

About this Report

This report describes the functions and operations of the Energy and Water Ombudsman (Western Australia) Limited, for the year ending 30 June 2020.

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Energy and Water Ombudsman Western Australia acknowledges Aboriginal and Torres Strait Islander people of Australia as the traditional custodians of Australia. We recognise and respect the exceptionally long history and ongoing cultural connection Aboriginal and Torres Strait Islander people have to Australia, recognise the strength, resilience and capacity of Aboriginal and Torres Strait Islander people and pay respect to Elders past, present and future.

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Chairperson's Overview

Chairperson's Overview

It is with pleasure that I present the sixteenth Annual Report of the Energy and Water Ombudsman (Western Australia) Limited (**the Company**).

The Board

The Board comprises seven directors: an independent chairperson, three customer representative directors, a gas industry representative director and a water services industry representative director.

In July 2019, Mr Ray Myles resigned as the Gas Industry Representative Director, with the role being filled by Mr Brent Graham in August 2019. In July 2019, Natalie O'Malley resigned as the Alternate Gas



Industry Representative Director with the role being filled by Mr Christopher Campbell in October 2019. In February 2020, Mr Gary Peach resigned as the Alternate Water Industry Representative Director, with the role being filled by Mr Ronny Flendt.

The Board held four Board Meetings, two General Meetings and a Budget Committee Meeting during the year, as well as receiving complaint statistics and financial reports on a quarterly basis.

The Company

During the year, we welcomed one new electricity Member and one water Member ceased their membership after they applied for their licence to be cancelled by the Economic Regulation Authority. As at 30 June 2020, there were 34 Members of the Company and a list of these Members is included in the Company Particulars section of the report.

Customer Complaints

The Board has a service agreement with the Western Australian Ombudsman who undertakes the role of the Energy and Water Ombudsman. The Board oversights the Energy and Water Ombudsman Scheme, but is not involved in the resolution of individual complaints. The Energy and Water Ombudsman provides a report to each meeting of the Board regarding the work of the Energy and Water Ombudsman.

Chairperson's Overview

Appreciation

I would like to record my thanks to my fellow Directors for their commitment to the successful operation of the Board during 2019-20. I would also like to thank the Energy and Water Ombudsman and his staff for their efforts in resolving complaints so efficiently in this sixteenth year of operation.

The Energy and Water Ombudsman's Report, the Company Particulars, the Independent Audit Opinion and the audited Financial Statements for the Company for 2019-20 follow.

Menno Henneveld

Merrenel

CHAIRPERSON

Energy and Water Ombudsman's Report

Energy and Water Ombudsman's Report

I am very pleased to present the 2019-20 Annual Report of the Western Australian Energy and Water Ombudsman.

The Energy and Water Ombudsman resolves complaints made by energy and water consumers. It is vitally important that we ensure timely resolution of complaints – justice delayed is justice denied.

On this point, it is very pleasing that, this year, 100% of Stage 1 and Stage 2 complaints were finalised by the end of the second work day. Overall, including investigated complaints, 85% of complaints were finalised within 30 days, 90% within 90 days and 97% within 180 days. The



average calendar days to close a complaint after it was escalated to investigation was 76 days.

An essential part of ensuring that we are providing accessible justice, is that we serve all Western Australians, including those living and working in the regions and Aboriginal Western Australians. To this end, this year we conducted a regional visit to Kalgoorlie and Leonora in the Goldfields-Esperance Region, including complaint clinics where members of the local community could make their complaints directly to staff of my office.

I take this opportunity to express my sincere appreciation to Menno Henneveld, Chairperson of the Board of the Energy and Water Ombudsman, Directors of the Board, Deputy Energy and Water Ombudsman, Mary White, Assistant Energy and Water Ombudsman, Marcus Claridge, and staff for their ongoing outstanding leadership and work for the Western Australian community.

Chris Field

ENERGY AND WATER OMBUDSMAN

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Highlights for 2019-20

Complaint Numbers

- In 2019-20, there were 1,901 complaints received.
- Complaints comprised:
 - 1,232 electricity complaints;
 - 335 gas complaints; and
 - 334 water complaints.

Timeliness

 78% of electricity complaints, 88% of gas complaints, 82% of water complaints and 80% of all complaints were finalised within 10 business days of receiving the complaint.

Issues Raised

- Concerns about billing and credit are the main issues raised in complaints with these issues identified in 65% of complaints received (46% for billing and 19% for credit). Of these:
 - High bills and alleged errors are the most common reasons for billing complaints; and
 - Payment of arrears is the most common reason for credit complaints.

Ligison and Access

- Effective relationships with key stakeholders and access to our services have been maintained this year through:
 - Continuous liaison and communication with Energy and Water Ombudsman Scheme Members, regulators and industry-based ombudsmen; and
 - Ensuring ongoing access to the Energy and Water Ombudsman services for residential and small use customers, and community groups who may represent them, including through a regional visit to Kalgoorlie and Leonora in the Goldfields-Esperance Region.

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- Our Role
- Structure and Governance
- Our Services
- Our Objectives
- Strategies to Achieve Our Objectives
- Our Complaint Resolution Process

About Us

Our Role

The Energy and Water Ombudsman

The Energy and Water Ombudsman Western Australia is an independent, impartial body that investigates and resolves complaints about electricity, gas and water providers.

Mission and Values

MISSION

To receive, investigate and facilitate the resolution of complaints about electricity, gas and water providers who are Members of the Energy and Water Ombudsman Scheme.

The Energy and Water Ombudsman is founded on the PRINCIPLES of

Independence	Access	Effectiveness
Natural Justice	Equity	Community Awareness

The Role of the Energy and Water Ombudsman

The role of the Energy and Water Ombudsman is principally to do three things:

- Investigate and resolve complaints about a Member of the Energy and Water Ombudsman Scheme (Member);
- From complaints, to identify systemic and emerging issues, as well as monitor the outcomes of complaints and report these issues and outcomes to the Economic Regulation Authority (ERA) and in other relevant forums; and
- Undertake outreach, education, liaison and other activities to ensure awareness
 of, and access to, the Energy and Water Ombudsman, particularly for underrepresented Western Australians (in terms of complaints to the Energy and Water
 Ombudsman compared to representation in the general population).

Structure and Governance

Background of the Energy and Water Ombudsman

The Gas Industry Ombudsman Scheme was established on 31 May 2004 and the Electricity Ombudsman Scheme was established on 22 September 2005. At that time the two schemes were combined under the title of Energy Ombudsman. When the Water Services Ombudsman Scheme commenced on 1 January 2014, the existing Energy Ombudsman expanded to become the Energy and Water Ombudsman.

The Board

The Board of Energy and Water Ombudsman (Western Australia) Limited (the Board) is the governing body of the Energy and Water Ombudsman. It comprises seven directors: an independent chair, three customer representative directors, a gas industry representative director, an electricity industry representative director and a water industry representative director. Details of the membership, responsibilities and operations of the Board are documented in the Energy and Water Ombudsman (Western Australia) Limited Constitution November 2015 (Constitution) and the Charter of Energy and Water Ombudsman (Western Australia) Limited, November 2013 (Charter).

