pay the water services portion of your rate notice or a payment plan for this portion. We will not charge you any fees or interest as part of your extension or payment plan.

We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting the conditions of the plan, we will consider your capacity to pay and, if relevant, your usage needs.

If appropriate, we will review and revise your extension or payment plan.

We do not have to offer you a payment plan if you have had two payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension or payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the land owner.

## 5 Debt reduction and collection

If you are in financial hardship, we will consider reducing the amount you owe us.

We will also not commence or continue proceedings to recover your debt:

- while we are assessing whether or not you are in financial hardship; or
- if you are complying with your payment plan or another payment arrangement you have with us.

If you do not comply with your payment plan or other payment arrangement, we may commence debt recovery proceedings. When collecting your debt, we will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

We may outsource your debt to a debt collection agency. Please be advised that additional fees may apply in this case. We will ensure that any debt collection agency we engage will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

## 6 Useful information

- **Redirection of rate notice:** We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill.
- **Payment options:** You may pay your rate notice by direct debit, Centrepay, internet, telephone or post.

Paying by direct debit or Centrepay may help you manage your bills more easily as your bills will be paid through regular deductions.

For more information on your payment options, please contact us.

- **Financial counselling:** We will advise you of any financial counselling services or other organisations that may be available to you.

Financial counsellors offer free, independent information to help you take control of your financial situation.

The Financial Counsellors' Association of WA (FCAWA) can refer you to a financial counsellor in your area. Alternatively, you can call the Financial Counselling Helpline. The Helpline provides a free confidential service for all Western Australians with financial problems and queries.

Financial Counselling Helpline: 1800 007 007

The FCAWA's contact details are:

Financial Counsellors' Association of WA

Phone: (08) 9325 1617

Email: [afm@financialcounsellors.org](mailto:afm@financialcounsellors.org)

Website: [www.financialcounsellors.org](http://www.financialcounsellors.org)

- **Fees and charges:** We will charge you for the water services we provide to you.

We may charge you interest on overdue amounts if not paid by the due date.

A list of our fees and charges may be found at the shire's website ([www.dumbleyung.wa.gov.au](http://www.dumbleyung.wa.gov.au)), libraries or by contacting the shire office.

## 7 Complaints handling

If you have a complaint, please contact us first. Our contact details are included in section 9 below.

If you are not satisfied with the way we handle your complaint, you may refer your complaint to the Energy & Water Ombudsman. The Energy & Water Ombudsman will investigate your complaint and may mediate the dispute between you and us.

The Energy & Water Ombudsman's contact details are:

<b>Company Name:</b>	Energy and Water Ombudsman Western Australia
<b>In person:</b>	2nd Floor, Albert Facey House 469 Wellington Street Perth WA 6000
<b>Postal Address:</b>	PO Box Z5386 St Georges Terrace Perth WA 6831
<b>Phone:</b>	08 9220 7588
<b>Freecall:</b>	1800 754 004* <i>* Calls made from mobile phones will be charged at the applicable rate.</i>
<b>TIS:</b>	Translating and Interpreting Service 131 450
<b>TTY:</b>	National Relay Service 1800 555 727
<b>E-mail:</b>	<a href="mailto:energyandwater@ombudsman.wa.gov.au">energyandwater@ombudsman.wa.gov.au</a>
<b>Fax:</b>	(08) 9220 7599

**Freefax:**

1800 611 279

## 8 Approval and review

Our policy was approved by the Economic Regulation Authority of WA.

We will review our policy at least every five years to ensure it remains up-to-date and relevant.

## 9 Our contact details

You can contact the helpful staff at the Shire of Dumbleyung:

**In Person** Shire office located on the corner of Harvey and Dawson Street, Dumbleyung WA 6350

**Postal Address** PO Box 99, Dumbleyung WA 6350

Phone: (08) 9863 4012

Mobile: 0429634012

TTY: 133 677 then ask for (08) 9863 4012

TIS: 131 450

Fax: (08) 9863 4146

Email: [ceo@dumbleyung.wa.gov.au](mailto:ceo@dumbleyung.wa.gov.au)

Website: [www.dumbleyung.wa.gov.au](http://www.dumbleyung.wa.gov.au)

If you are deaf, or have a hearing impairment or speech impairment, contact us through the National Relay Service ([www.relayservice.gov.au](http://www.relayservice.gov.au))

Speak and Listen users phone 1300 555 727 then ask for (08) 9863 4012.

The Shire of Dumbleyung office is open 8:30am to 4:30pm Monday to Friday (closed public holidays).

