

Family Violence Policy

28 April 2023

Introduction

This policy applies to customers, including former customers, who may be affected by family violence (**affected customer**).

Family violence is not limited to physical violence. It can also involve other forms of abuse, including social, financial and emotional abuse.

Electricity and gas are essential services which can be exploited by perpetrators of family violence to cause harm, including by:

- using essential services to obtain personal information such as an affected customer's contact details and using these to locate or contact them;
- forms of financial abuse such as controlling access to energy bills or refusing to contribute to their payment, leading to mounting debt and eventual disconnection; and
- pressuring affected customers to sign or agree to contracts or arrangements with energy retailers.

We appreciate that many affected customers are women and children, but that other forms of inequality and discrimination (including First Nations people, individuals with a disability and/or chronic health conditions, culturally and linguistically diverse people, including recently arrived migrants and customers that are LGBTIQ+) can increase the risk of family violence.

All small energy customers affected by family violence are entitled to assistance and protections from their energy retailer, as set out in Part 3A of the National Energy Retail Rules and Part 7 of the Victorian Energy Retail Code of Practice (**Rules**).

This family violence policy

Rule summary: *Energy retailers must have a family violence policy that sets out how the retailer will identify and assist affected customers. Energy retailers must implement, maintain and comply with their family violence policy. The policy must be published in an easily accessible place on the energy retailer's website. An energy retailer must review and update its family violence policy from time to time to reflect changes in circumstances and maintain consistency with leading practice.*

For affected customers in NSW, QLD and SA, to the extent of any inconsistency, an energy retailer's family violence policy will take precedence over the terms and conditions of an affected customer's market retail contract.

This policy describes how Sumo will identify and assist affected customers, including how we will apply each of the affected customer protections in the Rules.

In developing this policy, Sumo seeks to prioritise the safety of its customers and its people, and to keep customers connected.

The policy is published on Sumo's website, which can be accessed via a link on the home page. A summary of the policy is also provided on the website. Sumo will provide a copy of the policy in large font to customers on request.

When dealing with affected customers, we will refer to this policy and explain the available assistance. We will provide a copy of this policy to any customer on request.

Sumo will review this policy at least every 12 months. Changes will reflect feedback and learnings from Sumo employees and representatives, as well as a review of published best practice literature.

The policy is promoted across the organisation.

Regard to safety and circumstances of affected customers

Rule summary: *In any dealing with an affected customer, energy retailers must have regard firstly to the safety of the customer, as far as the customer's safety is impacted by them being an affected customer, and must take into account the particular circumstances of the affected customer.*

The safety of an affected customer is of paramount importance.

In any dealing with an affected customer, Sumo will ask if the customer is safe. Where appropriate, we will refer affected customers to support services when we consider it safe, respectful and appropriate to do so. We will not necessarily offer referrals every time an affected customer makes contact.

A list of support services is available on Sumo's website.

Staff are trained to identify signs of abuse, effectively respond and to refer to support services, when required.

Staff training also covers how to recognise signs of family violence and identify affected customers.

We understand that many factors shape how people from different communities experience family violence, and that family violence can be more likely to occur for people who experience other forms of discrimination. Our staff are trained to recognise these different factors and circumstances and take them into account when identifying and dealing with affected customers.

Ability of retailer staff to assist affected customers

Rule summary: *An energy retailer must ensure that its employees, contractors and agents are able, on an ongoing basis, to understand the nature and consequences of family violence; identify and engage appropriately and effectively with affected customers; and assist affected customers in accordance with the Rules and the family violence policy. This requirement extends to persons who engage with affected customers and their managers, and to those responsible for systems and processes that guide interactions with small customers.*

Sumo provides family violence training to all employees, contractors and agents who interact with customers, as well as their managers and those responsible for systems and processes that guide interactions with customers.

The training covers:

- the nature and consequences of family violence;
- how to recognise signs of family violence and identify affected customers;
- how to engage appropriately and effectively with affected customers;
- referral pathways to specialist services; and
- how to inform customers about, and to apply, this policy.

