



The Energy
Charter
**INDEPENDENT
ACCOUNTABILITY
PANEL**

2021 Process

Guidance to Signatories

May 2021

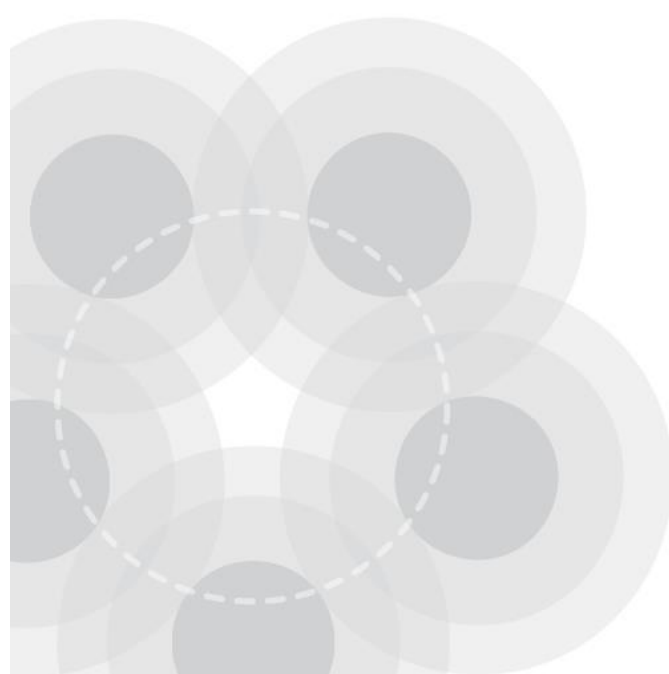




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Key Acronyms	
ACOSS	Australian Council of Social Service
ECA	Energy Consumers Australia
EUAA	Energy Users Association of Australia
EUCG	End-User Consultative Group
IAP	Independent Accountability Panel
IWG	Industry Working Group



1. The IAP view of the Energy Charter

The IAP views the Energy Charter as a valid and genuine attempt by the energy industry to re-establish trust, build social licence and restore consumer confidence in the providers of this essential service. Doing those things through significant culture change that put the customer at the centre of the business will be central to a successful outcome. The magnitude and scope of this journey for the Energy Charter Signatories is like the changes in Workplace Health and Safety that have occurred in some businesses over the last decade – so that it is embedded in organisations from the top down, responsibilities are clear, attitudes are changed, the need for continuous improvement is recognised, and performance is constantly monitored.

The IAP wishes to see an honest appraisal of businesses' current situations, what their ambition is and how they propose to get there. The IAP does not wish to see a public relations document or hear about actions that Signatories have to undertake in any case, e.g. by law or regulation. The IAP wishes to see the transformation of the approach of businesses to accompany the transformation of the industry.

2. Energy Charter Disclosures

The IAP appreciates that significant time and effort goes into the drafting of each Signatory's Disclosures. As stated in the IAP 2020 Report, the Disclosures were substantially better second time around. Signatories have generally:

- Taken a serious approach to asking themselves how well they are delivering outcomes against the five Principles.
- Focused on Energy Charter actions rather than Business as Usual.
- Ensured their Disclosures were more concise and accessible.

Form of Disclosures

1. Signatories are encouraged to provide their Disclosures to the IAP in advance of the 30 September 2021 deadline if possible. This will allow the IAP more time to review them prior to the Stakeholder Forums and CEO interviews.
2. Please email disclosures at the latest by 5pm 30 September 2021 to: submissions@theenergycharterpanel.com.au.
3. Disclosures should be in PDF format, with naming convention **Signatory Name 2021 Disclosure.pdf**.
4. Disclosures are to be signed by the CEO or Board and include a contact person for enquiries by the IAP.
5. The IAP would like to see some input in the report from the Signatory's consumer/community committee (or equivalent), or acknowledgement that the consumer/community committee has endorsed their Disclosure.
6. The Disclosures should be no more than 10 pages.
7. After a review by the IAP, on **Friday 1 October**, the IAP will publish on the IAP website the Disclosures, an accompanying media release, and an Issues Paper calling for public submissions.
8. Signatories will hold back publication of Disclosures on their own websites until they are published on the IAP website.
9. Late submissions are to be considered at the discretion of the IAP.