The Board in 2019-20

Chairperson: Menno Henneveld

Directors

Customer Representative: Sonia McKeiver

Customer Representative: Marguerite Anklesaria

Customer Representative: Irina Cattalini

• Gas Industry Representative: Ray Myles (Resigned 31/07/2019)

Brent Graham (Appointed 14/08/2019)

Electricity Industry Representative: Colin Smith
 Water Industry Representative: Karen Willis

Alternate Directors

Gas Industry Representative: Natalie O'Malley (Resigned 31/07/2019)

Christopher Campbell (Appointed 22/10/2019)

Electricity Industry Representative: Margaret Pyrchla

Water Industry Representative: Gary Peach (Resigned 27/02/2020)

Ronny Flendt (Appointed 27/02/2020)

Members of the Energy and Water Ombudsman Scheme

The Members of the Energy and Water Ombudsman Scheme as at 30 June 2020 are listed below.

Gas Industry Members – 30 June 2020

- AGL Sales Pty Limited
- Alinta Sales Pty Ltd
- Amanda Energy Pty Ltd
- ATCO Gas Australia
- Electricity Generation and Retail Corporation (Synergy)
- Esperance Gas Distribution Company Pty Ltd

- Esperance Power Station Pty Ltd
- IPower Pty Ltd and IPower2 Pty Ltd (Simply Energy)
- Origin Energy Pty Ltd
- Perth Energy Pty Ltd
- Wesfarmers Kleenheat Gas Pty Ltd

Electricity Industry Members – 30 June 2020

- AER Retail Pty Ltd
- Alinta Sales Pty Ltd
- Amanda Energy Pty Ltd
- A-Star Electricity Pty Ltd
- Change Energy Pty Ltd
- CleanTech Energy Pty Ltd
- Electricity Generation and Retail Corporation (Synergy)
- Electricity Networks Corporation (Western Power)
- Enwave WA Pty Ltd
- Perth Energy Pty Ltd
- Regional Power Corporation (Horizon Power)
- Rottnest Island Authority
- Wesfarmers Kleenheat Gas Pty Ltd

Water Industry Members – 30 June 2020

- Aquasol Pty Ltd
- Bunbury Water Corporation (Aqwest)
- Busselton Water Corporation
- City of Kalgoorlie-Boulder
- Gascoyne Water Co-operative
- Hamersley Iron Pty Ltd
- Lancelin South Ptv Ltd
- Ord Irrigation Cooperative
- Robe River Mining Co Pty Ltd

- Rottnest Island Authority
- Shire of Dumbleyung
- Shire of Gnowangerup
- Shire of Lake Grace
- South West Irrigation Management Co-operative Limited (Harvey Water)
- Water Corporation
- Water West North Dandalup Pty Ltd

The Energy and Water Ombudsman

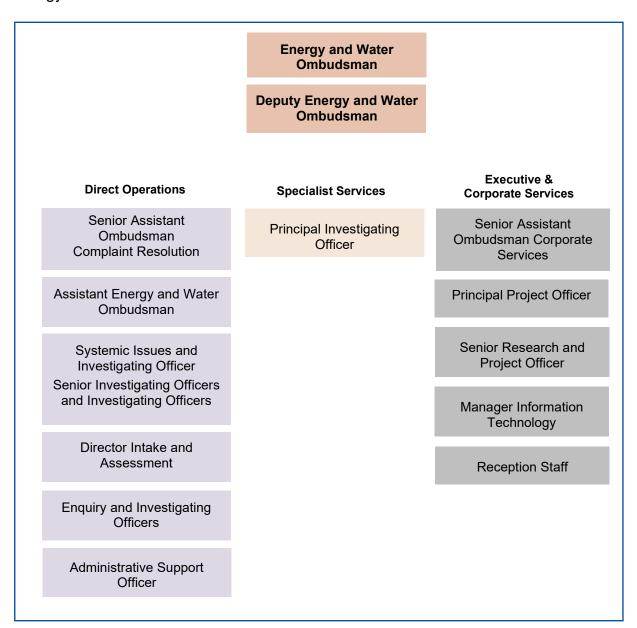
The Western Australian Ombudsman, Chris Field, performs the functions of the Energy and Water Ombudsman under a service agreement with the Board. The Energy and Water Ombudsman is not affiliated with any electricity, gas or water providers or consumer organisations and therefore acts impartially in the investigation and resolution of complaints.

The Energy and Water Ombudsman utilises the governance structures of the Western Australian Ombudsman, including an Audit and Risk Management Committee.

Operational Structure

The office of the Energy and Water Ombudsman (**Office**) is located within the office of the Western Australian Ombudsman. This provides the opportunity to achieve significant benefits through scale and scope economies that would not be available to a small stand-alone Energy and Water Ombudsman Scheme. It also creates the opportunity for improved quality service delivery through the highly developed, specialised expertise existing in the office of the Western Australian Ombudsman.

At 30 June 2020, the Energy and Water Ombudsman was comprised of 12.4 full time equivalent employees reporting to the Western Australian Ombudsman in his role as Energy and Water Ombudsman. The structure of the Office is shown below.



Direct operational dispute resolution services are provided by a team of staff reporting through the Deputy Energy and Water Ombudsman to the Western Australian Ombudsman in his role as Energy and Water Ombudsman. Complex investigations, as well as the review of complaints, can be provided through senior investigating staff of the Western Australian Ombudsman's office. Other services, including communications and information technology, are provided through the Executive and Corporate Services Division of the Western Australian Ombudsman.

Our Services

The Energy and Water Ombudsman receives, investigates and resolves complaints and disputes from residential and small business customers about their electricity, gas or water provider. The following table describes matters that the Energy and Water Ombudsman can and cannot investigate.

Matters the Energy and Water Ombudsman CAN Investigate

- Provision or supply of services as required by a licence or agreement under legislation;
- Billing, the administration of credit and payment services and the recovery of debts;
- Disconnection and restriction of supply, and refundable advances;
- Payments for breaches of prescribed electricity and water service standards;
- Marketing of gas, electricity or water for sale;
- A Member's exercise of its powers in relation to land, neighbouring land or property;
- Complaints and disputes relating to a Member or an agent referred by a Member or an agent; and
- Complaints by a person affected by the provision of a water service.

Matters the Energy and Water Ombudsman CANNOT Investigate

- The setting of prices or tariffs or determining price structures;
- Commercial activities outside the scope of the electricity, gas or water service licence:
- The content of Government policies; and
- Complaints under consideration by, or previously considered by, any court or tribunal or the Ombudsman considers should be dealt with by a court or tribunal.

The Energy and Water Ombudsman also liaises closely with providers in order to achieve effective dispute resolution, and with the community to provide effective access to our services.

Our Objectives

The primary objectives of the Energy and Water Ombudsman are to:

- Resolve disputes between Members and their customers in a timely, independent, cost effective and efficient manner;
- Reduce the number of investigations by the Ombudsman through:
 - o Ensuring Members are fully informed about costs of investigations; and
 - Working collaboratively with Members to achieve satisfactory internal resolutions;
- Ensure the appropriate level of consumer awareness of, and access to, the Energy and Water Ombudsman; and
- Develop and actively foster effective stakeholder relations.

Strategies to Achieve Our Objectives

During 2019-20, we focused on the following key strategies to achieve our objectives and our Mission in accordance with our Values:

- Ensuring the Scheme is valued by consumers and Members by deploying independent, efficient and effective complaint management practices and applying industry best practice alternative dispute resolution;
- Based on information gathered during the complaints management process, identifying systemic and emerging issues and reporting on these issues to the ERA and other relevant stakeholders: and
- Developing and undertaking outreach, education, liaison and other programs with a focus on under-represented Western Australians.

