

Guideline on Self-reporting Non-compliance with the Water Industry Standards

Final decision paper

25 October 2024

Acknowledgement

We acknowledge the Traditional Owners of the lands and waterways on which we work and live.

We acknowledge all Aboriginal and Torres Strait Islander communities, and pay our respects to Elders past and present.

As the First Peoples of this land, belonging to the world's oldest living cultures, we recognise and value their knowledge, and ongoing role in shaping and enriching the story of Victoria.

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Summary

We are introducing a guideline to the water sector on self-reporting non-compliance with the Water Industry Standards

This *Guideline on Self-reporting Non-compliance with the Water Industry Standards: Final decision paper* outlines the commission's decision to introduce a self-reporting of non-compliance guideline for Victorian water businesses.

The *Guideline on Self-reporting Non-compliance with the Water Industry Standards* (the guideline) which accompanies this decision paper as Annex A comes into effect on 25 October 2024. The purpose of the guideline is to assist water businesses to understand and comply with the self-reporting obligation in the Water Industry Standards.¹ The guideline itself does not impose obligations on water businesses and does not alter the obligations in the Water Industry Standards.

Obligation to comply with the Water Industry Standards

The guideline is among a series of measures aimed at strengthening the consumer protection framework for Victorian water customers.

Water businesses are required to have adequate procedures, policies and practices in place to identify non-compliance with the Water Industry Standards, and we expect businesses will resolve any identified non-compliances in a timely and efficient manner. However, when a water business identifies potential or actual non-compliance with the Water Industry Standards that may have a material adverse impact, the water business must report that identification in writing to the Essential Services Commission (the commission) in a timely manner. This reporting will ensure the commission is aware of critical customer issues at a time we can inform a water business's response to the non-compliance including its remediation to customers impacted by the non-compliance.

The guideline aims to improve the consistency and timeliness of water businesses self-reporting of non-compliance. The guideline provides information and several examples to help water businesses decide what matters must be reported to the commission.

¹ Part G Water Industry Standard – Urban Customer Service; Part I Water Industry Standard – Rural Customer Service. The self-reporting requirement came into effect from 1 April 2024.

Consultation

We published a draft guideline on 13 August 2024, along with a proposed self-reporting template. We have consulted on the draft guideline and considered all feedback. As part of our consultation, we also held an industry workshop on 3 September 2024 to work through case studies set out in the draft guideline, as well as the information requirements in the self-reporting template.

We received seven submissions, including one submission from Financial Counselling Victoria. Submissions and the feedback received from the industry workshop were supportive of the intention, as well as the format, of the draft guideline. Several stakeholders sought further case studies to clarify which potential or actual non-compliances should be reported to the commission and which do not require reporting.

What has changed between draft and final guideline

Our final guideline is largely consistent with the draft guideline, with some amendments to reflect the feedback from the consultation process, including:

- a longer response time for initial reporting
- refinement of some of the case study examples
- some additional case study examples.

We have also reworked the self-reporting template based on feedback from the water businesses.

We intend to update the guideline from time to time to continue to assist water businesses to understand and comply with their responsibilities to report to the commission on potential or actual non-compliance.

Accompanying this final decision are the following annexes:

Annex A is the Guideline on Self-reporting Non-compliance with the Water Industry Standards.

Annex B is the Initial report of potential or actual non-compliance template.

Annex C is the Substantive report of potential or actual non-compliance template.

Introduction

Purpose for introducing the guideline

The guideline for self-reporting of non-compliance with the Water Industry Standards is part of a series of measures to strengthen the effectiveness of the consumer protection framework for water customers.

This decision paper sets out the background on why we developed the guideline, the purpose of the guideline, and the process we followed in consulting on the guideline and the associated reporting templates.

Background to the guideline

On 20 February 2024, we published our final decision on amending the Water Industry Standards to include reporting obligations on water businesses.² The reporting obligation requires water businesses:

- to have adequate procedures, policies and practices in place to self-identify non-compliance with the Water Industry Standards,³ and
- to report to the commission, in writing and in a timely manner, on potential and actual non-compliances that may have a material adverse impact.⁴

This obligation came into effect on 1 April 2024.

The obligation strengthens the water consumer protection framework by ensuring both a water business and the commission have visibility of critical customer issues at a time when remediation will help support customer outcomes.

It also helps the commission identify whether the Water Industry Standards are achieving our policy objectives or require further amendment.