## **Appendix 4: Hardship Policy – Shire of Kent**

# Financial Hardship Policy – Waste Water Services

## 1. Purpose

This Financial Hardship Policy outlines how the Shire of Kent will assist a customer who cannot pay a waste water services debt because of financial hardship.

The policy applies only to charges levied against you or your property for waste water services. Tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

## 2. What is Financial Hardship?

You will be considered to be in financial hardship if paying a waste water services to the Shire of Kent will affect your ability to meet your basic living needs – in short, if you have the intention but, due to exceptional circumstances, are not able to pay.

Financial Hardship may, for example, be caused by

- spousal separation or divorce
- loss of a spouse or loved one
- physical or mental health issues
- a chronically ill family member

## 3. Identifying customers in financial hardship

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask a financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we may refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history.

As soon as we have made our assessment we will advise you of the outcome.

## 4. Payment plans

If we determine that you are in financial hardship, we will offer you more time to pay the amount in question or a payment plan. We will not charge you any fees or interest as part of your arrangement.

We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting conditions of the plan, we will consider your capacity to pay and any other relevant issues.

If appropriate, we will review and revise your extension or payment plan.

We do not have to, but may, offer a payment plan to a customer who has had 2 payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension of payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the landowner.

## **5. Debt reduction and collection**

If you are in financial hardship, we will give consideration to reducing the amount you owe us.

We will also not commence or continue proceedings to recover your debt;

- while we are assessing whether or not you are in financial hardship, or
- if you are complying with your payment plan or another payment arrangement you have made with us.

If you do not comply with your payment plan or other payment arrangement we may commence debt recovery proceedings.

We may outsource the debt to a debt collection agency; additional fees may apply in this instance.

When collecting your debt in either case, we will comply with part 2 of the ACCC and ASIC's Debt Recovery Guidelines for Collectors and Creditors.

## **6. Useful information**

- We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill,
- You may pay your rate notice by direct debit, internet, telephone, Centrepay or post.
- If you feel you may need financial counselling services we suggest you contact the Financial Counsellors Association of WA. It provides a free confidential service. Its contact details are

Financial Counsellors' Association of WA  
Phone (08) 9325 1617

Email [afm@financialcounsellors.org](mailto:afm@financialcounsellors.org)  
Website [www.financialcounsellors.org](http://www.financialcounsellors.org)

A list of the Shire of Kent's Fees and Charges can be found on its website [www.kent.wa.gov.au](http://www.kent.wa.gov.au)

## **7. Complaints handling**

The Shire has adopted a complaints handling policy which can be found at its website [www.kent.wa.gov.au](http://www.kent.wa.gov.au). This policy outlines how complaints are handled by the Shire and the actions you may take if you feel your complaint has not been handled correctly.

An unresolved complaint may be arbitrated by the Energy and Water Ombudsman.

The Energy and Water Ombudsman contact details are

Phone	1800 754 004
Email	energyandwater@ombudsman.wa.gov.au
Postal	Energy and Water Ombudsman Western Australia PO Box Z5386 St Georges Terrace Perth WA 6831
TTY	1800 555 727
TIS	131450

## 8. Approval and review

This policy was adopted by the Council on 26 February 2014, it has been approved by Economic Regulation Authority.

We will review the policy every five years to ensure it remains up to date and relevant

## 9. Our Contact Details

Address	24-26 Richmond Street, Nyabing WA 6341
Postal	PO Box 15, Nyabing, WA 6341
Phone	9829-1051
Email	csol@kent.wa.gov.au
Website	<a href="http://www.kent.wa.gov.au/">http://www.kent.wa.gov.au/</a>
TTY	Access via <a href="http://relayservice.gov.au/">http://relayservice.gov.au/</a>
	TTY Voice Calls: 133677
	Speak & Listen: 1300 555 727
	SMS Relay System: 0423677767
TIS	131450

## **Appendix 5: Hardship Policy – Shire of Morawa**

# Shire of Morawa

## Financial Hardship Policy for Water Services/Rateable Land

February 2014

Shire of Morawa

(08) 99711204

TTY 133677

 TIS 131 450



# 1 Purpose

This Financial Hardship Policy outlines how the Shire of Morawa's ("**we**") will assist a residential customer ("**you**") who cannot pay a rate notice because of financial hardship.

Our policy applies only to the **water services portion and the rateable sections** of your rate notice.<sup>1</sup> Residential tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

If you are also having difficulty paying other charges on your rate notice or if you are a commercial customer, we encourage you to still talk to us.

We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

## 2 What is financial hardship?

You will be considered to be in financial hardship if paying the **water services portion and the rateable sections** of your rate notice will affect your ability to meet your basic living needs<sup>2</sup> – in short, if you have the intention but not the financial capacity to pay.