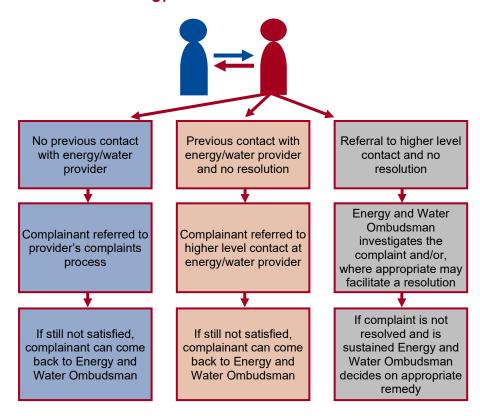
Our Complaint Resolution Process

Consistent with other industry ombudsman schemes, the Energy and Water Ombudsman has a focus on the resolution of complaints by the electricity, gas or water provider and asks people making a complaint to try to resolve the matter with the provider first. The Energy and Water Ombudsman investigates complaints that remain unresolved after referral to a higher level contact with the electricity, gas or water provider.

When resolving complaints, the Energy and Water Ombudsman pursues them in a fair, reasonable, just, informal and expeditious manner, having regard to the law and licences, industry codes, deemed contracts and good industry practice applicable to the relevant Member.

A summary of the process for handling complaints is shown below.

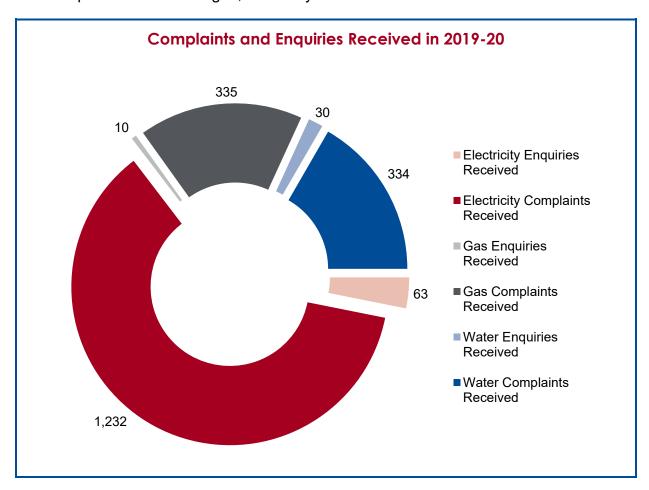
Complainant phones, writes to or visits the Energy and Water Ombudsman



- Complaints and Enquiries Received
- Complaints Finalised
- Issues Raised in Complaints
- Disconnections
- Investigated Complaints

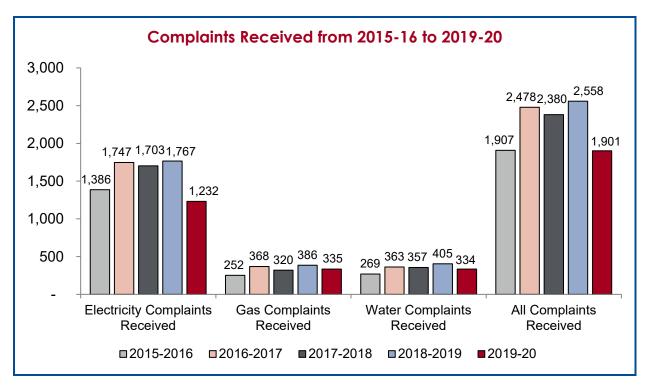
Complaints and Enquiries Received

Over the 12 month period from 1 July 2019 to 30 June 2020, the Energy and Water Ombudsman received 1,901 complaints and finalised 1,955 complaints. In addition, 103 enquiries were received. The following chart shows the breakdown of complaints and enquiries received for gas, electricity and water in 2019-20.

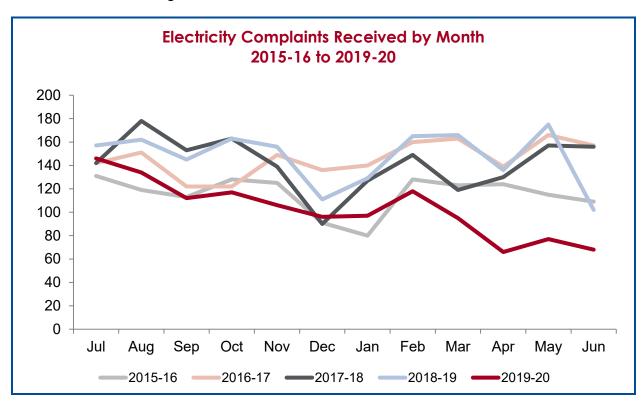


Trends in Complaint Numbers

The following chart shows the trend in complaint numbers over the last five years for electricity, gas and water complaints.



Further details of the trends in electricity complaints over the last five years are shown in the following chart.



Complaints Finalised

Complaints are finalised through resolution by the electricity, gas or water provider where possible and, if the matter cannot be resolved at that level, the complaint is investigated. The complaint stages and action taken by the Energy and Water Ombudsman at each stage are shown below.

Stage 1 Complaints

The person has not yet contacted the electricity, gas or water provider. The person is referred to the relevant provider.

Stage 2 Complaints

The person has had at least one contact with their electricity, gas or water provider (such as contact to the call centre) but the complaint has not been resolved. The Energy and Water Ombudsman refers the complaint to a 'higher level' officer for resolution within 10 business days.

Investigated Complaints

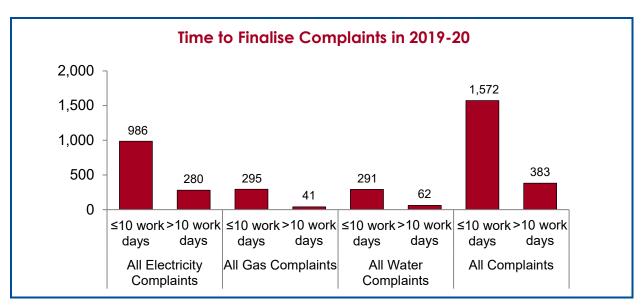
If a complaint remains unresolved after it has been referred to a 'higher level' officer at the relevant provider, the person can bring their complaint back to the Energy and Water Ombudsman for investigation. Where appropriate, the Energy and Water Ombudsman may attempt to facilitate a resolution.

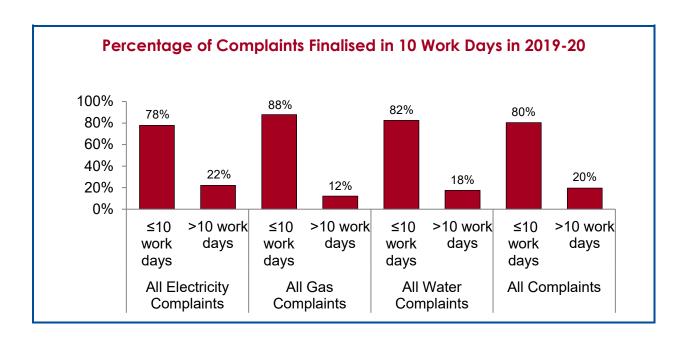
In 2019-20, there were 1,955 complaints finalised, comprising 1,266 electricity complaints, 336 gas complaints and 353 water complaints.