The training has been developed with input from an experienced external provider.

Sumo has a dedicated Customer Care team with primary responsibility for engaging with affected customers. In addition to the training described above, training to members of the Customer Care team also covers the systems and processes for flagging and maintaining an affected customer's account, securing an affected customer's information, and assistance with energy debt issues and payment assistance.

Sumo delivers this training as part of the induction of new employees, contractors and agents, and provides refresher training at least every six months.

Challenges and best practice approaches are discussed in team meetings on at least a quarterly basis. These meetings may identify opportunities for improvement which may result in improvements to training, system

and process improvements and enhancements to the family violence policy. They also ensure that relevant employees, contractors and agents maintain an understanding of family violence and the delivery of support for affected customers.

Training is reviewed and updated as systems, processes and policies change.

Process to identify affected customers and avoid repeated disclosures

Rule summary: *Energy retailers must implement a secure process that provides a method to readily assess if a small customer is an affected customer; provides a method to readily identify the account of a small customer who has been identified as an affected customer; avoids the need for an affected customer to repeatedly disclose or refer to their experience of family violence; and provides for effective ongoing engagement with an affected customer.*

Sumo recognises that affected customers should not need to re-live their experience of family violence every time they contact us.

Sumo employees, contractors and agents are trained on how to recognise signs of family violence and identify affected customers.

Once we identify an affected customer we will, after asking the affected customer, flag the account. This flag enables prompt identification and avoids the need for repeated disclosure. When an affected customer calls us, we will transfer them directly to a member of Customer Care team who will have access to details of their circumstances.

The family violence flag also secures the customer's account. Details of an affected customer's family violence circumstances, including notes of any interactions with an affected customer, are maintained in a secure system. Access to this system is restricted to the Customer Care team and other Sumo team members who require access.

A family violence flag will remain in place until the affected customer informs us they are no longer affected by family violence and asks us to remove the flag.

Information about an affected customer's circumstances may be accessed and considered before taking action to recover debt, transferring the affected customer's debt to a third-party collector, or before disconnecting for non-payment.

Family violence as a likely cause of hardship or payment difficulties

Rule summary: *Energy retailers must recognise family violence as a likely cause of a residential customer being a hardship customer or a small customer experiencing payment difficulties.*

When dealing with an affected customer, Sumo will ask whether the customer is experiencing payment difficulty. Where applicable, an affected customer will be offered a range of payment assistance, including access to Sumo's hardship program.

The assistance Sumo offers is set out in its Bill Assist policy.

Assistance with debt management, fees and payment methods

Rule summary: *Before taking action to recover arrears from an affected customer or transferring affected customer debt to a third-party debt collector, energy retailers must take into account the potential impact of debt recovery action at that time on the affected customer; and whether other persons are jointly or severally responsible for the energy usage that resulted in the accumulation of those arrears. Energy retailers must also waive any late payment fee and must allow payment using Centrepay.*

Sumo recognises that family violence can have long-term financial impacts for affected customers and their families.

Before commencing debt recovery action or referring debt to a third-party debt collector, Sumo will consider the potential impact of debt recovery action on the affected customer, and whether someone else is jointly or severally responsible for the energy usage. For example, Sumo will consider take into account where a perpetrator:

- has insisted an account be in the affected customer's name but does not contribute to the energy bill;
- has opened an account in the name of an affected customer without their knowledge or consent;
- holds the account jointly with the affected customer, but does not contribute to the energy bill;
- controls spending, access to bank accounts or other assets, impacting an affected customer's ability to pay an energy bill.

Where more than one person is liable for the energy debt, we may choose only to pursue that portion of the debt that the affected person was not responsible for.

De-energisation for not paying a bill

Rule summary: *An energy retailer must not arrange for the de-energisation of an affected customer's premises unless the energy retailer has taken into account the potential impact of de-energisation on the affected customer at that time, and whether other persons are jointly or severally responsible for the relevant non-payment or action.*

Sumo recognises that disconnection of energy supply can impact affected customers and their families.

