#### Code of Practice for Complaints Handling

#### Note

The Codes of Practice are generally applied in relation to small retail customers. For Darling Quarter, VWS does not have any small retail customers; only one large customer (JLL). Notwithstanding, VWS codes of practice developed for all existing and proposed sewerage services and recycle water project will be generally applied as a matter of good business practice and governance

#### PURPOSE

This code of practice provides a guideline for complaints handling (including the preparation of related procedures) by management and employees of Veolia Water Solutions & Technologies (Australia) Pty Ltd (VWS) in relation to its Recycled Water Services as Recycled Water Network Operator and Retail Supplier Licences for the Darling Quarters Development pursuant to the Water Industry Competition (General) Regulation 2008, Schedule 2, Part 1, Cl 4.

#### BACKGROUND

VWS has been contracted by JLL to supply recycle water services for the Darling Quarters Development.

#### LICENCE HOLDER OBLIGATION

#### DEFINITIONS

The reference standard definitions follow, edited specifically to this Plan and Licence

#### Complainant

JLL as sole customer

#### Complaint

Expression of dissatisfaction made to VWS, related to its products (namely recycled water supply), or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected

#### Customer

JLL as sole customer

#### OPERATION OF COMPLAINTS-HANDLING PROCESS

#### Communication

Information concerning the complaints handling process shall be made readily available to customers, complainants and other interested parties including:

* where complaints can be made;
* how complaints can be made;
* information to be provided by the complainant;
* the process for handling complaints;
* time periods associated with various stages in the process;
* the complainant's options for remedy, including external means;
* how the complainant can obtain feedback on the status of the complaint.

#### Receipt of complaint

Upon reporting of the initial complaint, the complaint shall be recorded with supporting information and a unique identifier code. The record of the initial complaint shall identify the remedy sought by the complainant and any other information necessary for the effective handling of the complaint including the following:

* a description of the complaint and relevant supporting data;
* the requested remedy;
* the products or practices complained about;
* the due date for a response;
* data on people, department, branch, organization and market segment;
* Immediate action taken (if any).

#### Tracking of complaint

The complaint shall be tracked from initial receipt through the entire process until the complainant is satisfied or the final decision is made. An up-to-date status shall be made available to the complainant upon request and at regular intervals, at least at the time of preset deadlines.

#### Acknowledgement of complaint

Receipt of each complaint shall be acknowledged to the complainant immediately (for example via post, phone or e-mail).

#### Initial assessment of complaint

After receipt, each complaint shall be initially assessed in terms of criteria such as severity, safety implication, complexity, impact, and the need and possibility of immediate action.

#### Investigation of complaints

Every reasonable effort shall be made to investigate all the relevant circumstances and information surrounding a complaint. The level of investigation shall be commensurate with the seriousness, frequency of occurrence and severity of the complaint.

#### Response to complaints

Following an appropriate investigation, VWS shall offer a response, for example correct the problem and prevent it happening in the future. If the complaint cannot be immediately resolved, then it shall be dealt with in a manner intended to lead to its effective resolution as soon as possible.

#### Communicating the decision

The decision or any action taken regarding the complaint, which is relevant to the complainant or to the personnel involved, shall be communicated to them as soon as the decision or action is taken.

#### Closing the complaint

If the complainant accepts the proposed decision or action, then the decision or action shall be carried out and recorded. If the complainant rejects the proposed decision or action, then the complaint shall remain open. This shall be recorded and the complainant shall be informed of alternative forms of internal and external recourse available. VWS shall continue to monitor the progress of the complaint until all reasonable internal and external options of recourse are exhausted or the complainant is satisfied.

**TECHNICAL COMPLAINT PROCESS\***

**\* Current Call Toll Free No: 1300 726 678 (if 0407 867 157 is not answering)**

**Email Address: info@myrecycledwater.com.au**

Courteous receipt of call:

1. Call centre records time of call AEST
2. First of all we shall need to record your name, address and contact phone number and email:
3. Name
4. Address
5. Phone number at home and mobile
6. Email address
7. What is the most suitable number to call you back and at what time?
8. To help us understand your complaint for us to resolve the matter as efficiently as possible is your complaint in connection with one of the following:
9. Recycled Water Collection issues
10. Sewer (Feed to the plant)
11. Recycle Water Treatment Plant
12. None of the above
13. If your complaint refers to the Recycled Water, are you concerned about:
14. no recycle water available
15. low recycle water pressure
16. colour of the water
17. any odour
18. health Issues in relation to the recycled water
19. none of the above
20. If your complaint refers to the sewer, have you discussed this with Sydney Water, who (and now VWS) are responsible for supply of sewerage to the Plant:
21. Yes, but Sydney Water advised to contact VWS
22. Yes, Sydney Water is resolving the matter, but I want VWS also to get involved
23. health Issues in relation to the sewer network
24. don’t know
25. If your complaint refers to the Recycle Water Treatment Plant, are you concerned about:
26. Security
27. noise
28. odour
29. Others

**FINANCIAL COMPLAINT PROCESS\***

**\* - Toll Free No: 1300 726 678 (if 0407 867 157 is not answering)**

**Email: info@myrecycledwater.com.au**

As JLL is the sole commercial customer for RWTP and also the asset owner’s representative, and there is no financial transactions from JLL to any other customer (other than internal), other than fees to be payable by JLL to VWS in accordance with contract between VWS and JLL, financial complaint process is no applicable for this license.