Timeliness of Complaint Handling

The Energy and Water Ombudsman has maintained its high levels of timeliness in 2019-20 with 78% of electricity complaints, 88% of gas complaints, 82% of water complaints and 80% of all complaints being finalised within 10 business days.

The following charts show the timeframes for resolving electricity, gas and water complaints in 2019-20.





Issues Raised in Complaints

Issues raised in electricity, gas and water complaints fall into the following categories:

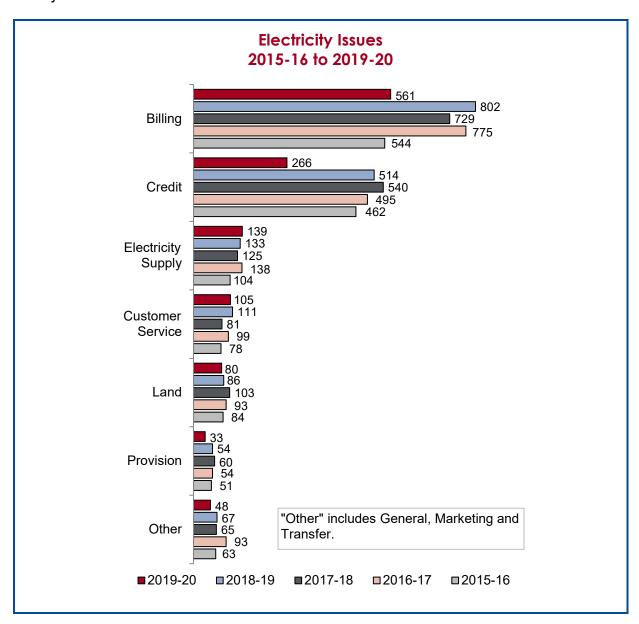
Billing	Complaints about bills including alleged errors and disputes over meter readings and fees and charges.
Credit	Complaints about payment arrangements, debt collection issues and payment difficulties.
Customer Service	Complaints about alleged poor customer service.
Supply	Complaints about the quality and reliability of supply of electricity, gas or water.
Provision	Complaints about connection issues.
Land	Complaints about the way a provider has exercised its powers in relation to land.
Service Standard Payments	Complaints about regulated payments for poor service.
Transfer	Complaints about transfers from one provider to another.
Marketing	Complaints about the marketing activities of providers.
Drainage, Irrigation or Sewerage	Complaints about the supply of drainage, irrigation or sewerage.
General	Complaints not covered by other categories, including complaints by a person affected by a water service.

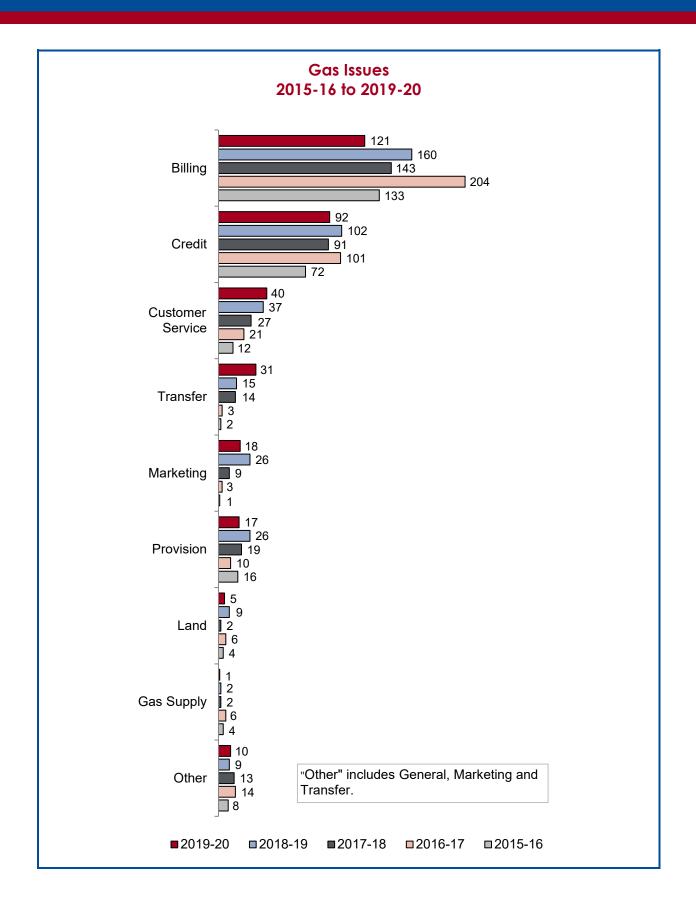
Most Common Issues Raised

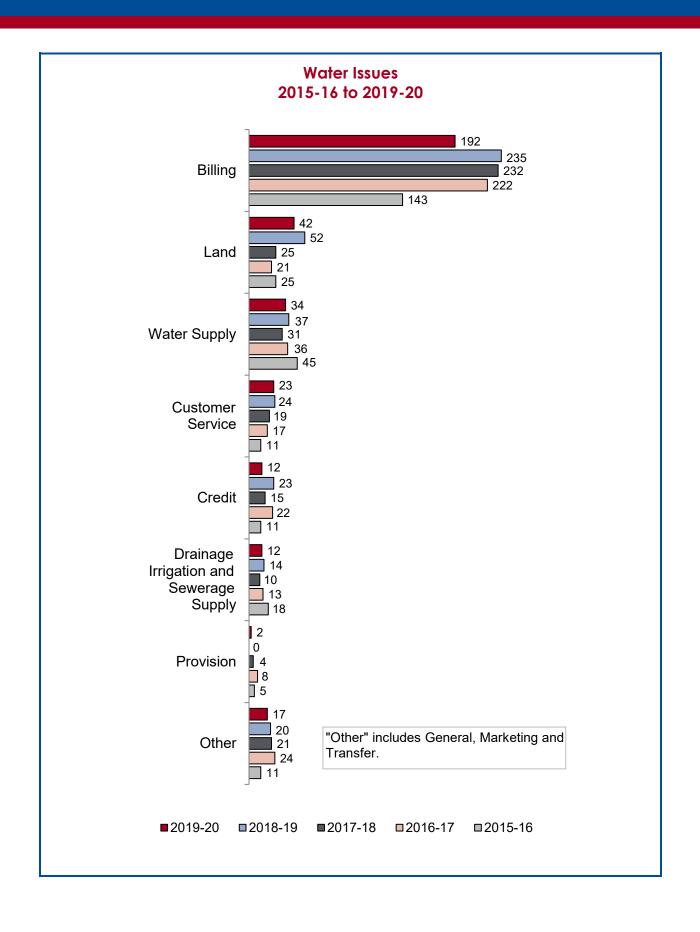
As for previous years, during 2019-20, billing remains the most common issue raised for electricity, gas and water complaints. Billing issues were raised in 46% of complaints received (46% of electricity complaints, 36% of gas complaints and 57% of water complaints). During the year there has been a decrease in billing complaints of 30% for electricity, 24% for gas and 18% for water.

Credit is also a common issue for energy complaints, and credit issues were raised in 19% of complaints received (22% of electricity complaints, 27% of gas complaints and 4% of water complaints).

The following charts show the trends in issues raised in complaints over the last five years.







