

QUARTERLY EWOV

# Affordability Report

April to June 2017

› Released September 2017



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# CREDIT CASES OVERALL



**LOWER**  
than the same  
time last year.

But over the same period, the mix of cases has changed.



**DISCONNECTION /RESTRICTION**  
overtook collection as  
the biggest credit issue.

> **796**  
Disconnection  
/restriction cases

> **666**  
Collection  
cases

And increasingly, customers contacted us when they'd **already been disconnected or restricted:**



■ Actual 33%  
■ Imminent 67%



■ Actual 41%  
■ Imminent 59%

## AFFORDABILITY: THE BIG PICTURE

Affordability issues, such as payment difficulties, debt collection and disconnection/restriction, mostly fall within EWOV's 'credit' category of cases. EWOV credit cases fell this quarter, continuing an ongoing downward trend.

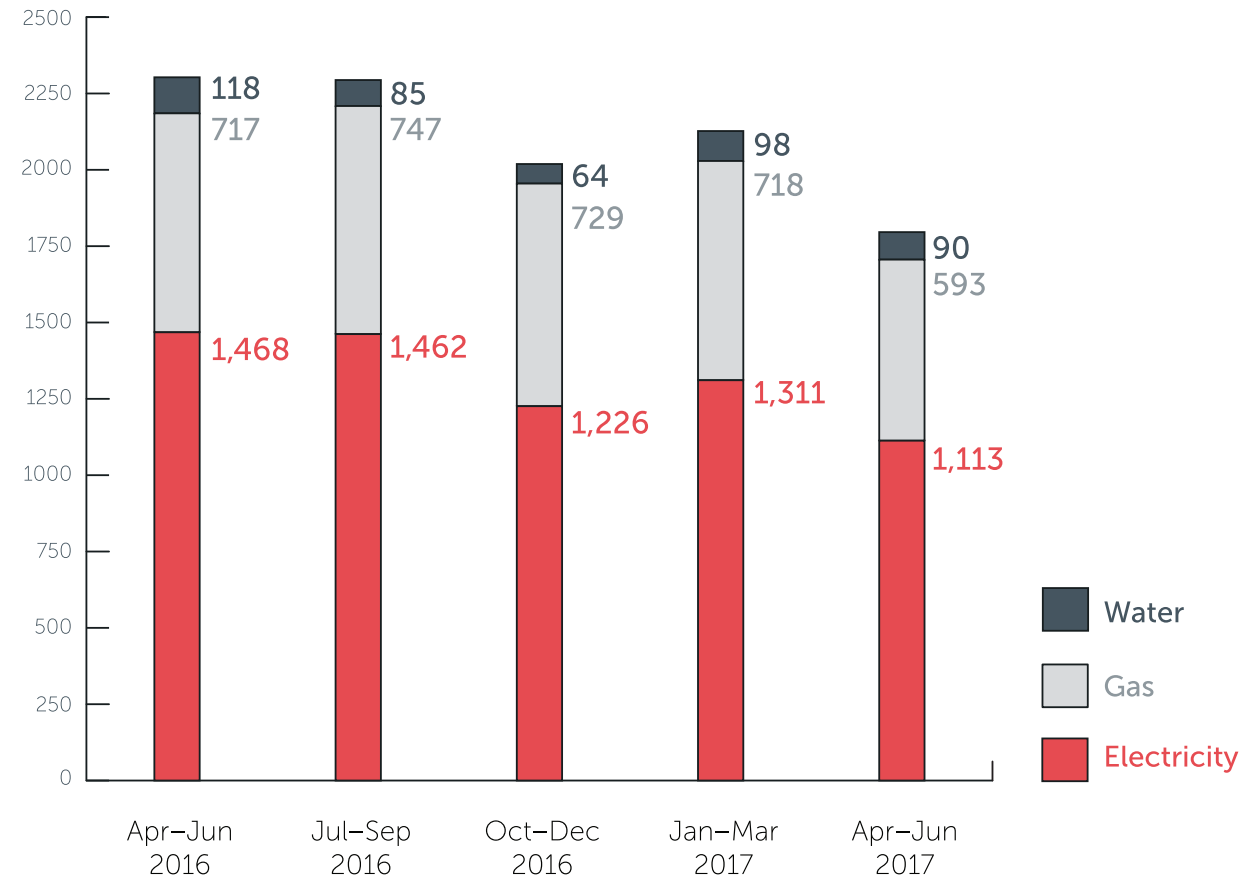
### Cases

In the April–June 2017 quarter, we received 1,805 credit cases. **Figure 1** shows trends in electricity, gas and water credit cases over the past five quarters. After a slight increase in the previous quarter, cases decreased 16% between the January–March and April–June 2017 quarters. This overall fall reflects substantial decreases across electricity (down 15% or 198 cases), gas (down 17% or 125 cases) and water (down 8% or 8 cases). As a result of decreases in most of the past five quarters, credit cases in April–June 2017 were down by almost a quarter (22%) from the April–June quarter in 2016.

This decrease in raw credit case numbers over recent quarters has been accompanied by a decrease in credit cases as a percentage of EWOV's total caseload. In 2015, the proportion of EWOV cases about a credit issue increased to 30%, remaining at around this level for almost two years. In the last three quarters, however, credit as a proportion of total cases has returned to levels last seen in 2014. In the April–June 2016 quarter, credit cases made up 26% of our total caseload, consistent with the previous quarter.

**FIGURE 1.**

**Electricity, gas and water credit cases received by quarter, April–June 2016 to April–June 2017**



**Note:** We also received 7 dual fuel and 2 LPG cases in this reporting period, which are not included in this graph.

## Case receipt

Figure 2 shows how EWOV handled the 1,805 credit cases received this quarter.<sup>1</sup> As in previous quarters, the majority of credit cases (62%) were handled as Assisted Referrals.

Over the past year, the proportion of credit cases handled as Investigations has increased, reaching 27% in the April–June 2017 quarter. The proportion of cases handled as Investigations began to rise in the October–December 2016 quarter, when Investigations increased two percentage points to 24% from a steady 22% in the April–June and July–September 2016 quarters.

This trend coincided with an increase in actual disconnections and restrictions, both in raw numbers and as a proportion of total disconnection/restriction cases and total credit cases. As actual disconnection and restriction cases bypass the Assisted Referral process to be handled at Investigation, this increase in actual disconnection/restriction cases may partly explain the growth in Investigations.

Another likely factor is EWOV's January 2017 closure of the Real Time Resolution (RTR) process. RTR – introduced in 2012 at a time of high complaint volumes – was an immediate negotiation process best suited to relatively straightforward complaints. As such complaints decreased, RTR became less effective, and we returned to a simple escalation process from Assisted Referral to Investigation.

<sup>1</sup> Some cases move through different case stages before a resolution is reached.