² [Essential Services Commission 2024, Amendment to the Water Industry Standards, 20 February.](#)

³ Clause 25(a) Water Industry Standard – Urban Customer Service and clause 18(a) Water Industry Standard – Rural Customer Service.

⁴ Clause 25(b) Water Industry Standard – Urban Customer Service and clause 18(b) Water Industry Standard – Rural Customer Service.

Measures to self-identify non-compliance

This obligation formalised the expectation that all water businesses have measures in place to self-identify non-compliance with the Water Industry Standards.

These measures are necessary to facilitate a water business's compliance with the Water Industry Standards, as required under the Water Industry Act (s4F(6)). A submission from Wannon Water on our draft decision to amend the Water Industry Standards, set out the measures the water business already had in place to meet its compliance obligations.⁵ It described a layered approach to self-identification that included procedures, staff behaviours, cultivating a 'no blame' culture, auditing and feedback loops.

In addition to adopting similar measures to those described by Wannon Water, we encourage water businesses to prioritise staff training on detection and surfacing of issues, noting that staff awareness and confidence in applying internal processes are key to meeting its compliance obligations.

Reporting to the commission

The commission has always encouraged water businesses to self-report potential and actual non-compliance of the Water Industry Standards to the commission before the creation of a legal requirement to do so. The introduction of this obligation to report to the commission aims to improve consistency in reporting practice across the water sector.

In our final decision to amend the Water Industry Standards to include the reporting obligation on water businesses, we stated that we would consult with the water sector to develop a guideline to assist water businesses in reporting to the commission on potential or actual non-compliance that may have a material adverse impact. The guideline would provide details and examples of key terms from the reporting obligation in the Water Industry Standards.

This final decision paper sets out our considerations in developing the guideline, how we have engaged with stakeholders, and how we have considered stakeholder feedback in finalising the guideline. Our stakeholder engagement is detailed in the following chapter.

⁵ Wannon Water, Submission on Proposal to amend the Water Industry Standards – Draft Decision Paper, 19 December 2023.

What is a section 13 guideline?

The guideline on self-reporting non-compliance to the commission is published under section 13 of the *Essential Services Commission Act 2001*. This section relates to the performance of our functions and exercise of our powers in the Victorian water sector.

The guideline does not create any additional obligations on water businesses or legally alter the obligations in the Water Industry Standards.

The guideline is intended to provide greater context on the reporting obligation of the Water Industry Standards by outlining the commission's expectations, including case studies and templates to assist with the process of making a report.

Our engagement on the draft guideline and draft self-reporting template

We released our draft decision on 13 August 2024 and invited feedback on the draft guideline and draft self-reporting template. The draft decision was open for submissions until 10 September 2024.

We asked the following consultation questions and accepted general feedback on the draft guideline and draft self-reporting template.

- Whether there are any further areas of the reporting obligation in the Water Industry Standards that should be included in the draft guideline.
- Whether changes should be made to the examples that would better assist a water business to understand and comply with its self-reporting obligation.
- Whether changes should be made to the draft self-reporting template to support appropriate reporting to the commission.

We received seven submissions, including one submission from Financial Counselling Victoria, which are available on our website.⁶

As part of our consultation, we also held an industry workshop on 3 September 2024 to work through case studies set out in the draft guideline, as well as the features of an effective self-reporting tool.

Submissions and the feedback received from the industry workshop were supportive of the intention and format of the draft guideline. Several stakeholders sought further case studies to help clarify which potential or actual non-compliances required reporting to the commission.

Submissions were also supportive of the draft reporting template when providing additional information to the commission, with some stakeholders making recommendations on the timing of the initial information to be provided to the commission and format of the initial report template. We respond to specific submissions and feedback in more detail in the next chapter.

⁶ <https://www.esc.vic.gov.au/water/industry-standards-codes-and-guidelines/proposed-guideline-self-reporting-non-compliance-water-industry-standards>

We considered all submissions and feedback in making our final decision on the reporting guideline. We also considered the submissions and feedback in amending the self-reporting template, which will be available on our website and may be periodically updated.

Survivor advocate panel

We convened a panel of family violence survivor advocates to inform the development of the guideline and the processes to support reporting.

Engaging with people with lived experience of family violence helps us to better understand and address the risks and potential harms to customers affected by family violence when a water business does not comply with the consumer protections in our Water Industry Standards. The information we received from the panel helped inform examples of what may constitute a material adverse impact, as well as highlighting the value of early detection and reporting to the commission of potential and actual non-compliance.

First workshop

The five-member panel met in February 2024 to discuss and explore issues and develop feedback for the commission to consider in the development of the guideline.