Reasons for Billing and Credit Complaints

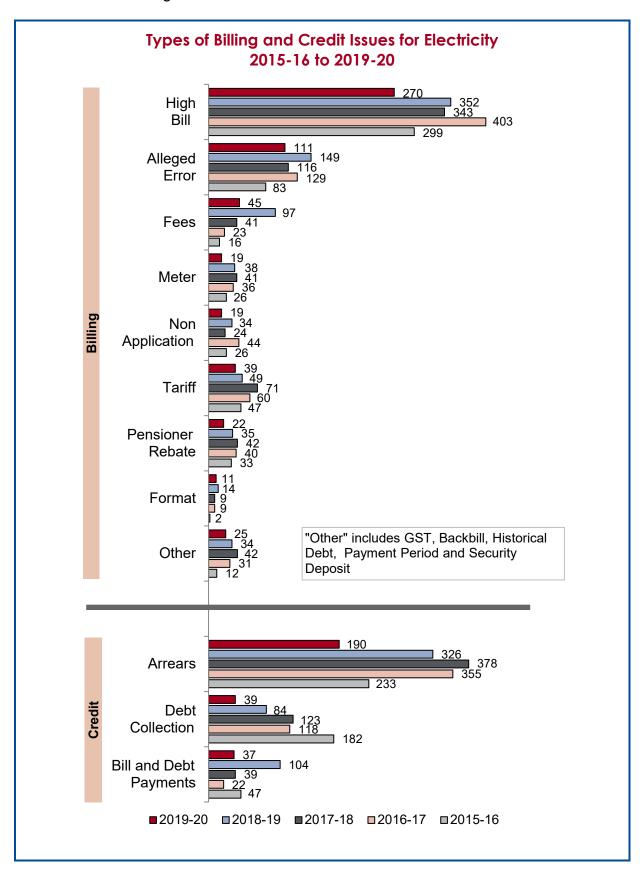
Complaints about billing and credit issues may be made for a range of reasons. The main types of billing and credit issues are:

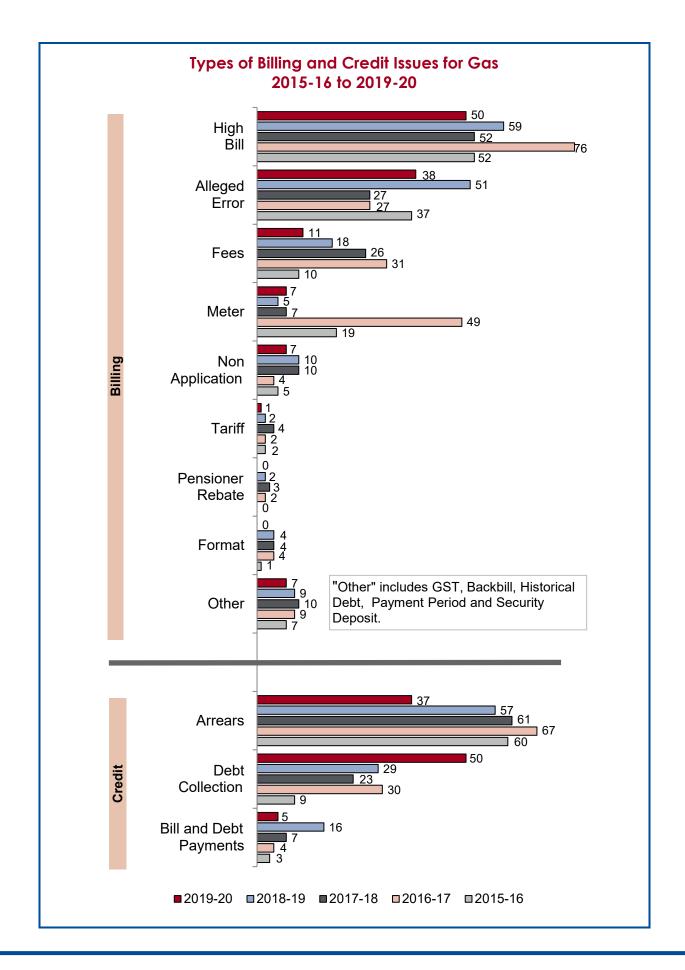
Types of Billing Issues		
High Bill	Bill higher than expected.	
Alleged Error	Alleged billing errors.	
Meter	Metering issues.	
Non Application	Disconnections due to the customer not applying for an account.	
Tariff	Incorrect rates or lack of information about tariffs.	
Fees	Fees and charges.	
Pensioner Rebate	Rebate has not been applied or has been incorrectly applied.	
Format	Format or lack of adequate information on bill.	
Other	Includes backbills, GST, historical debt, payment periods and security deposit.	
Types of Credit Issues		
Payment of Arrears	Payment of arrears from previous bills, including extensions and payment plans.	
Debt Collection	Credit rating or debt collection issues.	
Bill and Debt Payments	Customer has received a high bill and has difficulty in payment, has difficulty paying debts or problems with payment arrangements.	

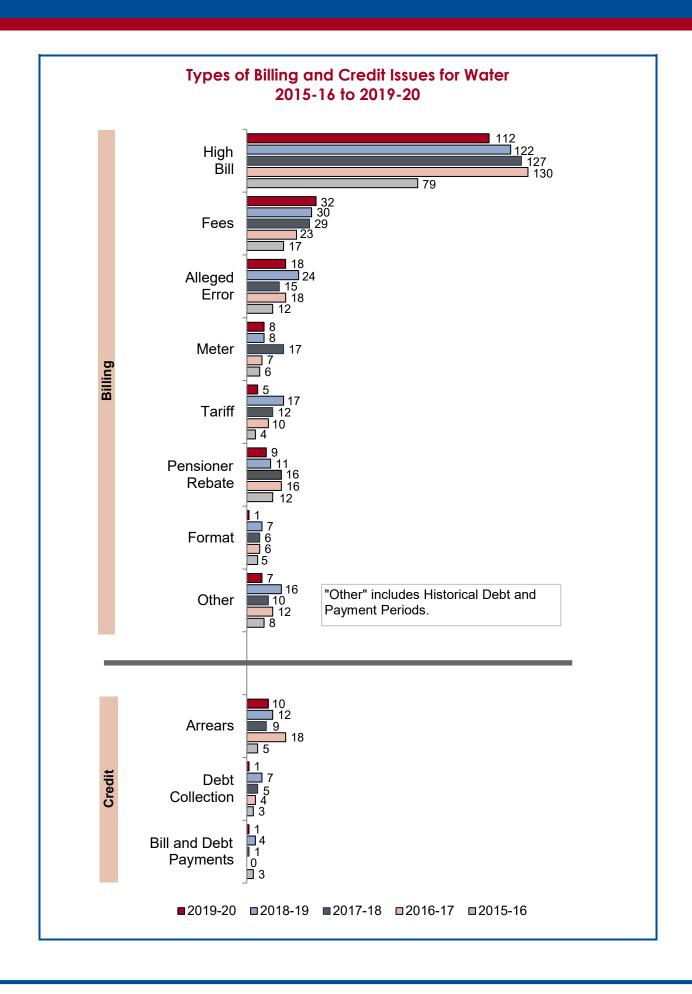
In 2019-20, the main reasons for electricity, gas and water billing complaints were high bills, alleged errors and fees.

For electricity, the main reason for credit complaints was payment of arrears, and for gas, it was debt collection.

The trends over the last five years in the different types of billing and credit issues are shown in the following charts.