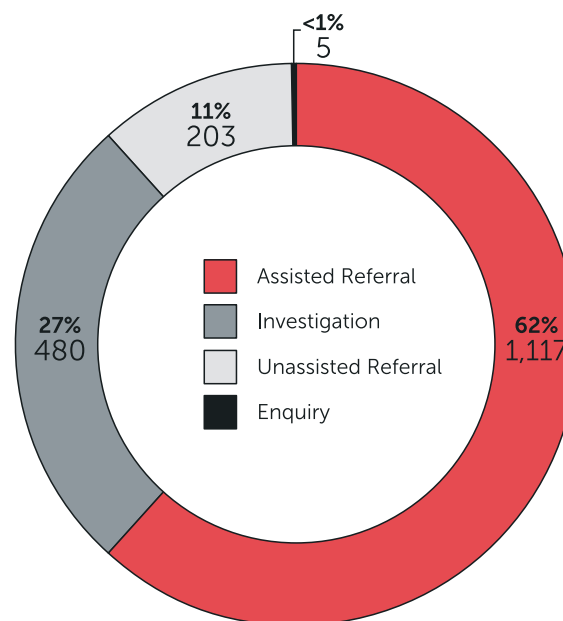
TABLE 1.

Credit cases as a percentage of total EWOV cases, April–June 2016 to April–June 2017

	APR–JUN 2016	JUL–SEP 2016	OCT–DEC 2016	JAN–MAR 2017	APR–JUN 2017
<b>Credit cases</b>	2,316	2,309	2,031	2,137	1,805
<b>Total cases</b>	7,697	8,698	8,392	8,072	7,036
<b>%</b>	30%	27%	24%	26%	26%

FIGURE 2.

Case stage, credit cases received April–June 2017 quarter



## PAYMENT DIFFICULTIES

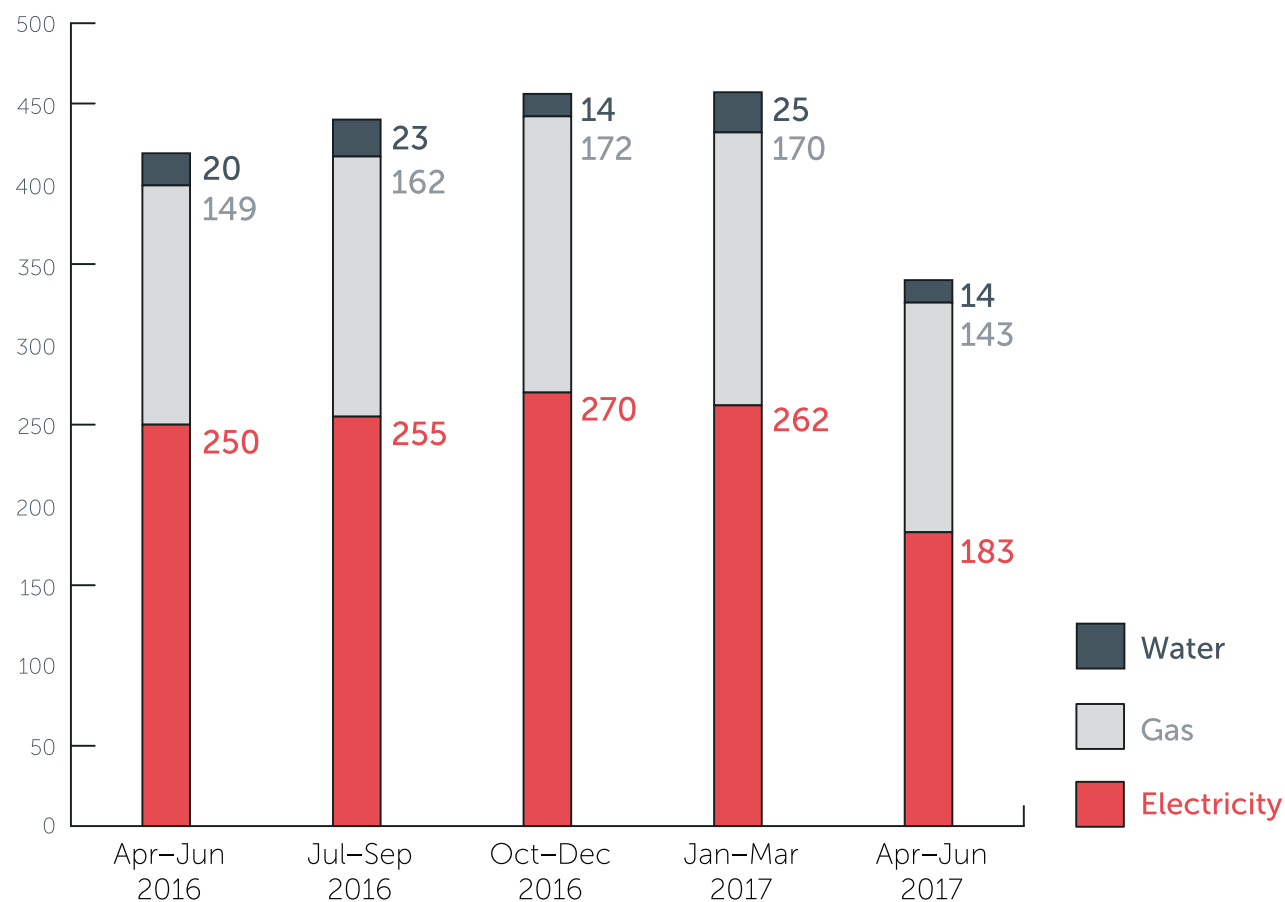
'Payment difficulties' is one of three credit sub-issues, and includes cases in which a customer contacts EWOV about account arrears, payment plans (either existing or requested) or difficulty paying current or previous bills.<sup>2</sup> Payment difficulties is often a secondary issue in EWOV imminent and actual disconnection/restriction cases, but we also receive cases that are mainly about payment difficulties with no disconnection involved.

### Cases

During the April–June 2017 quarter, we received 343 payment difficulties cases – down a substantial 25% compared to the January–March 2017 quarter. This decrease marked the reversal of a gradual upward trend in payment difficulties cases over the previous four quarters. In percentage terms, the biggest quarterly decrease was in water payment difficulties cases, which fell 44% between January–March and April–June 2017. Electricity payment difficulties cases also decreased substantially – by 30% – while the smallest drop was for gas, with a decrease of 15%. Water payment difficulties cases also show the largest percentage decrease over five quarters, with 30% fewer cases received in April–June 2017 than in the same quarter the previous year. These trends are illustrated in **Figure 3**.