Panel topics included:

- Advice on the potential risks and harms associated with non-compliance with each sub-clause of the family violence provisions in the Water Industry Standards.
- Advice on the potential risks and harms associated with non-compliance with other clauses of the Water Industry Standards with more general application, but which may particularly impact customers affected by family violence.

The importance of staff training

The panel emphasised the importance of water businesses providing relevant staff with appropriate and ongoing training. The consequences of staff not being appropriately trained has a flow-on effect to the remaining family violence obligations. This includes:

- staff not being able to identify customers who may be affected by family violence and therefore not ensuring their account is secure
- failing to refer the customer to specialist family violence services
- failing to offer the required payment difficulty assistance.

The importance of secure account information

The panel also highlighted the importance of water businesses ensuring accounts for customers affected by family violence are secure and noted the following:

- a water business should ensure that it has processes in place to prevent customers affected by family violence from having to repeat their story
- a water business also needs to ensure that its staff are providing the required assistance in relation to debt management, including payment difficulty assistance, and referrals to specialist family violence services.

When not handled appropriately, these matters can extend the period a person remains in unsafe conditions.

Second workshop

We reconvened the panel in September 2024 after our draft decision was released, to further discuss and explore issues relating to family violence affected customers, including seeking feedback on our draft self-reporting template. Specifically, the panel discussed and provided feedback on:

- the information a business should provide to the commission in its initial report, for family violence related matters
- the minimum support that businesses should be expected to provide to customers affected by family violence, in the period between identification and initial notification to the commission.

The panel supported the inclusion of specific family violence related questions in the initial report template to emphasise the importance of ensuring a family violence affected customer's safety is prioritised by the water business.

The importance of timely support

The panel also noted the value of providing appropriate support to family violence affected customers immediately after identifying a non-compliance with a family violence obligation. This includes support for any dependents (such as children) that may have also been impacted, and confirming the affected customer's communication preferences, for example a preferred method of contact or whether the customer requires an interpreter.

Finalising the guideline and reporting template

Our draft decision proposed a guideline which sets out the commission's view on what a water business should take into account in order to meet its reporting obligation under the Water Industry Standards. The guideline is not intended to be prescriptive but instead provides context to assist water businesses in meeting their obligations.

Stakeholder feedback was supportive of the intent, as well as the format of the draft guideline. For example, Westernport Water commented:

Westernport Water has reviewed the draft guidance for self-reporting and appreciates the clarity that has been provided in relation to material adverse impact, in particular the level of harm and how widespread the effects of the non-compliance are. The case studies are also helpful to understand how these definitions can be applied.⁷

See below the feedback we received from stakeholders on the key elements of the draft guideline and self-reporting template.

Submissions on reporting requirements

Our draft guideline included details and examples of key terms from the reporting obligation in the Water Industry Standards. The key terms addressed in the guideline are:

- potential and actual non-compliance
- material adverse impact
- timeliness (of reporting)
- the requirement for reports to be in writing.

Our draft guideline also set out the commission's preferred method for a water business to make reports to the commission.

Several stakeholders, and attendees at the industry workshop commented on:

- elements of material adverse impact, including the level of harm and how widespread the effects of non-compliance are
- the timeliness of reporting

⁷ Westernport Water, Submission on draft decision, 29 August 2024.

- how the commission will use and respond to the self-reports.

Some of the submissions also sought further case studies to clarify whether a potential or actual non-compliance should be reported to the commission.

We have addressed the various comments below.

Potential or actual non-compliance

Our draft guideline stated that a potential or actual non-compliance may be identified where a water business has reasonable grounds to believe that a reportable situation has arisen.

Reasonable grounds exist when there are facts or evidence to induce, in a reasonable person that a reportable situation has arisen.

A reportable situation is where a water business knows of facts, or has sufficient information, to consider that a non-compliance with the Water Industry Standards may have occurred which may have a material adverse impact.

The obligation to report may also arise where a water business identifies potential non-compliance that may have a material adverse impact. This includes where a water business has not yet fully satisfied itself the non-compliance has in fact occurred. If the water business considers the potential non-compliance may have a material adverse impact, it should not wait to confirm the non-compliance before reporting the matter to the commission.

Among the submissions to our draft decision, Financial Counselling Victoria suggested that guidance to water businesses should include an emphasis on training staff appropriately to ensure they understand how to identify reportable potential or actual non-compliance to the appropriate department within the water business.⁸

We agree that training is key to effective implementation.