Disconnections

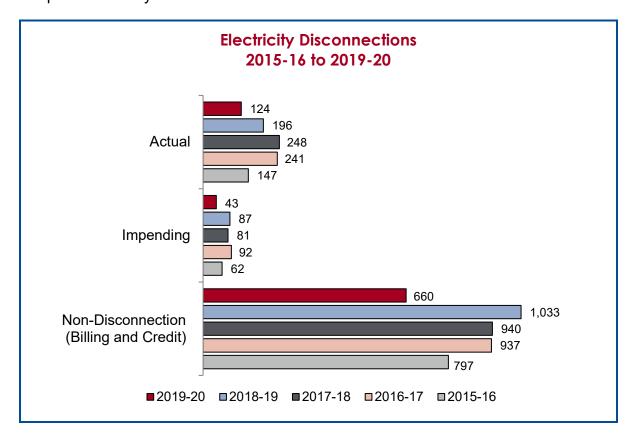
Gas and electricity retailers sometimes disconnect supply when a customer has failed to pay their bill or has not applied for an account when they take up a new residence. Before disconnecting, a reminder notice and then a disconnection warning should be sent. Complaints about reminder notices and disconnection warnings are recorded by the Energy and Water Ombudsman as impending disconnections. Complaints about a disconnection that has already occurred are recorded as actual disconnections. Water providers typically restrict a service rather than disconnect.

During 2019-20, there were:

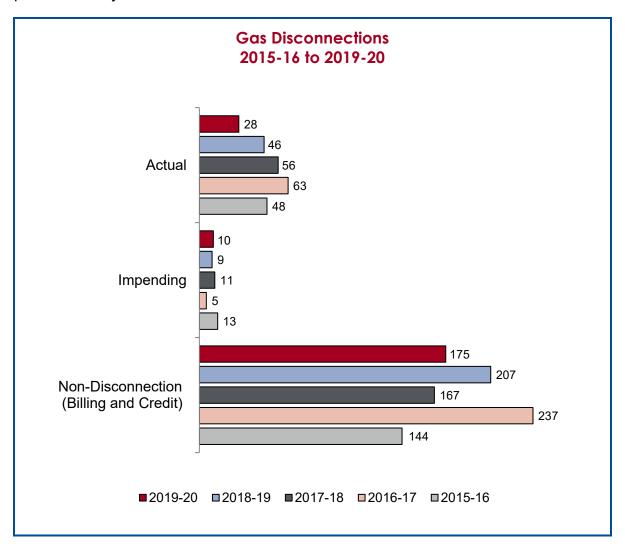
- 827 electricity complaints involving billing and credit issues and, of these, 124 involved actual disconnection and 43 involved an impending disconnection;
- 213 gas complaints involving billing and credit issues and, of these, 28 involved actual disconnection and 10 involved an impending disconnection; and
- 238 water complaints involving water supply issues and, of these, two related to water restriction.

The following charts show trends for electricity and gas complaints relating to billing and credit issues involving, and not involving, disconnections.

For electricity, complaints about actual disconnections in 2019-20 were lower than the previous four years.



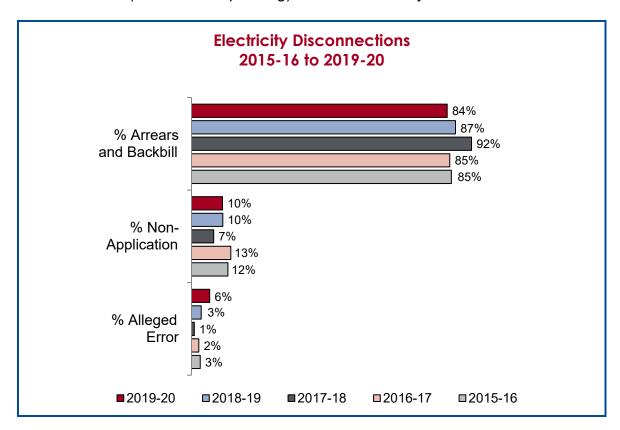
For gas, complaints about actual disconnections in 2019-20 were also lower than the previous four years.

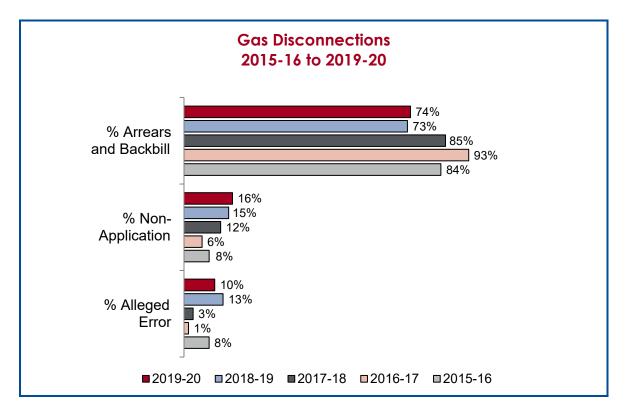


Actual or impending disconnections can occur for the following reasons:

Reasons for Disconnection		
Arrears and Backbills	Customer has not paid their bill or a backbill for a previous period.	
Non Application	The customer has moved into or acquired a property and not applied to their retailer for an account to be established.	
Alleged Error	Customer claims that they have been, or are about to be, disconnected due to an alleged error by the retailer.	

For both electricity and gas, most complaints received about disconnections relate to arrears in bill payments. The following charts show the trends in the reasons for all disconnections (actual and impending) over the last five years.





Investigated Complaints

The Energy and Water Ombudsman refers complaints to the electricity, gas or water provider to resolve the matter in the first instance and most complaints are resolved directly between the customer and the provider. If the customer does not consider the matter is resolved they can bring their complaint back to the Energy and Water Ombudsman for investigation.

Facilitated Resolution Prior to Investigation

Prior to investigation, where appropriate, the Energy and Water Ombudsman may attempt to facilitate a resolution between the customer and the provider before commencing an investigation.

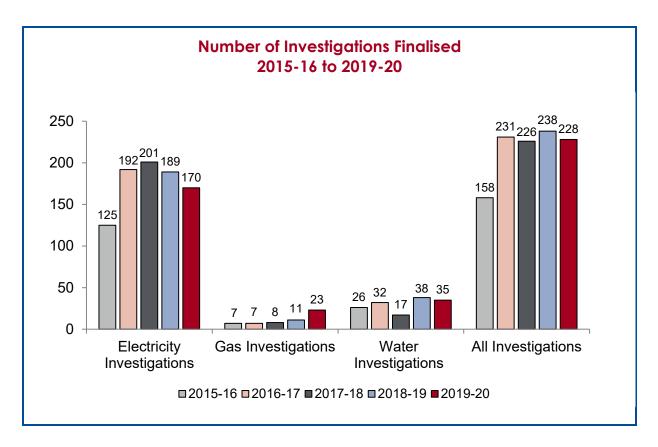
The facilitated resolution process involves the Office contacting the provider to allow it a further two business days to try to resolve the complaint and working with both the customer and the provider to facilitate a resolution. The Office monitors the process to ensure the matter is resolved. If the provider does not wish to attempt a further resolution or there is not a resolution in a reasonable timeframe, the complaint is investigated.