**FIGURE 3.**

**Electricity, gas and water payment difficulties cases received by quarter, April–June 2016 to April–June 2017**



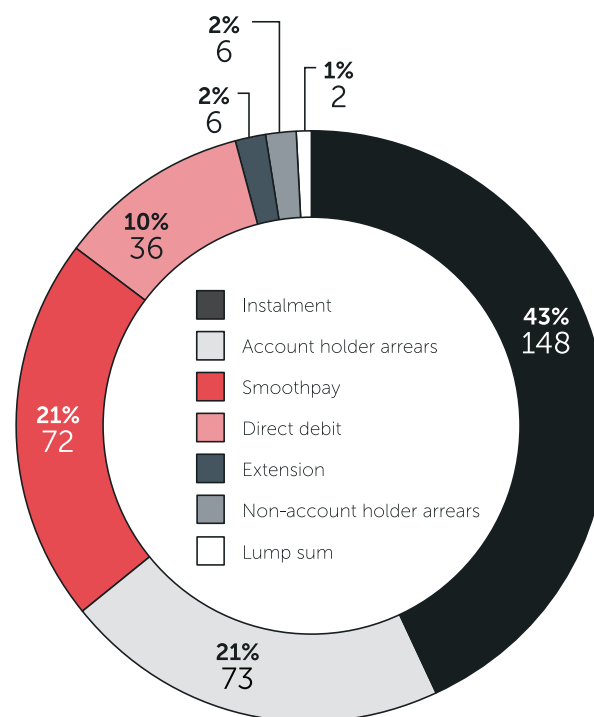
**Note:** We also received 3 Dual Fuel cases in this reporting period, which have not been included in this graph.

<sup>2</sup> Refer to the Glossary on page 20 for a list of payment difficulties sub-issues

Payment plan instalments continued to be the most common issue in payment difficulties cases, accounting for 43% of the total in April–June 2017. Compared to the January–March 2017 quarter, account holder arrears cases fell 44% while SmoothPay cases were up 20% – leaving each of these issues accounting for 21% of payment difficulty cases.

Notably, SmoothPay was the only issue to see an increase this quarter. SmoothPay cases have to do with problems with bill smoothing payment arrangements. Closer analysis of these cases does not suggest any single cause for the increase. A single retailer, however, did account for a relatively large proportion of these cases. Customers complained of issues such as incorrect deductions, which caused financial difficulty; the retailer’s failure to establish, update or correct arrangements as agreed; changes to scheduled deduction dates; and cancellation of payment arrangements.

**FIGURE 4.**  
**Payment difficulties cases received by sub-issue, April–June 2017 quarter**



## Outcomes

During the April–June 2017 quarter, EWOV closed 82 payment difficulties cases at Investigation. Negotiation of an affordable payment plan continued to be the most common outcome, occurring in more than three-quarters (77%) of closed cases. In 50% of closed cases, the customer was referred to the retailer’s hardship program, sometimes after a previous exclusion. Just under a quarter (23%) received a Customer Service Gesture. No fee waivers were granted and payment extensions and debt waivers were given in only a small numbers of cases.

**TABLE 2.**  
**Selected outcomes, closed payment difficulties Investigations, April–June 2017**

OUTCOME	NO.	%
Payment plan	63	77%
Referral to hardship program	41	50%
Customer Service Gesture	19	23%
Billing adjustment	6	7%
Payment extension	4	5%
Fee waiver	0	0%
Debt waiver (partial)	4	5%
Debt waiver (full)	1	1%



## Case study

### *A customer seeks affordable payment plans on two closed accounts – 2017/7702 and 2017/7701*

#### The issue

After leaving a property, Ms D received debt collection action for outstanding amounts on two closed accounts: \$3,381 for electricity and \$1,403 for gas. In financial difficulty, Ms D could only afford to repay \$20 per fortnight on each debt. However, when she contacted the retailer, it told her that she would need to make payments of \$180 per fortnight. Feeling that the representative had not listened to or acknowledged her concerns and circumstances, Ms D contacted EWOV, asking that the retailer stop the debt collection and accept \$20 per fortnight payment plans for each debt.

#### The Investigation

When Ms D initially contacted EWOV, we lodged an Assisted Referral with the retailer, requiring a higher-level representative to contact her directly. Although the retailer told her that it could offer a payment extension until 25 May 2017, Ms D continued to receive collection calls, and was dissatisfied with the retailer's response. At that point, we opened an Investigation.

Initially, the retailer offered a \$500 credit on each account in lieu of Utility Relief Grants (which cannot be applied to closed accounts), plus a further \$250 in recognition of Ms D's concerns. It also proposed the following payment plan options:

- fortnightly payments of \$25.00 over 12 months
- establish an account for the current property, transfer the debt to this account, and participation in the hardship program
- \$20 per fortnight payment plan following a financial assessment of Ms D's capacity to pay.

As part of our Investigation, we reviewed Ms D's account history, including bills, contact records and meter data. This confirmed that Ms D had a total of \$4,704.92 outstanding. Given that the account was closed and arrears could not continue to accrue, the retailer reconsidered its offer and proposed a 12 month \$20 per fortnight payment plan for each fuel. If Ms D maintained the \$20 per fortnight payments for 12 months to repay \$1,040, the retailer agreed to waive the remaining \$3,664.92.

#### The outcome

Satisfied with payment plan and credits offered, Ms D agreed to establish the payment plan via Centrepay, and the case was closed.