Financial hardship may, for example, be caused by:

- loss of your or a family member's primary income;
- spousal separation or divorce;
- loss of a spouse or loved-one;
- physical or mental health issues;
- a chronically ill child;
- budget management issues associated with a low income; and
- other unforeseen factors affecting your capacity to pay, such as a reduction in income or an increase in non-discretionary spending.

## 3 Identifying customers in financial hardship

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask your financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we will refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may

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<sup>1</sup> This is because the *Water Services Code of Conduct (Customer Service Standards) 2013* and our water licence only require us to have a hardship policy for any water services we provide to residential customers.

<sup>2</sup> Clause 19 of the *Water Services Code of Conduct (Customer Service Standards) 2013* defines financial hardship as "being in an ongoing state of financial disadvantage in which the customer's ability to meet the basic living needs of the customer or a dependant of the customer would be adversely affected if the customer were to pay an unpaid bill for a water service supplied in respect of the place used solely or primarily as the customer's dwelling".

have on your payment history. As soon as we have made our assessment, we will advise you of the outcome.

## 4 Payment plans

If we determine that you are in financial hardship, we will offer you more time to pay the **water services portion and the rateable sections** of your rate notice or a payment plan for this portion. We will not charge you any fees or interest as part of your extension or payment plan.

We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting the conditions of the plan, we will consider your capacity to pay and, if relevant, your usage needs.

If appropriate, we will review and revise your extension or payment plan.

We do not have to offer you a payment plan if you have had two payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension or payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the land owner.

## 5 Debt reduction and collection

If you are in financial hardship, we will consider reducing the amount you owe us.

We will also not commence or continue proceedings to recover your debt:

- while we are assessing whether or not you are in financial hardship; or
- if you are complying with your payment plan or another payment arrangement you have with us.

If you do not comply with your payment plan or other payment arrangement, we may commence debt recovery proceedings. When collecting your debt, we will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

We may outsource your debt to a debt collection agency. Please be advised that additional fees may apply in this case. We will ensure that any debt collection agency we engage will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

## 6 Useful information

- **Redirection of rate notice:** We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill.
- **Payment options:** You may pay your rate notice by direct debit, Centrepay, internet, telephone or post.

Paying by direct debit or Centrepay may help you manage your bills more easily as your bills will be paid through regular deductions.

For more information on your payment options, please contact us / refer to your rate and valuation notice.

- **Concessions and other financial relief and assistance:** You may be eligible for the concession(s) and/or financial relief for the water services portion of your rate notice:

To receive a concession you must:

- (a) hold an appropriate Pensioner or Seniors Cards as detailed below:

**Seniors Cards (SC)**

Owner is entitled to receive up to 25% rebate on Local Government rates and FESA Emergency Services Levy. The rebate is limited to a maximum amount and the deferment option is not available.

**Seniors Cards (SC) and a Commonwealth Seniors Health Card (CSHC)**

Owner is entitled to receive up to 50% rebate on Local Government rates and FESA Emergency Services Levy. The rebate is limited to a maximum amount and the deferment option is available.

**Pensioner Concession Card (PCC) or State Concession Card (SCC)**

Owner is entitled to receive up to 50% rebate on Local Government rates and FESA Emergency Services Levy. The rebate is limited to a maximum amount and the deferment option is available.

- (b) as at 1<sup>st</sup> July of the current financial year
- be the owner or co-owner of the property or have a right to reside at the property under the terms of a will (documentation required).
  - reside at the property under the terms of a will (documentation required).
  - occupy the property as your 'ordinary place of residence'.
- (c) have registered with the Council or Water Corporation.

A pro-rata rebate may be available from the date of registration to Pensioners and Seniors who become eligible after July 1 of the rating year. This section of the policy will be updated if changes occur and clients notified.

- **Financial counselling:** We will advise you of any financial counselling services or other organisations that may be available to you.

Financial counsellors offer free, independent information to help you take control of your financial situation.

The Financial Counsellors' Association of WA (FCAWA) can refer you to a financial counsellor in your area. Alternatively, you can call the FCAWA's Financial Counselling Helpline. The Helpline provides a free confidential service for all Western Australians with financial problems and queries.

The FCAWA's contact details are:

Financial Counsellors' Association of WA  
 Phone: (08) 9325 1617  
 Financial Counselling Helpline: 1800 007 007  
 Email: [afm@financialcounsellors.org](mailto:afm@financialcounsellors.org)  
 Website: [www.financialcounsellors.org](http://www.financialcounsellors.org)

**Fees and charges/**

We may charge you penalty interest which is calculated on a simple interest basis, set by council at a rate displayed on the front of the rate notice each year

(currently 11%) on all unpaid rates. Penalty interest will accrue on any rates and service charges that:

- Are carried forward from previous rating periods.
- Remain unpaid after they become due and payable.