It is the responsibility of a water business to ensure it is complying with all aspects of the reporting obligation, including having adequate procedures, policies and practices in place to identify potential or actual non-compliance with the Water Industry Standards.⁹ Given the obligation to comply with the Water Industry Standards already exists under the Water Industry Act, it is our expectation that a water business already has measures in place to enable relevant staff to self-

⁸ Financial Counselling Victoria, Submission on draft decision, 6 September 2024.

⁹ Clause 25(a) of the Water Industry Standard – Urban Customer Service and clause 18(a) of the Water Industry Standard – Rural Customer Service.

identify potential or actual non-compliance.¹⁰ A potential or actual non-compliance need not be considered by any compliance or risk committee, or a particular executive, before a water business reports the matter to the commission.

We expect these measures to be accompanied by appropriate staff training to ensure staff at a range of levels and roles understand how to identify a potential or actual non-compliance of the Water Industry Standards and elevate it internally at the water business.

Our view is that the guideline is intended to provide context on the self-reporting obligation that guides a water business's decision-making on which matters should be reported to the commission, rather than explaining how a water business should meet its obligations under the Water Industry Standards. While we have not referred to staff training within the guideline, our final decision makes it clearer on page 3 of the guideline that potential or actual non-compliance may be identified by any person within a water business (regardless of their level of seniority within the business).

Potential or actual non-compliance

Potential or actual non-compliance may be identified where **any person within the** water business (**regardless of their seniority in the business**) has reasonable grounds to believe that a reportable situation has arisen.

Material adverse impact

Our draft guideline outlined that when a water business assesses a potential or actual non-compliance for material adverse impact, it should consider the following:

- level of harm
- how widespread the effects of the non-compliance are.

Several submissions commented on aspects of these. We have outlined below our initial proposal, the issues raised by stakeholders, and our response to this feedback, including where we have made changes to what was proposed in the draft guideline.

¹⁰ Section 4F(6) of the Water Industry Act 1994.

Level of harm

Our draft guideline stated that potential or actual non-compliance may cause harm that is physical, psychological or financial. When assessing materiality, a water business should focus on the most serious matters where there is harm or risk of harm to the life and/or health and safety of a customer.

The draft guideline identified two examples where non-compliance with obligations in the Water Industry Standards would have the potential to pose the most serious physical and psychological harm. These were obligations relating to:

- family violence affected customers
- customers reliant upon a water business for any form of life support machine.

In its submission to our draft decision, Financial Counselling Victoria suggested that other forms of vulnerability relating to communication assistance and payment hardship should be noted as other examples of vulnerability which should be reported.¹¹ Coliban Water suggested sewer spills as an issue likely to cause material adverse impact.¹²

We remain of the view that the examples listed under the 'level of harm' in the draft guideline are appropriate. While we have retained these in the final guideline, a water business should exercise its own judgment to report to the commission on other issues where it considers there has been material adverse impact.

We will continue to work with water businesses and over time, share further information about family violence or life support related non-compliances that may interact with other forms of customer vulnerability.

Widespread event

Our draft guideline outlined that a widespread event includes a potential or actual non-compliance that may affect many customers across a suburb, town or wider area. When assessing materiality, a water business should be alert to those matters where the impact is most widespread.

Coliban Water, in its submission to our draft decision, requested a definition of the term 'widespread' and further guidance given the large disparities between urban regional and urban

¹¹ Financial Counselling Victoria, Submission on draft decision, 6 September 2024.

¹² Coliban Water, Submission on draft decision, 10 September 2024.

metro water corporations, with a focus on numbers or percentage of customers under a 'widespread' scenario.¹³

Our view is that the current definition of a widespread event already allows for a water business to exercise its own judgment in determining if an event is widespread, based on its service area and number of customers, for example. To emphasize this point, our final decision has added into the guideline a reference to the business considering the proportion of its customer base affected.

Widespread

A potential or actual non-compliance may affect many customers across a suburb, town or wider area. When assessing materiality, a water business should be alert to those matters where the impact is most widespread. **This may include consideration of the proportion of its customer base affected by the non-compliance.**

Case studies

Our draft guideline included case studies to illustrate the types of issues that should be reported to the commission and those that do not require reporting. Submissions by several water businesses, requested further examples, including Yarra Valley Water which sought additional examples of both reportable and nonreportable scenarios in the guideline.¹⁴

In response to this feedback and to further assist water businesses to assess the reportability of a non-compliance, we have included additional case studies and context in the guideline. These include a reportable potential non-compliance involving a potential privacy breach and a further non-reportable example.