## DISCONNECTION AND RESTRICTION

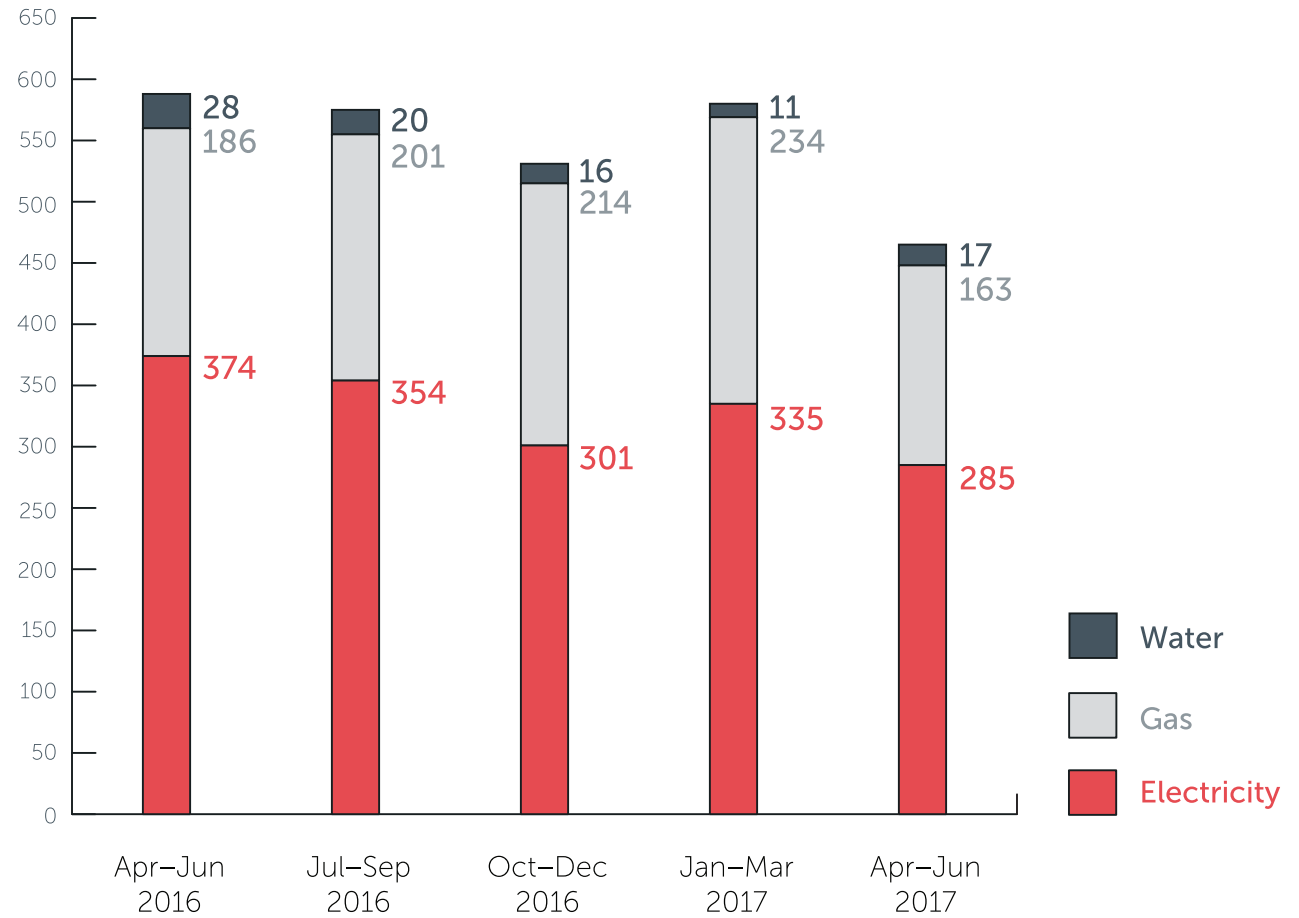
EWOV's 'disconnection/restriction' cases relate to electricity and gas disconnection or restriction of water supply for non-payment.<sup>3</sup> Disconnection/restriction cases are categorised as either 'imminent', where the company has warned of impending disconnection or restriction or, where the disconnection/restriction has occurred, as 'actual'.

### Imminent disconnection/restriction

Figure 5 shows trends in electricity, gas and water imminent disconnection/restriction cases over five quarters. We received 466 imminent disconnection cases in April–June 2017, 20% fewer than in the January–March 2017 quarter, and down 21% compared to the same quarter in 2016. The biggest drop was for gas imminent disconnection cases, which fell 30% from a peak of 234 in the previous quarter. Imminent water restriction cases remained low, accounting for just 4% of the total despite a 55% increase from 11 to 17 cases between the last two quarters.

FIGURE 5.

Electricity, gas and water imminent disconnection/restriction cases received by quarter, April–June 2016 to April–June 2017



**Note:** We received 1 LPG case in this reporting period, which is not included in this graph.

<sup>3</sup> The equivalent process for LPG is the stopping of deliveries. These cases are received in low volumes and are noted below each graph.

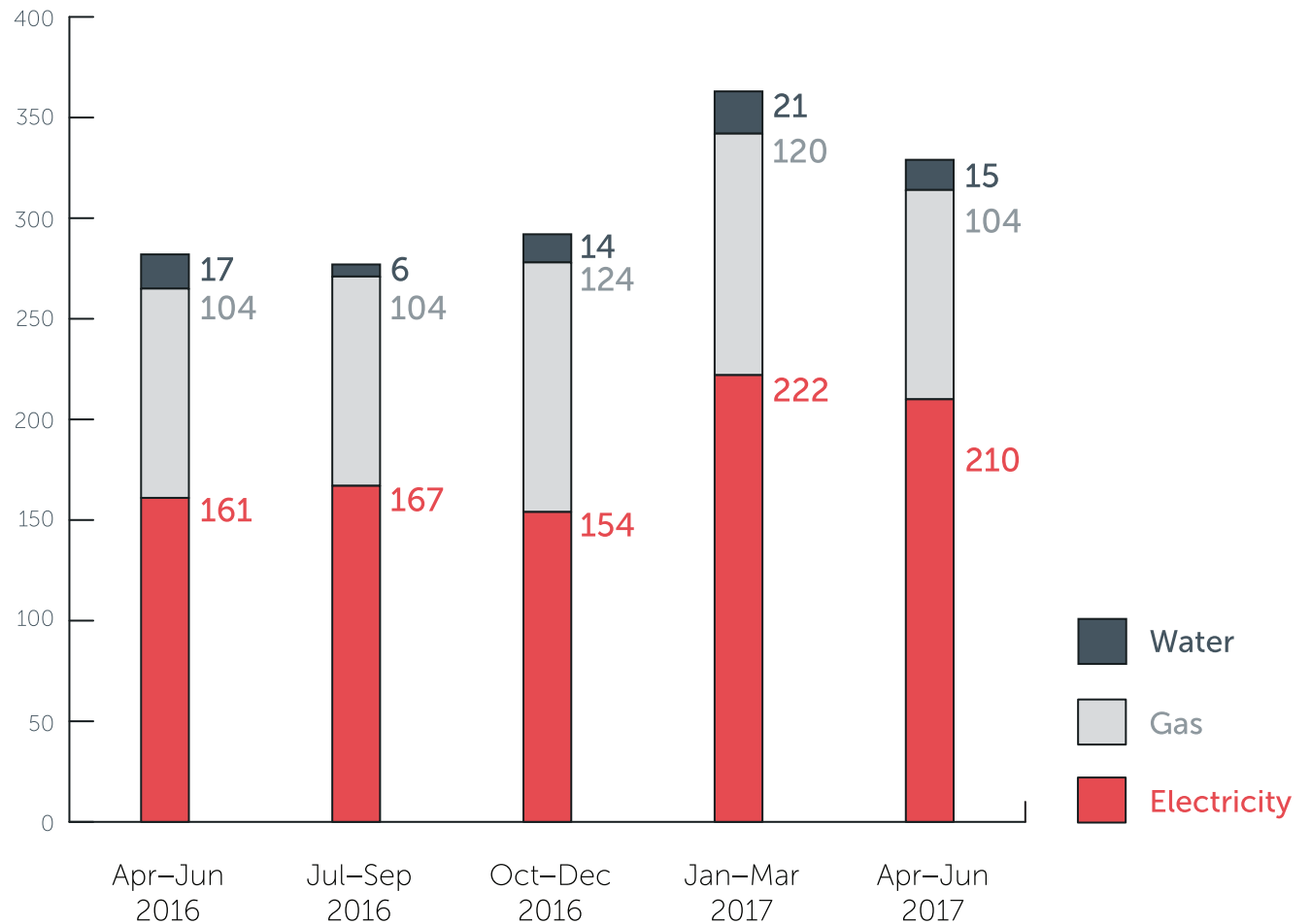
### Actual disconnection/restriction

During the April–June 2017 quarter, EWOV registered 330 actual disconnection/restriction cases, down 9% from 363 cases in the January–March 2017 quarter, as shown in **Figure 6**. Actual disconnection/restriction cases fell across electricity, gas and water. The biggest contributor to this trend was gas, with a 13% (16 case) decrease.

