

Debt Management and Hardship Policy

Purpose

Riverina Water relies on timely payment of water accounts to maintain reliable water services for the community. This policy establishes a fair and proportionate approach to recovering overdue accounts while supporting customers experiencing financial hardship.

Policy Statement

Riverina Water will seek to recover outstanding debts owed when reasonable efforts to support customers or sundry debtors to meet their obligations for payment have been exhausted.

Riverina Water will consider individual cases of genuine financial hardship and is committed to engaging with its customers to limit the unreasonable use of legal action in recovering arrears.

Restriction or disconnection of water supply will only occur after reasonable attempts have been made to contact the customer and offer appropriate assistance.

Riverina Water will adopt a fair, flexible and respectful approach to customers experiencing financial hardship or vulnerability.

Scope

This policy applies to all parties that owe monies to Riverina Water, including but not limited to water account holders, consumers, and sundry debtors.

Different recovery processes within this policy may apply depending on the nature of the debt.

Definitions

Term	Meaning
External Debt Recovery Agent	An agency and/or law firm engaged by Riverina Water to recover amounts that are overdue.
Hardship	Difficulty in paying an account due to a change in circumstances (for example; loss of income, illness, loss from an accident, natural disaster or emergency).
Overdue bill/account	An account that has an amount that is unpaid after the due date specified on the issued bill.
Sundry Debtor	An account raised for goods or services provided separate to Council's potable water supply.
Water Flow Restriction "Restriction"	Water flow restriction involves reducing the maximum water supply to the property at the water meter, by inserting a flow restriction device. A small amount of water is supplied for health and hygiene purposes. Permitted under regulation 144 of the Local Government (General) Regulation 2005
Water Disconnection	Disconnection involves stopping the supply of water to the property by removing or locking the meter or disconnecting the service from the main so that supply is no longer available. Permitted under regulation 144 of the Local Government (General) Regulation 2005
Vulnerability	Circumstances that may impact a customer's ability to manage their account or engage with Riverina Water, including but not limited to family violence, mental health challenges, elder abuse, cultural or language barriers, disability, or other personal circumstances.

Application of Policy

- 1.1 Riverina Water is committed to:
- Issuing accurate and timely bills
 - Always treating customers fairly and with courtesy
 - Providing options to ensure customers maintain access to essential water services for health and hygiene
 - Ensuring customers have access to payment assistance and other support options
 - Making reasonable attempts to contact customers prior to escalation of enforcement action
- 1.2 Customers are required to:
- Pay their bills promptly within their account terms
 - Notify Riverina Water if they are unable to pay before the due date
 - Agree and commit to a suitable payment plan, or other payment assistance
 - Provide notification if their financial situation changes

2. Payment and debt management of water accounts

- 2.1 Riverina Water issues water bills to property owners, unless it has previously been arranged in writing that accounts should be directed to managing agents or tenants.
- 2.2 Under the Local Government Act 1993, water charges remain the responsibility of the property owner, even where billing arrangements are directed to tenants or managing agents.
- 2.3 Payment of water accounts is due four weeks from the date of account issue.
- 2.4 A water flow restrictor may be installed where an account remains unpaid four weeks after the due date and reasonable attempts to contact the customer have been made.
- 2.5 Interest will be charged on water accounts at the current maximum rate set by the NSW Office of Local Government.
- 2.6 Riverina Water will make reasonable attempts to contact customers in arrears and offer payment assistance prior to progressing to restriction or legal action..
- 2.7 When a water account is overdue and the customer has not made contact, Riverina Water will adhere to the following debt management process:

- If an account has not been paid by the due date, issue a final reminder notice via post or email
- Riverina Water may also attempt to contact the customer by phone or email where details are available.
- If the account remains unpaid, a restriction notice is issued at the property
- Following this, water supply will be restricted and a notice of left at the property. A restrictor removal fee will be applied to the account in line with Riverina Water's Fees and Charges.
- Restriction will generally not occur where the customer is actively engaging with Riverina Water regarding payment or hardship assistance.
- Riverina Water may refer overdue accounts to an external debt recovery agent where reasonable internal recovery efforts have not resulted in payment or engagement from the customer.

2.8

Once a water flow restrictor is installed, it will generally only be removed upon payment of the outstanding amount, including applicable fees, in full. on approval of the Customer and Communications Team Leader or Director Corporate Services where:

- The customer enters into an approved payment arrangement and adheres to the payment instalments; or
- Financial hardship assistance has been approved.

The restrictor removal fee will apply in accordance with Riverina Water's Fees & Charges, but may be waived where financial hardship is demonstrated.

- 2.9 Riverina Water will not restrict water supply where it is known that the resident is a registered kidney dialysis patient or has another medical condition requiring continuous access to unrestricted water supply.
- 2.10 Disconnection from the water supply network is at Riverina Water's discretion as a last resort and will only occur where other reasonable measures have been exhausted. It may be used in situations including, but not limited to, meter tampering, or unauthorised removal or damage to a restrictor. Vacant properties with unpaid accounts may be disconnected and left notice of disconnection following the same process above in lieu of restriction.