A list of all our fees and charges may be found at [www.morawa.wa.gov.au](http://www.morawa.wa.gov.au)

## 7 Complaints handling

If you have a complaint, please contact us first. Our contact details are included in section 9 below.

If you are not satisfied with the way we handle your complaint, you may refer your complaint to the Energy & Water Ombudsman. The Energy & Water Ombudsman will investigate your complaint and may mediate the dispute between you and us.

The Energy & Water Ombudsman's contact details are:

<b>Company Name:</b>	Energy and Water Ombudsman Western Australia 2nd Floor, Albert Facey House
<b>In person:</b>	469 Wellington Street Perth WA 6000
<b>Postal Address:</b>	PO Box Z5386 St Georges Terrace Perth WA 6831
<b>Phone:</b>	08 9220 7588
<b>Freecall:</b>	1800 754 004*

*\* Calls made from mobile phones will be charged at the applicable rate.*

<b>TIS:</b>	Translating and Interpreting Service 131 450
<b>TTY:</b>	National Relay Service 1800 555 727
<b>E-mail:</b>	<a href="mailto:energyandwater@ombudsman.wa.gov.au">energyandwater@ombudsman.wa.gov.au</a>
<b>Fax:</b>	(08) 9220 7599
<b>Freefax:</b>	1800 611 279

## 8 Approval and review

Our policy was approved by the Economic Regulation Authority of WA.

We will review our policy at least every five years to ensure it remains up-to-date and relevant.

## 9 Our contact details

You can contact us at:

Shire of Morawa  
**In Person** 66 Winfield Street Morawa WA 6623  
**Postal Address** PO Box 14, Morawa WA 6623  
Phone: (08) 9971 1204  
TTY 133677

TIS 131450

Fax: (08) 9971 1284

Email: [admin@morawa.wa.gov.au](mailto:admin@morawa.wa.gov.au)

We are open Monday to Friday: Office hours: 8.30 am – 4.30 pm

## **Appendix 6: Hardship Policy – Shire of Wickepin**



## Shire of Wickepin

# Financial Hardship Policy For Water Services

**June 2014**

Shire of Wickepin

Phone: (08)9888 1005

Fax: (08) 9888 1074

Email: [admin@wickepin.wa.gov.au](mailto:admin@wickepin.wa.gov.au)

Website: [www.lwickepin.wa.gov.au](http://www.lwickepin.wa.gov.au)

TTY: 133 677

TIS: 131 450

## 1 PURPOSE

This Financial Hardship Policy outlines how Shire of Wickepin (“**we**”) will assist a residential customer (“**you**”) who cannot pay a rate notice because of financial hardship.

Our policy applies only to the **water services portion** of your rate notice. Residential tenants who have agreed with the land owner to receive a rate notice are also covered by this policy.

If you are also having difficulty paying other charges on your rate notice or if you are a commercial customer, we encourage you to still talk to us.

We are committed to working with you to find an appropriate payment solution that works for both you and us. We understand that it can be difficult to ask for support, and will treat you sensitively and respectfully.

## 2 WHAT IS FINANCIAL HARDSHIP?

You will be considered to be in financial hardship if paying the water services portion of your rate notice will affect your ability to meet your basic living needs – in short, if you have the intention but not the financial capacity to pay.

Financial hardship may, for example, be caused by:

- Loss of your or a family member’s primary income;
- Spousal separation or divorce;
- Loss of a spouse or loved-one;
- Physical or mental health issues;
- A chronically ill child;
- Budget management issues associated with a low income; and
- Other unforeseen factors affecting your capacity to pay, such as a reduction in income or an increase in non-discretionary spending.

## 3 IDENTIFYING CUSTOMERS IN FINANCIAL HARDSHIP

If you think you may be in financial hardship we encourage you to contact us as soon as possible. You may ask your financial counsellor to contact us on your behalf.

We will assess within three business days whether we consider you to be in financial hardship. If we cannot make our assessment within three business days, we will refer you to a financial counsellor for assessment.

As part of our assessment we will consider any information provided by you and, if applicable, your financial counsellor. We will also take into account any information we may have on your payment history.

As soon as we have made our assessment, we will advise you of the outcome.

## 4 PAYMENT PLANS

If we determine that you are in financial hardship, we will offer you more time to pay the water services portion of your rate notice or a payment plan for this portion. We will not charge you any fees or interest as part of your extension or payment plan.