Despite these decreases, electricity actual disconnection cases were still a substantial 30% higher than during the same quarter in 2016, while gas actual disconnection cases returned to July–September 2016 levels following increases in the October–December 2016 and January–March 2017 quarters. Only water saw a year-to-year decrease, with actual restrictions falling 12% between April–June 2016 and April–June 2017.

FIGURE 6.

Electricity, gas and water actual disconnection/restriction cases by quarter, April–June 2016 to April–June 2017



**Note:** We received 1 LPG case in this reporting period, which is not included in this graph.

## Outcomes

During April–June 2017, we closed 337 actual and imminent disconnection/restriction complaints at Investigation and completed 344 Wrongful Disconnection Payment (WDP) assessments.

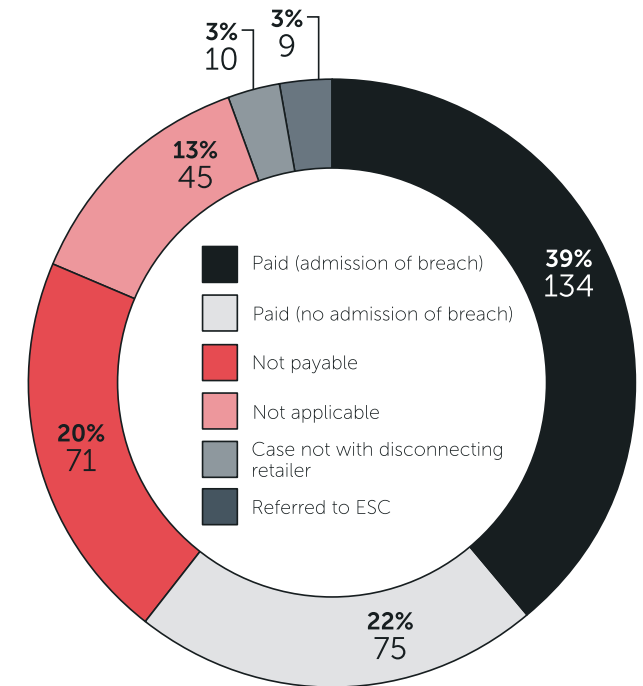
### Wrongful Disconnection Payment

In actual disconnection cases, EWOV has a role assessing whether a WDP is payable. The WDP was introduced by the Victorian Government in 2004, with the aim of reducing wrongful energy disconnections. Where a retailer is found to have disconnected a customer's supply without complying with the terms and conditions of their contract, the retailer must make a payment to the customer of \$500 per day (or part thereof), capped at \$3,500 if the customer does not contact the retailer within 14 days of the disconnection.

Figure 7 shows the outcomes of the 344 WDP assessments we completed in the April–June 2017 quarter. Around six in 10 of EWOV's WDP assessments resulted in a payment being made to the customer – either where the retailer acknowledged a breach had occurred (39%) or where it made an equivalent payment without admitting breach (22%). In 20% of cases a WDP was not payable because the retailer had complied with *Energy Retail Code* requirements when performing the disconnection, while in a further 13% the WDP was not applicable.

FIGURE 7.

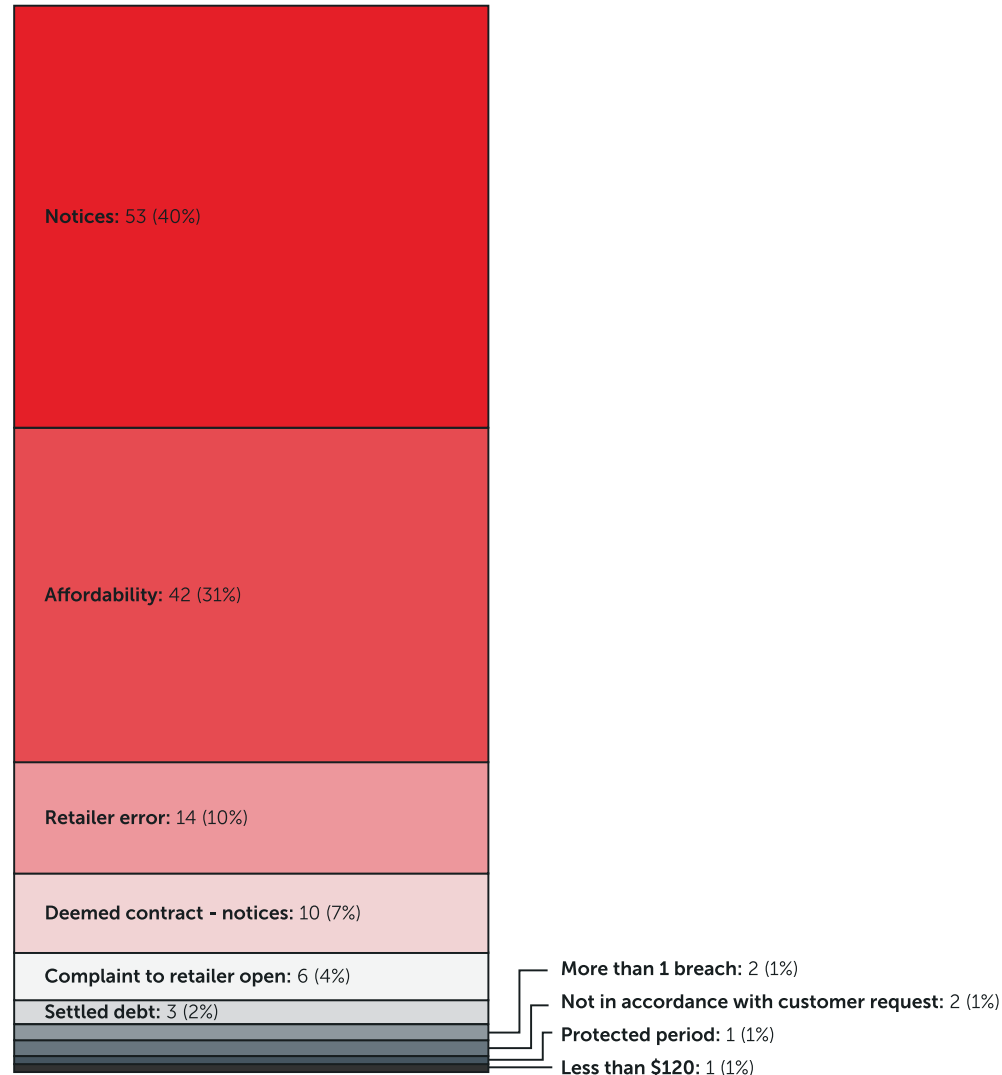
Wrongful Disconnection Payment assessment outcomes, April–June 2017



**FIGURE 8.**  
**Disconnection compliance breaches, April–June 2017**

Corresponding with the 'Paid (admission of breach)' cases in Figure 7, **Figure 8** shows the categories of regulatory breaches that resulted in WDPs being payable. In the April–June 2017 quarter, we closed an unusually large number of WDP assessments that involved breaches of *Energy Retail Code* requirements concerning the notices that retailers are required to provide to customers before disconnection. This spike was the result of the resolution of a batch of assessments associated with a historical issue concerning a single retailer.