- 2.11 If the account remains unpaid, Riverina Water reserves the right to commence legal action. Riverina Water will recover legal costs and expenses incurred in the process of debt recovery where it is legally able to do so.
- 2.12 Riverina Water will not instigate legal action against any person who has evidenced genuine financial hardship and who is willing to enter into and comply with an affordable, approved payment arrangement.

3. Payment arrangements

- 3.1 Customers can contact Riverina Water for payment assistance options; including a payment arrangement or a payment extension.
- 3.2 Payment arrangements should be reasonable, affordable for the customer, and designed to progressively reduce the outstanding balance..
- 3.3 If a customer fails to meet the terms of an agreed payment plan, Riverina Water may cancel the arrangement and proceed with other debt management options.
- 3.4 Riverina Water, at its discretion, may withdraw or require changes to the arrangement.
- 3.5 Riverina Water will not instigate legal action against any person who is complying with an affordable, approved payment arrangement.
- 3.6 Where a payment arrangement is broken, Riverina Water will make reasonable attempts to re-engage with the customer before progressing enforcement action.

4. Hardship

- 4.1 Riverina Water recognises that any debt management procedures need to consider individual cases of genuine financial hardship.
- 4.2 Riverina Water recognises that hardship can arise from a temporary change in circumstances such as loss of income, illness, loss from an accident, natural disaster or emergency, family violence or financial impact due to externalities. Long term hardship can arise from the above or can relate to the challenge of managing living costs with a low or fixed income such as a pension.
- 4.3

Riverina Water will not instigate legal action against any person who is currently experiencing evidenced genuine financial hardship and who is actively engaging with Riverina Water..

- 4.4 As part of an application for payment relief under financial hardship, the customer must confirm the nature of the hardship and the estimated time the hardship will be experienced.

Riverina Water will take a proportionate approach to evidence requirements, which may include self-declaration, statutory declaration, referral from a recognised support service, or other reasonable documentation.

- 4.5 The Customer and Communications Team Leader will determine the appropriate payment relief that can be offered to a customer in proven financial hardship; and escalate to the Director Corporate Services or Chief Executive Officer as required in line with delegations.
- 4.6 If the customer continues to experience hardship after the period agreed to in the original application, a new application must be made. In such circumstances Riverina Water may require up to date personal financial information to confirm the ratepayer's continuing hardship.
- 4.7 Riverina Water, at its discretion, may reasonably withdraw any hardship concession.
- 4.8 Riverina Water may provide the following assistance to customers experiencing hardship:
- Extended payment arrangements
 - Suspension and/or write off of interest during an approved hardship period
 - Referral to independent financial counselling services

5. Support services

Riverina Water will refer customers facing financial hardship to the following:

- Moneysmart.gov.au: <https://moneysmart.gov.au/managing-debt>
- Legal Aid NSW: <https://www.legalaid.nsw.gov.au/get-legal-help/find-a-service>
- Community legal centres NSW: <https://www.clcnsw.org.au/find-legal-help>

Where appropriate and with customer consent, Riverina Water may facilitate referral to local financial counselling or community support services.

6. Sundry debtors

6.1 Payment of sundry debtor accounts is due two weeks from the date of invoice issue.

6.2 If an invoice has not been paid by the due date:

- A reminder is sent within 7 days of the due date passing
- If the account remains unpaid, a final reminder notice is sent
- If the account remains unpaid, Riverina Water reserves the right to suspend credit account and associated services and/or commence legal action, which may result in further charges being added to the customer's account

7. Making a complaint

If customers believe that a bill is incorrect, they should contact Riverina Water in the first instance.

Riverina Water will work with customers in line with its adopted Complaints Management Policy, including internal escalation as required.

Customers who remain dissatisfied with an outcome or if the dispute is unresolved may contact the NSW Ombudsman.

Policy number	Policy 4.03
Responsible area	Corporate Services
Approved by	Riverina Water Board Res 22/135
Approval date	24 August 2022
Legislation or related strategy	Local Government Act 1993 Local Government (General) Regulation 2021 Water Management Act 2000 Water Management (General) Regulation 2018

Documents associated with
this policy

Office of Local Government Debt Management
and Hardship Guidelines 2018

Undetected Water Leaks Assistance Policy

Complaints Management Policy

Policy history

First adopted 20 July 2014

Reviewed 18 March 2015

Reviewed 22 June 2016

Reviewed 22 June 2022, consolidating the
previous Debt Recovery Policy and Water Billing
Hardship Policy

Policy details may change prior to review date due to legislative or other changes, therefore this document is uncontrolled when printed. This policy will be revised following the commencement of a new Board.

END OF POLICY STATEMENT