Before de-energising an affected customer's supply, Sumo will consider the potential impact of the disconnection on the affected customer.

Sumo will not disconnect an affected customer unless we have formed a view that it will not cause the customer harm.

Affected customer information

Rule summary: *Energy retailers must not (and must procure that its contractors, subcontractors and agents do not) disclose or provide access to affected customer information to any other person (including a current or former joint account holder) without the affected customer's consent. In this rule, 'affected customer information' refers to any information that may be used to identify, communicate with or locate an affected customer, including information about their whereabouts, contact details, or financial or personal circumstances. Energy retailers are able to share affected customer information to the extent required by law.*

Sumo recognises that inadvertent disclosure of information can seriously impact an affected customer's safety, including by revealing the affected customer's current location to the perpetrator.

Sumo secures an affected customer's information by restricting internal access to the customer's account.

We will only discuss account details with the affected customer, or any other person authorised by the affected customer. An affected customer may also choose to nominate a password for access to their account.

We may disclose affected customer information for the purpose of undertaking a credit check when processing a new sale. We will obtain the affected customer's consent before doing so.

We may disclose affected customer information when referring debt to a third-party debt collection agency or when taking other debt recovery action (including the sale of debt), but only after first considering the potential impact of the debt recovery action on the affected customer.

Preferred method of communication

Rule summary: *Energy retailers must take reasonable steps to identify an affected customer's preferred method of communication, and to offer alternative methods of communication if the affected customer's preferred method of communication is not practicable. An energy retailer must use that method of communication in communications with the affected customer and the affected customer may use that method of communication in communications with the retailer. An affected customer's preferred method of communication takes precedence over any other customer communication requirement in the Rules.*

When dealing with an affected customer, Sumo will ask the affected customer for their preferred method of communication, or check that their preferred method of communication remains current, as appropriate.

Available communication methods for notices (including invoices) comprise post and email. Sumo also sends some messages by telephone call and SMS.

Sumo's systems will ensure that communications are limited to the customer's preferred method of communication.

Sumo keeps a record of the customer's preferred method of communication in a secure system.

Retailers not to require documentary evidence

Rule summary: *Energy retailers must not require an affected customer or a third party acting on behalf of an affected customer to provide any documentary evidence of family violence as a precondition to applying the Rules or the retailer's family violence policy.*

We understand that asking for evidence of family violence can cause additional stress, and documents may be difficult for a victim-survivor to access.

Sumo does not require an affected customer (or third party acting on the affected customer's behalf) to provide documentary evidence of family violence as a precondition to providing support under this policy.

Information on family violence support services

Rule summary: *Energy retailers must provide affected customers with information about the availability of one or more external family violence support services at a time and in a manner that is safe, respectful and appropriate given the affected customer's circumstances. Energy retailers must also maintain a list of one or more external family violence support services on their website.*

Sumo maintains a list of external support services for persons affected by family violence, available on its website. These support services cater to the diverse needs of different customer groups.

Where appropriate, Sumo may refer an affected customer to one or more external support services. Training for Sumo staff covers appropriate and timely referral to support services.

Sumo regularly reviews its list of support services to ensure the list is up to date and remains best practice.

No breach of contract for compliance with this Part

Rule summary: *If an energy retailer is unable to fulfil an obligation under a customer retail contract in complying with the Rules, the retailer is not in breach of the contract. If an affected customer is unable to fulfil an obligation under their customer retail contract in using their preferred method of communication with the retailer, the customer is not in breach of the contract. This does not apply in respect of Victorian customers.*



What we will do to help employees

Sumo promotes a safe and respectful work environment that embraces diversity and gender equity.

Employees who are victims of family violence are encouraged to seek external assistance, including family violence experts. Sumo offers an Employee Assistance Program and promotes this assistance to all staff.

Sumo employees can access 10 days of paid family and domestic violence leave.

We will maintain the privacy and confidentiality of any information we learn about situations of family violence experienced by our people.