Even with this increase in notices breaches, affordability-related breaches remained a major contributor to payable WDPs, accounting for 31% of breaches. Often, these breaches were related to payment plans: either failing to offer two payment plans, or putting in place a payment plan without regard for the customer's capacity to pay. A few breaches were recorded where retailers wrongly required payment before they would offer access to Utility Relief Grants.



### Other payments and waivers

**Table 3** shows other payments and waivers offered as part of the resolution in the 337 imminent and actual disconnection/restriction Investigation cases closed during the April–June 2017 quarter. These are separate (and potentially in addition) to any WDPs that were paid to customers. In 21% of closed disconnection/restriction Investigations, the retailer made a payment to the customer in recognition of customer service issues. In 14% of cases, the customer’s billing was adjusted – for example, with backdated concessions or correction of an error. Fee waivers (5%) and partial (4%) or full (2%) debt waivers were comparatively rare.

**TABLE 3.**

#### Payments and waivers, closed disconnection/restriction complaints, April–June 2017 quarter

OUTCOME	NO.	%
Customer Service Gesture	71	21%
Billing adjustment	47	14%
Fee waiver	16	5%
Debt waiver (partial)	12	4%
Debt waiver (full)	7	2%
Guaranteed Service Level payment	6	2%

**Table 4** shows payment plan and extension outcomes for the 337 actual and imminent disconnection/restriction Investigations resolved during the April–June 2017 quarter. In almost three-quarters (74%) of cases, a payment plan or extension was negotiated. Most commonly, payment plans covered both arrears and consumption, although payment plans covering either arrears or current consumption were also common, each accounting for 18% of cases.

### Hardship program participation

In more than half (55%) of closed disconnection/restriction Investigations, the customer was placed on their retailer’s hardship program following their complaint.

**TABLE 4.**

#### Payment plans and extensions, closed disconnection/restriction complaints, April–June 2017 quarter

OUTCOME	NO.	%
Payment plan for arrears and consumption	77	23%
Payment plan for consumption only	61	18%
Payment plan for arrears only	59	18%
Payment extension	29	9%
Stepped payment plan	23	7%



## Case study

### *A customer in hardship is disconnected without payment plan offers – 2017/6021 and WDP 2017/265*

#### The issue

Ms S was experiencing financial hardship and had been participating in her energy retailer's hardship program. When Ms S's electricity was disconnected with arrears of almost \$900 owing, she contacted EWOV. Ms S said that she had had a payment plan of \$35 per fortnight in place, but that the company had asked for an unaffordable increase. Ms S asked that her electricity be reconnected without delay and that a new affordable payment plan be put in place.

#### The Investigation

EWOV opened an Investigation and asked that the energy company arrange for Ms S's electricity to be reconnected that day.

Ms S's energy company confirmed that her electricity had been disconnected as a result of \$978.34 in unpaid arrears. Our review of Ms S's billing showed that this debt had accumulated over time, rather than as a result of a high bill. The energy company also confirmed that Ms S had been on a payment plan of \$25 per fortnight, but that this three-month plan had been completed in December 2016. It said that it had tried to contact Ms S, but had been unable to do so.

In EWOV's separate Wrongful Disconnection Payment (WDP) assessment, however, the energy company acknowledged that it had not offered Ms S two payment plans in the previous 12 months – meaning that the disconnection was not in line with *Energy Retail Code* requirements.

#### The outcome

Via its hardship program, the energy company accepted a \$35 per fortnight payment plan, which covered Ms S's ongoing consumption and some arrears, and was affordable for Ms S. It also credited Ms S's account with a \$142.71 WDP, reducing her arrears to \$660.63.

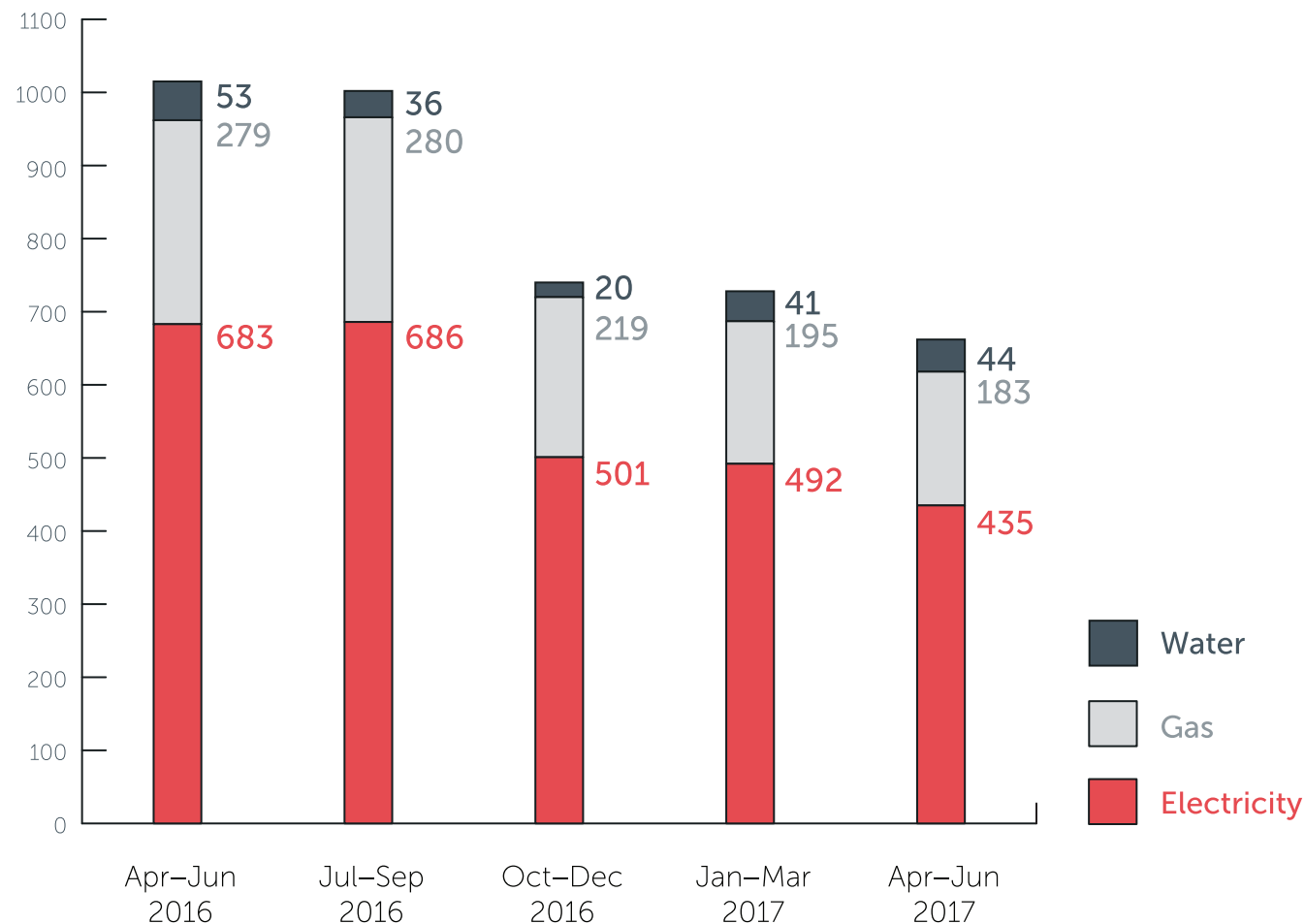
## DEBT COLLECTION AND CREDIT DEFAULT LISTINGS

