

Customer Service Charter Guidelines

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Economic Regulation Authority

 WESTERN AUSTRALIA

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Economic Regulation Authority
Perth, Western Australia
Phone: (08) 9213 1900

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1 What are the Customer Service Charter Guidelines?

Western Australian water licensees must establish a customer service charter (charter) (clause 7 of the water operating licence). All licensees must review their charter at least once every 36 months, unless otherwise notified by the Authority. A copy of the reviewed charter, together with a description of any public consultation undertaken (if applicable), must be submitted to the Authority for approval.

These charter guidelines provide information on:

- the minimum requirements for charters;
- the matters to be taken into account by the licensee when reviewing their charter; and
- an explanation of the process that will be employed by the Authority in approving charters.

2 What is a Customer Service Charter?

A charter can be broadly defined as a published statement containing:

- a list of customer entitlements;
- details regarding a licensee's services; and
- information relevant to the relationship between the customer and the licensee.

Charters have a range of purposes which may include customer education and the differentiation of service providers in a competitive market. The benefit derived from a charter is usually commensurate with the effort invested by the licensee in the development and review process.

In the energy industry, licensees are required to produce, and have approved by the Authority, a standard form contract. This standard form contract is the principle document that establishes the terms and conditions of the relationship with customers. In the water industry, licensees are not required to produce a standard form contract. Therefore, the charter is currently the principle document which governs the relationship between a licensee and its customers.

3 Development, Review and Amendment

Clause 7 of the operating licence provides that licensees must establish a charter. The charter must be approved by the Authority and reviewed at least once every three years.

3.1 Initial charter

New licensees should include a copy of their proposed charter with their licence application for approval by the Authority. The charter should:

- generally address the matters listed in paragraph 4 below; and
- comply with the guidelines set out in paragraph 5 below.

A (prospective) licensee should liaise with the Authority on the need for public consultation. Depending on the size and nature of the licensee's (potential) customer base, the Authority may or may not require the licensee to undertake public consultation.

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Deleted: The Authority must approve the charter for water licensees and assess the charter for electricity licensees. The Authority has no formal approval or assessment role in relation to gas charters.¶

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Part 11 of the Code of Conduct for the Supply of Electricity to Small Use Customers 2008 and Part 11 of the Compendium of Gas Customer Licence Obligations (Gas Customer Code) require that electricity and gas distribution and retail/trading licensees produce and publish a charter. ¶

The charter must contain:¶
 <#>a summary of both the customer's and the retailer's or distributor's rights and obligations under the Code; ¶
 <#>an explanation of the complaints handling process; ¶
 <#>an explanation of the difference between the retail and distribution functions;¶
 <#>reference to key documents in relation to the supply of electricity or gas to customers; and ¶

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The Authority will publish a copy of the charter and the Authority's assessment of the charter and development process on the Authority's website within a reasonable time.

3.2 Review of charter

All licensees must review their charter at least once every three years, unless otherwise notified by the Authority.

When reviewing their charter, a licensee should ensure that:

- the charter generally addresses the matters listed in paragraph 4 and complies with the guidelines set out in paragraph 5 below; and
- public consultation is undertaken on the charter and any amendments proposed to the charter (see guideline 5.3 below).

A copy of the reviewed charter and an overview of any public consultation undertaken should be submitted to the Authority for approval.

The Authority will publish copy of the charter and the Authority's assessment of the charter and review process on the Authority's website within a reasonable time.

3.3 Amendment of charter

A licensee may amend its charter by submitting to the Authority for approval a copy of the charter including any amendments proposed.

The licensee should ensure that the amendments meet the requirements of the guidelines (see paragraph 5 below). A licensee should generally make any amendments to its charter available for public consultation. However, public consultation may not be required for minor amendments (e.g. correction of typographical errors; changes to contact details; amendments to reflect changes to the regulatory framework, etc). Licensees are encouraged to liaise with the Authority regarding the need for public consultation.

The Authority will publish a copy of the charter and the Authority's assessment of both the charter and the amendment process on the Authority's website within a reasonable time.

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4 Minimum content requirements

Schedule 3 of the operating licence requires that a licensee have in place a charter that accords with these guidelines. The charter should furthermore be drafted in 'plain English' and address all of the service issues that are reasonably likely to be of concern to the licensee's customers.

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To ensure that a charter addresses 'all of the service issues that are reasonably likely to be of concern to the licensee's customers', the Authority recommends that the charter contains the following elements:

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- An introduction which provides a brief description of the utility and a commitment to service that states the service values underpinning the operations of the utility.
- A section detailing conditions for connection including how customers can obtain services and a list of products and services offered. These should be clearly and individually identifiable.

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- A statement of standards and customer rights including the level of service that customers can expect should be specified.
- A section detailing the utility's powers including, for example, the power to prohibit the discharge of unauthorised substances into the wastewater system.
- A section detailing communication procedures including, for example, information on customer committees, notice for work to be undertaken, and dealing with correspondence.
- Contact information containing the address, telephone number and general business hours of the agency. It should also contain the positions and numbers of relevant contact officers, and make it clear who is the appropriate point of contact. The charter also needs to explain how customers can obtain emergency assistance with a list of appropriate telephone number(s).
- A section dealing with complaints resolution mechanisms, including relevant contact details for the Department of Water.

5 Charter Review Guidelines

It is important that the Authority undertakes a transparent decision making process when approving charters. To this end, the Authority has developed a list of criteria that it plans to use when undertaking the charter approval process.

5.1 Existence

Does the applicant / licensee have a charter?

Has the licensee undertaken a review process, at regular intervals and within the required timeframe?

5.2 Accuracy

Does the charter comply with all relevant legislative, code or regulatory requirements and is it in line with the licence requirements?

5.3 Consultation

Has the licensee engaged with customers and/or their representatives in the development and/or review and/or amendment process?

For example, has the licensee placed an advertisement calling for public submissions in its newsletter or the (local) newspaper, or sought input from consumer representative organisation(s), consumer focus groups, other licensees and/or Staff and Board members, or undertaken a customer survey, etc?

{Explanatory note: As discussed in paragraph 3 above, in certain cases the Authority may agree that public consultation is not required.}

5.4 Accessibility

Has the final document been prepared in simple language that is easily understood by customers?

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The licence requires that any proposed amendment to the charter must be forwarded to the Authority for approval prior to implementation. ¶
The Authority aims to utilise the guidelines laid out in this document as a basis for the approval process. The Authority will publish the review or amendment and the Authority's assessment of the review or amendment on the Authority's website within a reasonable time.¶

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