



TELSTRA CORPORATION LIMITED

Submission to the Australian Energy Market Commission's draft determination for family violence rules

2 August 2022



We welcome the opportunity to comment on the Australian Energy Market Commission's (AEMC) draft determination for protecting customers affected by family violence (the draft rule).

We continue to support the protection of customers affected by family violence and agree that this can be achieved through harmonisation with the existing Victorian requirements. While we generally support the AEMC's draft rule, we note that some of the changed terminology may impact retailer's ability to effectively operationalise supports for customers affected by family violence. We discuss these at a high-level below, but this does not detract from our overall support of introducing nationally consistent requirements for energy retailers on this important matter.

Customer coverage

Ensuring adequate protections for a range of customers in different circumstances is incredibly important. For this reason, we support the use of the South Australian definition of domestic abuse in the draft rule. Firstly, we agree that the use of a Victorian definition is not appropriate for the National Energy Customer Framework (NECF). Secondly, we agree that the use of this definition will help ensure a range of social connections, including cultural kinship, are able to access consistent support across energy retailers.

We also fully support the AEMC in recommending that the Australian Energy Regulator expand protections for customers affected by family violence to embedded network arrangements. Customers, irrespective of how they receive their energy supply, should be able to have vital protections including life support, hardship and family violence supports.

Family Violence Policy

We support the requirement for retailers to have a family violence policy, noting that this is consistent with the Victorian requirements. As we raised in our previous submission, Telstra's approach for becoming an energy retailer across both Victoria and NECF has been to develop and apply our family violence policy consistently across both (irrespective of specific rules requiring it). We consider that such a rule will ensure that customers can consistently receive support across retailers and jurisdictions.

While we understand the intent of the proposed wording for family violence policy review, we have concerns on how this can practically and consistently be operationalised by retailers. Firstly, to maintain consistency with Victorian requirements, we would encourage a time-based review period. However, we note the AEMC's discussion in the draft rule and would therefore support a review period of every 12 months (1 year), distinct from the current Victorian requirement of every two years.¹ Separately, we would support a change to the Energy Retail Code of Practice (ERCOP) to reduce the review period from two years to 1 year to ensure consistency and to better incorporate new learnings and support for customers.

The proposed addition of requiring that the policy review 'maintain consistency with leading practice', may also introduce significant operational complexity. While we recognise the intent is to ensure that retailers are continually considering the impacts on customers affected by family violence and refining their process, we believe a time-based approach to review is the most effective

¹ Essential Services Commission Victoria, [Energy Retail Code of Practice](#), 159 Family violence policy to be reviewed, (1) a retailer must review its family violence policy no less than once every two years.



way to ensure that this occurs with some certainty across all energy retailers. Requiring a retailer to maintain their policy so that it is consistent with leading practice will create uncertainties and inconsistencies in how this is managed. For example, how will a retailer determine whether a resource is leading practice, what organisations/bodies would be considered appropriate for leading practice, how would other sectors (e.g., water, telecommunications) be considered, how would other jurisdictions/countries be considered?

We expect that retailers would operationalise this differently, and ultimately the concept of 'leading practice' will vary substantially depending on the internal controls defined by each business. At Telstra, our approach is to aim for a holistic response for our customers across our brands, products, and services. This will mean that our policies may be reviewed and amended beyond the time-based requirement for a range of reasons. These reasons can include participation and engagement in consumer forums, customer feedback, changes in standards and requirements under our telecommunications brand, or a range of other factors. We would therefore encourage a standard approach to policy review as a time-based requirement, consistent with Victoria. This will allow flexibility for retailers to update policies for a range of reasons, including better practice, customer feedback and other operational needs.

Finally, we do not oppose a May 2023 commencement date but that is contingent on the final rule substantially reflecting the current draft rule with amendments as we propose above. Significant departures from the current draft rule and the Victorian approach may complicate retailer delivery timeframes.