EWOV's 'collection' sub-issue category includes cases about debt collection agency activity and credit default listings related to account arrears.

In the April–June 2017 quarter, credit collection cases dropped a further 9% from 734 cases in the January–March 2017 quarter, continuing a downward trend across the five quarters from April–June 2016 (shown in **Figure 9**). Although gas credit collection cases also fell slightly (6%) between April–June 2017 and the previous quarter, the main contributor to the overall decrease in credit collection cases was a 12% (or 57 case) drop in electricity credit collection cases.

**FIGURE 9.**

**Electricity, gas and water collection cases received by quarter, April–June 2016 to April–June 2017**

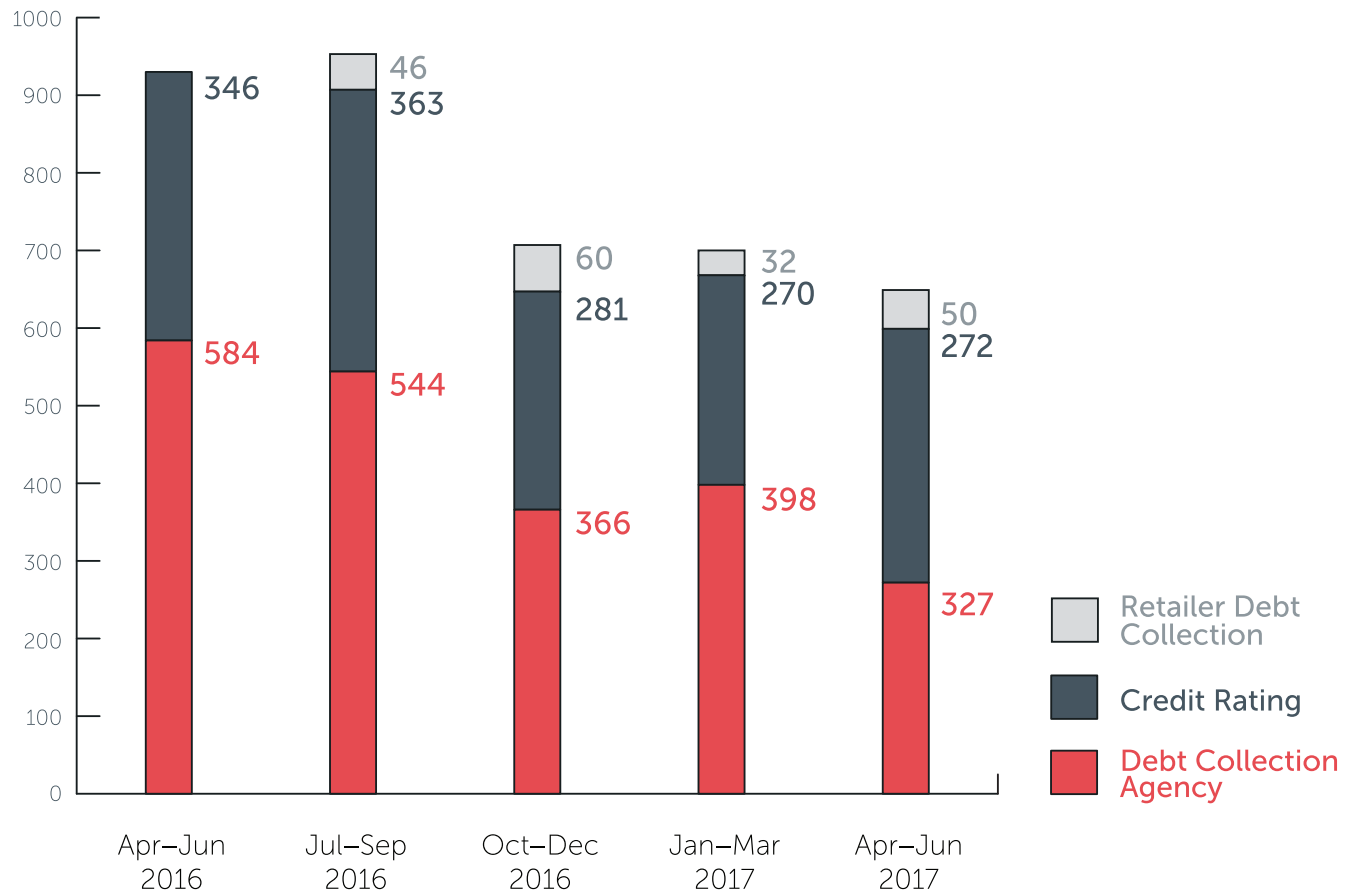


**Note:** We also received 4 Dual Fuel cases in this reporting period, which are not included in this graph.

Most collection cases concern credit default listings, debt collection agency activity or retailer debt collection activity. **Figure 10** shows trends for these three sub-issues over the past five quarters.<sup>4</sup> Between the January–March and April–June 2017 quarters, retailer debt collection cases increased 56% from a low base of 32 cases. However, this increase was offset by an 18% fall in debt collection agency cases between the two quarters. Credit rating cases remained fairly steady over the past three quarters.

**FIGURE 10.**

**Debt collection and credit rating cases received by quarter, April–June 2016 to April–June 2017**



<sup>4</sup> EWOV also has an 'other' sub-issue category to capture any collection cases that do not fall into the more specific sub-issue categories. These cases are not shown in Figure 10.



## Outcomes

During the April–June 2017 quarter, we closed 129 collection Investigations. **Table 5** shows some of the outcomes agreed as part of the resolution of these Investigations.