Timeliness of reports

Our draft guideline sets out our expectations for the timeliness of reports being made to the commission. It sets out our expectation that water businesses should provide initial information to the commission within two to three business days after identification. It also sets out our expectation that additional information will be provided to the commission at 20 business days after identification, or by a date agreed with the commission following the initial report.

¹³ Coliban Water, Submission on draft decision, 10 September 2024.

¹⁴ Yarra Valley Water, Submission on draft decision, 9 September 2024.

Our draft decision included a self-reporting template that was designed to provide practical assistance to a water business for meeting its self-reporting obligation. Feedback from stakeholders was supportive of this approach outlined in the draft decision paper and in the template with some submissions and comments at the industry workshop suggesting some modifications, discussed below.

Initial information to be reported to the commission

Our draft decision paper set out a series of items that we considered appropriate to be included in the reporting at two to three business days after identification. We sought feedback from stakeholders on these items.

Some businesses sought greater flexibility on the form of self-reporting the initial information to the commission. In submissions to our draft decision, Greater Western Water, South East Water, Barwon Water and Yarra Valley Water suggested the initial information, at two to three business days after identification, could be a preliminary email or verbal alert to the commission.¹⁵ Submissions noted this would ensure rapid notification while supporting key staff to focus on remediation and recovery.

Only potential or actual non-compliance that may have a material adverse impact must be reported to the commission. We anticipate that these potential or actual non-compliances will have been elevated internally at the water business, given its obligation to comply with clause 25(a) of the Water Industry Standard – Urban Customer Service (clause 18(a) Rural Customer Service). Therefore, we remain of the view it is appropriate that the initial information be provided in writing, rather than a verbal alert. A water business may choose to use the self-reporting template or provide an email which addresses each of the fields in the self-reporting template.

In their submissions, both Yarra Valley Water and Greater Western Water also suggested extending the timeframe for a business to provide initial information about a non-compliance to the commission. Yarra Valley Water suggested that the initial information be provided to the commission within two to three business days but no later than five business days after identification – this additional time allowance would assist a business to balance the immediate needs of the impacted customers with the reporting requirements.¹⁶

Greater Western Water, Submission on draft decision, 12 September 2024; South East Water, Submission on draft decision, 9 September 2024; Barwon Water, Submission on draft decision, 10 September 2024, Yarra Valley Water, Submission on draft decision, 9 September 2024.

¹⁶ Yarra Valley Water, Submission on draft decision, 9 September 2024.

We agree that a water business's focus on remediation and recovery at an early stage is important, particularly where a customer is experiencing or is at risk of harm. The approach outlined in the draft decision paper, and in the self-reporting template, was designed to facilitate this. We discuss the contents of the initial report in the section below.

We accept that in some instances a water business may not be able to provide the initial information within two to three business days after identification, as it may still be seeking to understand the nature of the non-compliance as well as the impact and number of affected customers. This has informed our decision to update our expectations on provision of initial information to the commission at two to three and no later than five business days from the matter being identified.

Timeliness of reports

In most cases the commission expects that timely reporting will include provision of initial information to the commission at **two to three and no later than five business days** from the matter being identified.

Additional information to be provided to the commission

Our draft decision proposed that after an initial report is made, additional information should be provided to us no later than 20 business days after identification, or by a date agreed with the commission following the initial report.

Submissions from stakeholders supported this timeframe.

Coliban Water, in its submission, commented that at 20 days, investigations, reviews and solutions may continue to be a work in progress and that further information may be ascertained outside the 20-day component currently suggested.

We acknowledge that for some non-compliance incidences, an investigation may not be fully completed at 20 business days. Where a matter is still under investigation and/or remediation ongoing, the water business has the opportunity to note this in the self-reporting template, including a date by which the information will be available.

We have considered this feedback and maintain that 20 business days is an appropriate time for additional information to be provided to the commission. As outlined in our draft decision, any report, should provide as much relevant information as is known at the time of reporting.

The requirement for the reports to be made in writing

Our guideline does not prescribe the method for self-reporting to the commission. However, to assist a water business in meeting its self-reporting obligation, we developed a self-reporting template. We included this as an annex to our draft decision and sought feedback on this through submissions and at the industry workshop.

Self-reporting templates

Format of the self-reporting template

Feedback received in our industry workshop, and in a submission from Coliban Water requested we consider the template be made available, in a table style format.¹⁷ Workshop participants considered this would allow greater flexibility in how water businesses reported and improve consistency across the various stages of reporting. In response to this feedback, we have redesigned the reporting templates using Microsoft Word, rather than the Excel spreadsheet.