#### Code of Practice for Debt Recovery

As JLL is the sole commercial customer for RWTP and at the same time the asset owner’s representative, so JLL as the Customer technically not be the debt holder to the asset owner (itself) –

However, JLL may have financial liability as asset owner to parties involved in RWTP (such as VWS and its suppliers and service providers) such the fees to be payable by JLL to VWS in accordance with contract between VWS and JLL, The following pages describe a Debt Recovery Code of Practice that may apply in both a theoretical situation of JLL (Customer) contacting JLL (Asset Owner) in relation to a debt by JLL (Customer)

#### PURPOSE

This code of practice provides a guideline for debt recovery by management and employees of Veolia Water Solutions & Technologies (Australia) Pty Ltd (VWS) in relation to its Recycled Water Network Operator and Retail Supplier Licences for the Darling Quarters Development pursuant to the Water Industry Competition (General) Regulation 2008, Schedule 2, Part 1, Cl 5.

#### BACKGROUND

VWS has been contracted by JLL to supply recycle water services for the Darling Quarters Development..

#### GUIDING PRINCIPLES

This code of practice conforms to and takes from ACCC and ASIC Debt Collection Guideline: for collectors and creditors as published by the ACCC and ASIC pubslished in July 2017.

Notably the ACCC/ASIC guideline is specifically developed for Debt Collection Agencies whereas this code of practice is for reference by VWS appointed personnel for handling debt recovery by VWS. Only when this code of practice is followed through to completion and debt remains with JLL, the sole customer, shall VWS transfer debt recovery to a third party debt collection company.

#### PRACTICAL GUIDANCE

#### Contact for a reasonable purpose only

Communications with the debtor (JLL, also asset owner’s representative) must always be for a reasonable purpose, and should only occur to the extent necessary. It is considered necessary and reasonable for VWS to contact a debtor to:

* give information about the debtor‘s account,
* convey a demand for payment,
* accurately explain the consequences of non-payment, including any legal remedies available to the collector/creditor, and any service restrictions,
* make arrangements for repayment of a debt,
* put a settlement proposal or alternative payment arrangement to the debtor,
* review existing arrangements after an agreed period,
* ascertain why earlier attempts to contact the debtor have not been responded to within a reasonable period, if this is the case and
* ascertain why an agreed repayment arrangement has not been complied with, if this is the case

#### Making contact with debtor

Under privacy laws, VWS has an obligation to protect the privacy of debtors. When making direct contact, VWS must always ensure the person that it is dealing with is the debtor. This must be done every time VWS makes contact before VWS divulges any information about the debt, the process for its recovery or other confidential information.

The privacy limits on disclosing information to third parties apply to the debtor‘s spouse, partner and/or family as much as they apply to other third parties (in this case JLL Organisation). Having established the debtor‘s identity, VWS person will need to identify who he or she is and whom he/she works for, and explain the purpose of the contact.

VWS representatives identify themselves only by company name and enquirers first name and also give at least basic information about the debt, including the name of the creditor and any assignee of the debt, and details of the account and the amount claimed.

#### Hours of contact

VWS representative only contacts the debtor or a third party at reasonable hours, taking into account their circumstances and reasonable wishes. The following are considered reasonable.

*Hours of contact*

|  |  |  |
| --- | --- | --- |
| **Contact Method** | **Periods** | **Times** |
| By Phone, emails and fax | Monday to Friday | 7.30am – 9.00pm |
|  | Weekends | 9.00am – 9.00pm |
|  | Public Holidays | Nil |
| Face-to-Face (not by VWS; by third party collector only  engaged by VWS) | Monday to Friday | 9.00am – 9.00pm |
| Weekends | 9.00am – 9.00pm |
|  | Public Holidays | Nil |

#### Frequency of contact

Debtors are entitled to be free from excessive communications from collectors. Communications must always be for a reasonable purpose, and should only occur to the extent necessary.

Unduly frequent contact designed to wear down or exhaust a debtor, or likely to have this effect, constitutes ‗undue harassment‘ or coercion and is contrary to this code of practice. This is particularly likely if VWS would make a number of phone calls or other contacts in rapid succession.