A customer's default listing was removed in 24% of the closed cases. Defaults are usually removed because our Investigation finds that they were not listed correctly, or because it is unclear whether the default was correctly listed. Many customers benefited from a credit of some kind – either a full (18%) or partial (6%) debt waiver, and/ or a payment in recognition of a customer service issue (16%). We also assisted companies and customers to negotiate payment plans (14%) and extensions (16%).

**TABLE 5.**  
**Selected outcomes, closed collection Investigations, April–June 2017**

OUTCOME	NO.	%
Removal of default listing	31	24%
Debt waiver (full)	23	18%
Customer Service Gesture	20	16%
Payment extension	20	16%
Payment plan	18	14%
Debt waiver (partial)	8	6%
Referral to hardship program	3	2%



## Case study

### *A customer has a default listed for a disputed bill – 2017/6021 and WDP 2017/9446*

#### The issue

Around six years ago, Ms D had gone on holiday for six weeks. When she returned, she received an electricity bill for around \$400 – the same amount as her previous bill. Believing the bill to be incorrect, Ms D contacted her retailer to dispute it. Ms D paid \$108.48 toward the bill, but the matter was never resolved to Ms D's satisfaction.

Around three years later, a debt collection company contacted Ms D seeking payment for the remaining amount. Ms D explained that she disputed the bill, and did not pay the debt collector.

In May 2017, Ms D realised that a default had been listed on her credit file. She contacted EWOV, dissatisfied that the default had been listed and that she had not received any prior notice from the debt collector or the energy company. She asked that the default be removed and that the retailer issue an accurate bill for the disputed period.

We raised an Assisted Referral, but when Ms D was dissatisfied with the retailer's response, the matter was escalated to an Investigation.

#### The Investigation

EWOV's Investigation found that there was no evidence that the retailer's billing had been incorrect. A meter test had been conducted and the bill was based on an actual reading.

However, while the retailer believed that the default had been listed correctly, it could not provide documentation to demonstrate that the required processes had been followed.

#### The outcome

The retailer agreed to recall the debt and removed the default listing, and confirmed that no payment from Ms D would be required.

## CONTEXT

### **Reporting is based on primary issue**

Each case that EWOV receives is categorised with a primary issue which falls in one of the nine issue categories.<sup>5</sup> Where the case involves multiple issues – for example, an imminent disconnection and a billing error – we will also record a secondary (and sometimes tertiary) issue.

Figures in this report are based on primary issue, except where otherwise specified. In other words, this report focuses on cases in which credit is the most important issue. The total number of cases with a credit component will be higher than the number given in this report. Most notably, cases that are primarily about billing issues also have a secondary credit component are not included in this report. Imminent and actual disconnection cases are the exception to this pattern – because of the gravity of disconnection, it is always identified as the primary issue.

### **Dual fuel cases are excluded from some charts**

Because we receive very few dual fuel cases, they have been excluded from those charts in the report which show electricity, gas and water cases. Dual fuel cases are, however, included in case totals.

### **EWOV's analysis is limited by its scope**

EWOV only examines the cases it receives, limiting our ability to analyse trends and their causes. For example, not all customers who have their energy or water disconnected/restricted will report this to EWOV. This means that both the total number of disconnections/restrictions will be higher than EWOV case numbers, and that EWOV disconnection/restriction cases may not be representative of all disconnections/restrictions in terms of causes, customer circumstances and so on.

### **Most cases are Referred Complaints**

This report is based on data taken from enquiries and complaints. Complaints are categorised as either Unassisted Referrals, Assisted Referrals or Investigations (see the Glossary on page 20). EWOV does not investigate Referred Complaints and is limited to hearing only the customer's "side of the story".

Another consequence of the Referred Complaints process is that generally, EWOV does not know what resolution was agreed between the company and the customer. Therefore, all discussion of outcomes in this report relates only to complaints resolved at Investigation.

### **Customers sometimes recontact EWOV**

Customers sometimes recontact EWOV because after a referral back to their company, their concerns remain unresolved. This can mean that EWOV registers an Assisted Referral after a previous Unassisted Referral, or an Investigation after a failed Assisted Referral.

### **Customers sometimes lodge more than one case**

For example, if a customer is having difficulty paying both their electricity and gas accounts, EWOV will register a case for each fuel type.

### **Customers may have complaints relating to more than one issue, fuel or company**

Based on the customer's statement, EWOV sometimes registers two issues for the one case. For example, a case may be registered as both Credit>Payment Difficulties and Billing>High. While some issues can be interlinked, other issues may need to be investigated separately. EWOV also registers cases by fuel (electricity, gas, LPG or water) and case type (enquiry, Assisted Referral and so on). Customers may have complaints relating to more than one issue, fuel or company.

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<sup>5</sup> These are: billing, credit, customer service, general enquiry, land, marketing, provision, supply and transfer.

# GLOSSARY

## Complaint

A complaint is an expression of dissatisfaction regarding a policy, practice or customer service performance of an energy or water company that is part of the EWOV scheme, where a response or resolution is explicitly or implicitly expected.

## Enquiry

An enquiry is a customer's request for general information (e.g. about the Smart Meter rollout). This information may be provided by EWOV or the customer may be referred to another agency.

## Referred Complaint

EWOV does not know the outcome of these referred complaints, except where the referral does not resolve the issue for the customer and they come back to us. There are two types of referred complaints:

### Unassisted Referral

Where a customer has not yet spoken with their company about their complaint and they are referred back to the company's contact centre.

### Assisted Referral

Where a customer has spoken with someone at their company's contact centre about their complaint, but it remains unresolved and the matter is referred to a higher level complaint resolution officer at the company.

## Real Time Resolution

RTR was suspended on 9 January 2017 and hasn't been reinstated.

## Investigation

A complaint for investigation is registered where:

- an Assisted Referral has failed, as the matter remains unresolved, and the customer has recontacted EWOV, or
- the matter is complex and unlikely to be resolved as an Assisted Referral or by Real Time Resolution, or
- the provider has requested an escalation to an Investigation.

## Not allocated

This case type is registered when a customer tells EWOV about their concern but it does not involve a Scheme Participant, or the customer does not know or tell us the company's name.

## Payment difficulties

Payment difficulties cases include the following sub-issues:

- Arrears>Account Holder
- Arrears>Non Account Holder
- Payment Plan>Direct Debit
- Payment Plan>Extension
- Payment Plan>Instalment
- Payment Plan>Lump Sum
- Payment Plan>Smooth Pay.

## Disconnection/Restriction

Disconnection/restriction cases include the following sub-issues:

- Arrears>Actual
- Arrears>Imminent.

EWOV also has equivalent sub-issues for LPG customers:

- Deliveries Stopped>Arrears>Actual
- Deliveries Stopped>Arrears>Imminent.

In this report, LPG deliveries stopped cases are included in disconnection/restriction figures.

## Collection

Collection cases include the following sub-issues:

- Collection>Credit Rating
- Collection>Debt Collection Agency
- Collection>Other
- Collection>Refundable Advance
- Collection>Retailer Debt Collection.