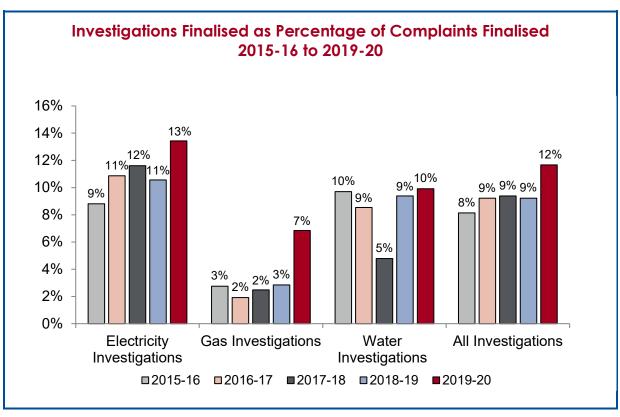
In 2019-20, there were 375 complaints finalised after being referred back by the customer for investigation, of which 125 (33%) were finalised through a facilitated resolution prior to investigation, 90 for electricity, 13 for gas and 22 for water. A further 22 complaints were finalised prior to investigation as they were out of jurisdiction, withdrawn, there was no further contact or further investigation was not warranted.

Investigations Finalised

In addition to the 147 complaints finalised prior to investigation, there were 228 complaints finalised in 2019-20 following an investigation by the Energy and Water Ombudsman, including 170 electricity complaints, 23 gas complaints and 35 water complaints.

Trends in the numbers and proportion of investigated complaints over the last five years are shown in the following charts.





Outcomes of Complaints Referred Back for Investigation

Complaints that are referred back by a customer to the Energy and Water Ombudsman for investigation may be finalised for the following reasons:

- The Energy and Water Ombudsman facilitates a resolution prior to the commencement of an investigation;
- The Energy and Water Ombudsman facilitates a resolution during the investigation;
- Investigation of the matter shows that it is out of jurisdiction;
- The investigation shows the complaint is not sustained;
- The investigation shows the matter is sustained and the Energy and Water Ombudsman makes a binding determination, including an appropriate remedy; or
- Further investigation is not warranted for a range of reasons.

The most common outcomes for the 375 complaints finalised in 2019-20 after being referred back for investigation were as follows:

- In 125 (33%) of the 375 complaints, a resolution between the customer and the provider was facilitated prior to commencing an investigation;
- In 52 (14%) of the 375 complaints, a resolution between the customer and the provider was facilitated during the investigation; and
- In 170 (45%) of the 375 complaints, the investigation showed the complaint was not sustained.

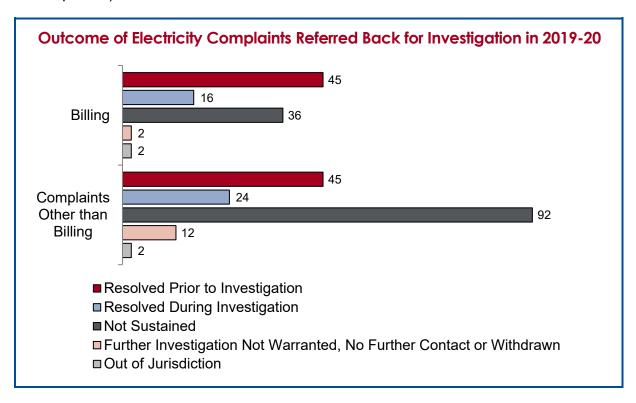
Smaller proportions of complaints were finalised prior to or following an investigation because they were found to be out of jurisdiction (eight in 2019-20), further investigation was not warranted (seven in 2019-20), the complaint was withdrawn (one in 2019-20) and there was no further contact (12 in 2019-20).

There were no binding determinations by the Energy and Water Ombudsman in the 2019-20 reporting period.

Our Work in 2019-20

Outcomes of Electricity Complaints Referred Back for Investigation

The following chart shows the outcomes, in 2019-20, of the 276 electricity complaints referred back for investigation, broken down by billing (the most common issue raised in complaints) and other issues.



Outcomes of Gas Complaints Referred Back for Investigation

In 2019-20, the outcomes of the 39 gas complaints referred back for investigation were that 13 were resolved prior to investigation, four were resolved during the investigation, 19 were not sustained, and for three, further investigation was not warranted, there was no further contact or the complaint was withdrawn.

Outcomes of Water Complaints Referred Back for Investigation

In 2019-20, the outcomes of the 60 water complaints referred back for investigation were that 22 were resolved prior to investigation, eight were resolved during the investigation, 23 were not sustained, four were out of jurisdiction, and for three, further investigation was not warranted, there was no further contact or the complaint was withdrawn.

Resolutions for Complaints

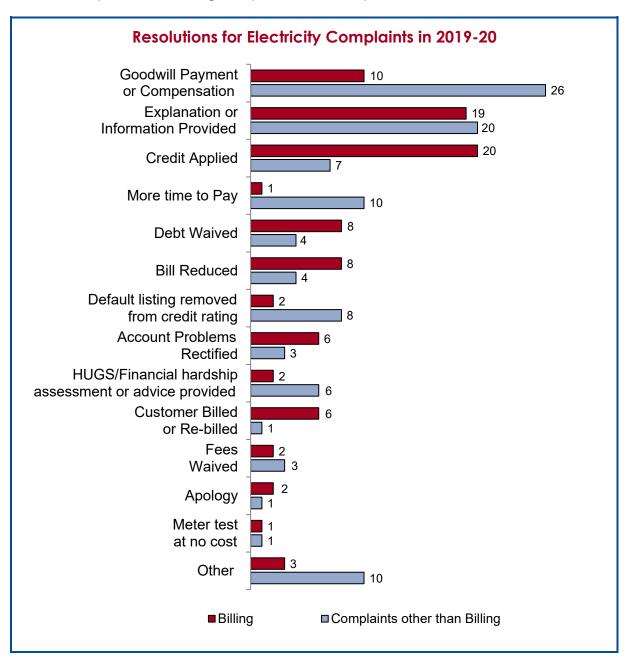
Electricity, gas and water providers may offer a range of actions to resolve a complaint including reducing bills, correcting or removing credit listings, providing the complainant with more time to pay, or providing compensation, an explanation or an apology. Bills may be reduced for a variety of reasons including correction of errors (for example, payment of rebate entitlements). Compensation may be paid where a customer has suffered a loss or damage due to the actions of their electricity, gas or water provider.

Our Work in 2019-20

Resolutions for Electricity Complaints

In 2019-20, there were 194 actions offered by electricity providers for the 130 electricity complaints that were resolved after being referred back by the customer to the Energy and Water Ombudsman for investigation. The number of actions undertaken is higher than the number of complaints resolved as there is often more than one action taken by the provider to resolve the complaint. For example, the retailer may reduce the bill and offer an apology.

The following chart provides the breakdown of the actions offered in 2019-20 to resolve complaints, for billing complaints and complaints about other issues.



Our Work in 2019-20

Resolutions for Gas Complaints

In 2019-20, there were 22 actions offered by gas providers for the 17 gas complaints that were resolved after they were referred back for investigation, including:

- Explanation or information provided;
- Credit applied, fees or debt waived, goodwill payment or bill reduced;
- Default listing removed from credit rating;
- Customer billed or re-billed;
- Account problems rectified; and
- An apology.

Resolutions for Water Complaints

In 2019-20, there were 38 actions offered by water providers for the 30 water complaints that were resolved after they were referred back for investigation, including:

- Explanation or information provided;
- Bill reduced, credit applied, or goodwill payment;
- Pensioner concession paid; and
- More time to pay.

The following case studies illustrate the outcomes of complaints and, where appropriate, the resolutions offered by providers.