#### Location of contact

In most cases, the debtor‘s office premises will be the appropriate place to contact a debtor, with contact by letter or telephone generally being the appropriate mode of contact. However, if a debtor provides a telephone (including mobile phone) contact number as the means of contact, contact using that number will be appropriate whatever the debtor‘s location.

#### Privacy obligations to the debtor

A debtor‘s personal information should always be treated with respect. The improper use of a debtor‘s personal information may cause that person serious difficulties. There are legal obligations under the NSW Privacy Act 1988 designed to protect the privacy of a debtor‘s personal information.

In this case, as the debtor (JLL as Asset Owner’s representative) is a registered business, such privacy obligations may not apply.

#### When a debtor is represented

A debtor has a right to have an authorised representative (such as a financial counsellor, financial advisor, community worker, solicitor, guardian or carer) represent them or advocate on their behalf about a debt. Except in the circumstances outlined below VWS shall not contact a debtor directly after it knows, or should know, that the debtor is represented and shall not refuse to deal with an appointed or authorised representative. VWS is entitled to contact a debtor directly if:

* the representative does not respond to within a reasonable time (normally 14 days)
* the representative advises that they do not have instructions from the debtor about the debt
* the representative does not consent to act
* the debtor specifically requests direct communication with you
* the representative is not a solicitor and you advise that written authority stating that you are to communicate through the debtor‘s representative is required, and the debtor or their representative does not provide that authority.

#### Record keeping

Accurate record keeping by all parties is vital to promptly resolve disputes and allow collectors and debtors to limit or avoid costly collection activity. VWS shall ensure:

* it maintains accurate, complete and up-to-date records of all communications with debtors, including the time, date and nature of calls about the debt, records of any visits in person, and records of all correspondence sent
* all payments made are accurately recorded (including details of date, amount and payment method).
* settlements are fully documented in relevant files and computer systems
* once a debt is settled, any credit reporting agency report on the debtor must be updated appropriately

#### Providing information and documents

Requests by debtors for information and/or documentation about an account should not be ignored. In certain circumstances, failure to provide information may constitute misleading and deceptive conduct or unconscionable conduct. VWS shall provide such information as necessary to demonstrate proof of debt.

#### If liability is disputed

If a person VWS contacts about a debt claims that they are not the alleged debtor or the debt has been paid or otherwise settled and VWS has not already confirmed their identity and liability, VWS shall suspend further collection activity (including credit report listing) until the debtor‘s identity and ongoing liability have been confirmed.

#### Conduct towards the debtor

A debtor is entitled to respect and courtesy, and must not be subject to misleading, humiliating or intimidating conduct. Such conduct is likely to breach the Commonwealth consumer protection laws, and may breach other laws as well.

#### CUSTOMERS SUFFERING FINANCIAL HARDSHIP

#### VWS commitment

This code of practice provides for the deferment, in whole or in part, of payments owed by retail customers suffering financial hardship. In such cases of financial hardship VWS shall not enforce disconnection of services in part or in whole.

This may not apply to the sole customer, JLL is a well established business, representing Lend Lease Group in terms of all financial obligations.

#### Debtors

Debtors are legally responsible for paying the debts they legitimately owe, and they should not deliberately try to avoid their obligations. Whenever possible, debtors should take action before they get into difficulties. Debtors experiencing financial hardship should promptly contact VWS to negotiate a variation in payments or other arrangement. In seeking a variation, debtors should be candid about their financial position, including their other debts. VWS also recommends that debtors in financial difficulty consider seeking the assistance of a community-based financial counsellor, solicitor or other qualified adviser who may be able to help them with a debt negotiation.

#### Hardship

Proof of financial hardship shall be provided by the relevant customer. Examples of hardship may include but not be limited to:

* Commercial difficulties,
* other (undefined)

#### Assistance

Assistance may include one or more of the following:

* Deferment of payment for an agreed period of time,
* Incremental instalments to recover the debt over time,
* Regular smaller payments spread over time to assist budgeting by customers exposed to hardship.

#### Waiver

Notwithstanding the above commitment, VWS having taken all steps reasonably practicable in accordance with this code of practice to recover debt and that debt still not paid by the customer may take such further actions as allowable to it in law to recover such debt but not disconnection of services, nor reduce the flow of non potable water below necessary for basic hygiene or restrict the flow of sewage into the main.

#### DEBTOR DISPUTES AND COMPLAINTS HANDLING

In the event a customer has a compliant regarding the handling of their debt by VWS, VWS shall direct the customer to our complaints handling system.

In the event a customer is not satisfied with the handling of their complaint by VWS, VWS shall direct the customer to the Energy and Water Ombudsman of NSW (EWON) should they wish to take further action.