We will involve you and, if applicable, your financial counsellor in setting a payment plan. When setting the conditions of the plan, we will consider your capacity to pay and, if relevant, your usage needs.

If appropriate, we will review and revise your extension or payment plan.

We do not have to offer you a payment plan if you have had two payment plans cancelled because of non-payment.

If you are a tenant, we must make sure that the land owner is aware of us giving you an extension or entering into a payment plan with you before we do so. We can agree that you notify the land owner of the proposed extension or payment plan (and provide us with evidence that you have done so), or you can give us permission to notify the land owner.

## 5 DEBT REDUCTION AND COLLECTION

If you are in financial hardship, we will consider reducing the amount you owe us.

We will also not commence or continue proceedings to recover your debt:

- While we are assessing whether or not you are in financial hardship; or
- If you are complying with your payment plan or another payment arrangement you have with us.

If you do not comply with your payment plan or other payment arrangement, we may commence debt recovery proceedings. When collecting your debt, we will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

We may outsource your debt to a debt collection agency. Please be advised that additional fees may apply in this case. We will ensure that any debt collection agency we engage will comply with Part 2 of the ACCC and ASIC's *Debt collection guidelines for collectors and creditors*.

## 6 USEFUL INFORMATION

### REDIRECTION OF RATE NOTICE

We will advise you of your right to have your rate notice redirected to another person free of charge if you are absent or ill.

### PAYMENT OPTIONS

You may pay your rate notice by direct debit, Centrepay, internet, telephone or post.

Paying by direct debit or Centrepay may help you manage your bills more easily as your bills will be paid through regular deductions.

For more information on your payment options, please contact us at the Shire of Wickepin Administration Office.

## FINANCIAL COUNSELLING

We will advise you of any financial counselling services or other organisations that may be available to you.

Financial counsellors offer free, independent information to help you take control of your financial situation.

The Financial Counsellors' Association of WA (FCAWA) can refer you to a financial counsellor in your area. Alternatively, you can call the FCAWA's Financial Counselling Helpline. The Helpline provides a free confidential service for all Western Australians with financial problems and queries.

The FCAWA's contact details are:

Financial Counsellors' Association of WA

Phone: (08) 9325 1617  
Financial Counselling Helpline: 1800 007 007  
Email: [afm@financialcounsellors.org](mailto:afm@financialcounsellors.org)  
Website: [www.financialcounsellors.org](http://www.financialcounsellors.org)

## FEES AND CHARGES

We will charge you for the water services we provide to you.

We will charge you interest if you do not pay your rate notice by the due date.

We offer the following concessions: Pensioner and Senior Rebate Scheme. To receive a concession on local government rates, a person must hold one or more of the appropriate Pensioner or Seniors cards and, on July of the financial year, own and occupy residential property as their ordinary place of residence.

***A list of our fees and charges may be found at [www.wickepin.wa.gov.au](http://www.wickepin.wa.gov.au).***

## 8 COMPLAINTS HANDLING

If you have a complaint, please contact us first. Our contact details are included in section 10 below.

If you are not satisfied with the way we handle your complaint, you may refer your complaint to the Energy & Water Ombudsman. The Energy & Water Ombudsman will investigate your complaint and may mediate the dispute between you and us.

The Energy & Water Ombudsman's contact details are as follows:

PO Box Z5386  
St Georges Terrace  
Perth WA 6831

Telephone: (08) 92207588  
Free call: 1800 754 004 (calls made from mobile phones will be charged at the applicable rate)  
TIS: 131 450  
TTY: National Relay Service 1800 555 727  
E-mail: [energyandwater@ombudsman.wa.gov.au](mailto:energyandwater@ombudsman.wa.gov.au)  
Fax: (08) 220 7599  
Free fax: 1800 611 279

## 9 APPROVAL AND REVIEW

Our policy was approved by the Economic Regulation Authority of WA.

We will review our policy at least every five years to ensure it remains up-to-date and relevant.

## 10 OUR CONTACT DETAILS

You can contact us at:

Shire of Wickepin  
77 Wogolin Road  
(PO Box 19)  
WICKEPIN WA 6370

Phone: (08) 9888 1005  
Fax: (08) 9888 1074  
Email: [admin@wickepin.wa.gov.au](mailto:admin@wickepin.wa.gov.au)  
Website: [www.wickepin.wa.gov.au](http://www.wickepin.wa.gov.au)  
TTY: 133 677  
TIS: 131 450

**RESOLUTION:** 190314 - 17

**DATE OF REVIEW:** 19/03/2015