Initial report template

The initial report template captures the minimum information to inform the commission of the potential or actual non-compliance.

At the industry workshop, we received suggestions on the initial information to be reported to the commission including information specific to family violence related matters.

We tested these suggestions with the survivor advocate panel which agreed with the suggested changes. The survivor advocate panellists also emphasised the importance of ensuring a family violence affected customer's safety is prioritised and that the appropriate support is provided immediately after identifying a non-compliance with the family violence obligations.

In response to feedback from stakeholders, we have updated our initial report template to include specific family violence related questions (highlighted in orange), to be completed only if the potential or actual non-compliance relates to a family violence affected customer.

The template for reporting the initial information about the potential or actual non-compliance includes the following:

- name of the water business
- the water business staff member making the report

¹⁷ Coliban Water, Submission on draft decision, 10 September 2024.

- date of the report
- which obligation the non-compliance relates to
- details of what happened and how
- how the customer/s have been impacted
- what support has been offered to the family violence affected customer
- does the family violence affected customer require a follow-up call
- does it involve a joint account
- what is the risk of harm to the family violence affected customer/s

Substantive report template

The substantive report template captures the additional information to inform the commission of the potential or actual non-compliance. Where a matter is still under investigation and/or remediation ongoing, the water business can note this in the template, including a date by which the information will be available.

In its submission to the commission, Financial Counselling Victoria suggested that the substantive reporting template should capture more details related to customer complaints, as this helps to reinforce a customer empowerment approach.¹⁸

The commission will capture information about the customers impacted by the non-compliance, including the remediation a water business must offer, regardless of whether a customer has raised a complaint with the business. This information will provide reassurance to the commission that a water business has appropriately identified and resolved a non-compliance. It will also allow the commission to consider the compliance approaches which will deliver the best outcomes for customers and support compliance through education.

We have considered this feedback and have made no change to the substantive report template. At 20 business days of the matter having been identified (or a date agreed with the commission) a water business should provide the following details:

- investigation
- impact on customers
 - the number of customers impacted; whether the customers have been advised of the non-compliance; how the customers have been impacted; whether any impacted customers have made a complaint and how these complaints have been resolved.

¹⁸ Financial Counselling Victoria, Submission on draft decision, 6 September 2024.

- family violence related information
- remediation
 - steps taken to correct the non-compliance in the short term; measures taken to prevent the non-compliance from reoccurring and any relevant evidence.

Interaction with other reporting requirements

The draft guideline sets out our expectations where water businesses have other reporting obligations to other relevant government departments or agencies.

In its submission to the commission, Westernport Water noted it would be helpful to provide the relevant clause in the Water Industry Standard that the case study in the guideline relates to, otherwise it infers that it's reportable due to the widespread nature of the event.¹⁹

We note that in some instances, a water business may not be able to clearly identify an applicable Water Industry Standard at two to three business days, after identification of an incident. Our view is that where potential non-compliance with an applicable Water Industry Standard may have a material adverse impact, which includes a widespread event, the matter must be reported to the commission regardless of whether there is a separate reporting obligation to another entity.

We have considered this feedback and have made no change to this part of the guideline.

¹⁹ Westernport Water, submission on draft decision, 29 August 2024.

Supporting compliance by water businesses

In its submission to our draft decision, Westernport Water asked how the commission will use and respond to self-reports of potential or actual non-compliance.²⁰ At the industry workshop, we also heard that water businesses are keen to better understand how the commission will share any information or trends for the purposes of educating water businesses.

The commission introduced a formal reporting obligation to provide clarity to water businesses on our expectations in relation to self-reporting, and to facilitate a consistent and timely approach to self-reporting across the sector. It will also have direct benefits for customers, as it supports our appropriate involvement at an early stage in the detection of a potential or actual non-compliance. Improved awareness of customer issues at an early stage means we can promote timely remediation of customer issues and early rectification of non-compliant systems or processes.

We recognise stakeholders' interest in us sharing with the water sector emerging issues and more examples drawn from the self-reports.

We will continue to work with water businesses and will share real life examples of reportable and non-reportable potential or actual non-compliances through updates in the guideline. As we refine our processes, we plan to share de-identified issues and trends to help identify common challenges and highlight best practice across the water sector.

²⁰ Westernport Water, Submission on draft decision, 29 August 2024.