Content of Disclosures

1. The IAP appreciates brevity and plain language in the Disclosures.
2. The IAP wishes to see an honest, open and transparent appraisal of businesses' current situations, what their ambition is and how they propose to get there: current state, targets, and resources to achieve them.
3. Disclosures should be authentic - **the IAP wants to hear warts and all.**
4. What didn't work is as valuable as what did work, and what has been learnt from what didn't work.
5. Disclosures should not be glossy nor contain lots of photos, as the IAP does not wish to receive PR reports or accounts of actions that needed to be undertaken in any case, e.g. by law or regulation.
6. The process of responding should ideally bring together a wide range of people within the operating parts of the organisation to consider the customers and the Principles, and so positively contribute to the cultural change being sought.
7. The IAP expects Signatories to adopt a broad definition of customer. Where Energy Charter Signatories do not service the end consumer directly, they should analyse and comment on how their performance has assisted their direct customers and communities to better service end consumers.
8. Disclosures should focus on customer outcomes not just activity, and how these customer outcomes have been measured:
 - the degree to which internal customer outcome performance targets have been set,
 - the performance against these targets,
 - the degree of improvement expected in the following year outlined in goals and plans leveraging the Maturity Model.
9. The IAP would like to see broader and clearer implementation of the guidance that Disclosures should identify Signatories' "top 3-5" actions.
10. The IAP would like Signatories to clearly and more consistently outline how they have responded to the previous IAP Report recommendations and commitments in their previous years' disclosures.
11. The IAP is interested in Signatories demonstrating a clear path to move beyond Business as Usual customer engagement and involvement.

3. Public Consultation

The IAP is focused on an independent, transparent and constructive process.

Third party submissions

1. The IAP will provide opportunities for third parties to make submissions on the Signatories Disclosures.
2. On **Monday 4 October**, the IAP will publish an Issues Paper on its website calling for public submissions. Submissions will be due by **5pm, Friday 29 October 2021.**
3. The IAP is seeking brief submissions that:
 - relate to the **12-month period from July 2020 to June 2021**; and
 - respond **directly to the Disclosures.**
4. The IAP will not be able to make use of (or publish) submissions which are:
 - out of scope (such as matters of government policy outside the Signatories' influence)
 - confidential

- lacking in substance or
 - in sub-standard-form, template submissions or prepared for other purposes, or with limited direct relevance to the development and success of the Energy Charter and its objectives.
5. The IAP is not a complaints resolution forum. As such, any submission that relates directly to an unresolved complaint that would normally be directed to the relevant Energy and Water Ombudsman or other body, will be directed to those authorities for appropriate action.
 6. The IAP will consult with all Energy Ombudsmen about key customer issues identified through complaints received by their offices.

Stakeholder forums

1. The IAP will host six stakeholder forums (of similar format and content) New South Wales, Queensland, Victoria, Tasmania, Western Australia and South Australia.
2. These forums, to be held in early October, will:
 - be open to public attendance via website invitation and registration. Media will not be invited
 - include stakeholder attendees based on the engagement lists of ACOSS, EUAA, EUCG and ECA. This may include regulators and Signatory customer stakeholders
 - be conducted via Zoom Webinars
 - include a brief presentation by the IAP on the Signatory Disclosures and public process to help focus discussion and subsequent public submissions

The forums may include a brief presentation by the Chair of the EUCG on the Energy Charter to frame and encourage response.

3. Signatory representation in the stakeholder forums will be limited to observer status. The IAP has agreed to the following Signatory observers:
 - CEO Council Chair at one of the stakeholder forums
 - Energy Charter Executive Director at each forum
 - an appropriate number of Signatory representatives at each stakeholder forum as relevant to the jurisdiction.
4. Each of the Stakeholder Forums and the webinar will be video recorded and the recordings will be subsequently published on the IAP's website.
5. The IAP will also summarise the main issues raised and discussed in the stakeholder forums and the webinar as part of its Report.

Interaction with the EUCG

The IAP will meet with the EUCG on at least two occasions to receive their views on the Disclosures and on the public submissions.

Meetings with CEOs of the Signatories

1. The IAP will meet with Signatory CEOs in mid-October following the Stakeholder Forums for approx. 45 minutes via online meetings.
2. The meetings with the CEOs will be video-recorded and the recordings will subsequently be published on the IAP's website.

3. The purpose of the meetings is for the IAP to:
 - a. Clarify aspects of the Disclosure with the relevant CEO
 - b. Gain context and understanding from the CEO as to why or why not the Signatory has taken certain steps
 - c. Respond to any relevant issues raised at the Stakeholder Forums.

4. IAP Final Report

1. The IAP will publish its Final Report, a 2-page factsheet and a media release on its website by **Friday, 10 December 2021**.
2. The final report, factsheet and media release will be made available to Signatories through the Energy Charter Executive Director, the CEO Council Chair and the Chair of the EUCG under embargo two days prior to publication.
3. The IAP will adopt a facilitative approach to encourage continuous improvement and better customer outcomes. Having said that, the Final Report will not shy away from an honest and frank assessment of Disclosures against the Energy Charter Principles.

5. CEO Council review

After the IAP Report has been published, the IAP will meet with the CEO Council in December 2021.

The Chair of the IAP will also provide feedback to the Chair of the CEO Council and Energy Charter Executive Director on governance issues relating to the process and areas for continuous improvement in early 2022.