Further payment arrangement provided

A customer, a single parent with several dependants, complained to the Energy and Water Ombudsman about a high electricity bill, due to historical debt and ongoing affordability issues. While regular payments were being made, they were failing to cover ongoing consumption.

Following the investigation by the Energy and Water Ombudsman, the Retailer agreed to a more affordable instalment plan and a partial debt waiver to match payments previously made by the customer, as well as ongoing customer support. The customer also undertook to continue to make payments and the Energy and Water Ombudsman referred them to energy saving tips on the Retailer's website in order to moderate ongoing consumption as far as practicable.



Reassessment and reduction in water charges

A customer complained that their water service charges had increased significantly and they were struggling to pay their bills.

Following the Energy and Water Ombudsman's investigation, the water provider agreed to arrange for Landgate to inspect the property to determine if the rateable value of the property was correct. Following Landgate's inspection, the property was reclassified resulting in a lower Gross Rental Value and in turn lower water service charges. As a result, the water provider applied a credit to the customer's account.



Payment for damage due to faulty connection

A customer installed solar panels which required the existing meter to be exchanged for a new bi-directional meter. Following the meter exchange, the unoccupied property was without power for a considerable period, which the customer stated had resulted in food spoilage and irreparable damage to the fridge.

The investigation by the Energy and Water Ombudsman found that it was probable that a wire had become loose during the meter exchange resulting in no electricity being supplied to the residence. As a result of the Energy and Water Ombudsman's investigation, the Distributor agreed to compensate the customer for the damaged appliance and spoiled food.

- Stakeholder Liaison
- Access to Services

Stakeholder Liaison and Access to Services

Effective engagement with key stakeholder groups is essential to the achievement of effective complaint resolution, increased awareness of the services provided by the Office and identification and addressing of systemic issues. The Office does this through:

- Continuous liaison and communication with key stakeholders including Members (electricity, gas or water providers), regulators and industry-based ombudsmen; and
- Ensuring ongoing access to its services for residential and small use customers, and community groups who represent them.

In 2016-17, the Energy and Water Ombudsman Board approved a revised *Communications Strategy 2017-21*. This strategy identifies activities designed to enhance the promotion of, and access to, the Energy and Water Ombudsman by key stakeholders. Further details about these activities are detailed in this section.

Stakeholder Liaison

The Office regularly liaises with a number of key stakeholders. This continuous communication and feedback process allows the Office to better understand relevant industry issues and to encourage best practice and leadership in dispute resolution.

Members

In order to achieve effective dispute resolution, the Office liaises closely with Members. The Office was involved in regular meetings with Members as outlined below:

- In July 2019, the Deputy Energy and Water Ombudsman met with the Executive Manager Business and Customer Service, Western Power. Energy and Water Ombudsman staff also met with Western Power throughout the year regarding ongoing liaison and the resolution of complaints;
- In July 2019, the Deputy Energy and Water Ombudsman met with the General Manager, Customer and Community, Water Corporation. Energy and Water Ombudsman staff also met with Water Corporation throughout the year regarding ongoing liaison and the resolution of complaints;
- In August 2019 and June 2020, the Assistant Energy and Water Ombudsman and staff attended information sessions conducted by Western Power and Synergy on their Advanced Metering Infrastructure rollout;
- In September 2019, the Energy and Water Ombudsman met with the Chief Executive Officer, Synergy;

- In September and October 2019, the Deputy Energy and Water Ombudsman and Assistant Energy and Water Ombudsman met with representatives of Synergy to discuss complaints. Energy and Water Ombudsman staff also met with Synergy throughout the year regarding ongoing liaison and the resolution of complaints;
- In September 2019, the Office emailed all Members to inform them of their contributions, both annual levy and dispute costs, for 2019-20 and provided a copy of the Guidance Note: Funding Model and Allocation of Dispute Costs for the Ombudsman:
- In October 2019, the Deputy Energy and Water Ombudsman and Assistant Energy and Water Ombudsman provided an induction for new Industry Representative Directors on the Board;
- In November 2019, the Assistant Energy and Water Ombudsman met with a representative of Simply Energy to discuss ongoing liaison and the resolution of complaints;
- In December 2019, the Assistant Energy and Water Ombudsman, Director Intake and Assessment and Principal Project Officer delivered workshops in Kalgoorlie to officers of Members on Good Decision Making and Effective Complaint Handling;
- In February 2020, the Acting Assistant Energy and Water Ombudsman and staff met with Alinta to discuss ongoing liaison and complaints;
- In February 2020, the Acting Assistant Energy and Water Ombudsman met with staff from Busselton Water to discuss ongoing liaison and complaints;
- In March 2020, the Deputy Energy and Water Ombudsman and Assistant Energy and Water Ombudsman consulted with senior representatives from Synergy, Water Corporation, Western Power, ATCO Gas, Alinta, Kleenheat, Horizon Power, AGL Energy, Simply Energy and Origin Energy, on the proposed Energy and Water Ombudsman Budget for 2020-21; and
- In May 2020, the Assistant Energy and Water Ombudsman attended a South West Water Interest Group meeting, comprising several water services licensees as well as the ERA, to discuss ongoing liaison.

The Economic Regulation Authority and other regulators

During 2019-20, the Office continued its regular interaction with the industry regulator, the ERA. The Office was involved with meetings and liaison with the ERA and other regulators as outlined below:

- In July, September and December 2019 and June 2020, the Assistant Energy and Water Ombudsman attended liaison meetings with senior staff of the ERA;
- In September and December 2019, the Assistant Energy and Water Ombudsman attended meetings with the ERA's Consumer Consultative Committee;

- In September 2019, the Deputy Energy and Water Ombudsman, Assistant Energy and Water Ombudsman and Principal Project Officer met with the Manager, Energy Policy WA, Department of Mines, Industry Regulation and Safety (Energy Policy WA);
- In November 2019 and April 2020, the Assistant Energy and Water Ombudsman met with the Senior Advisor Consumer Policy and Advocacy, Energy Policy WA; and
- In May 2020, the Assistant Energy and Water Ombudsman met with the Assistant Director, Energy Policy WA.

Industry Ombudsmen

Liaison and collaboration with other industry-based ombudsmen provides an opportunity for the Office to benchmark its performance and stakeholder communication activities against other similar agencies, and to identify areas for improvement through the experience of others. A summary of the liaison with these industry bodies is outlined below:

- Between 30 July to 1 August 2019, the Assistant Energy and Water Ombudsman attended and presented at an 'Ombudsman Investigator Training Workshop', organised by the New Zealand Ombudsman on behalf of the Australian and Pacific Ombudsman Region of the International Ombudsman Institute (IOI), to deliver investigation training in Fiji for Pacific Island ombudsmen including: Cook Islands, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu;
- The Energy and Water Ombudsman attended the Australia and New Zealand Energy and Water Ombudsman Network (ANZEWON) meetings via teleconference in November 2019 and April 2020. ANZEWON provides a forum for utility industry ombudsmen in Australia and New Zealand to enhance effectiveness, efficiency and appropriate consistency of complaint handling across the jurisdictions. Members are able to share appropriate information and jointly consider emerging consumer issues; and
- The Australian and New Zealand Ombudsman Association (ANZOA) is a peak group for parliamentary and industry-based ombudsmen in Australia and New Zealand. It acts as a network for consultation and discussion for ombudsmen on matters of interest, concern or common experience. Staff participated in regular special interest group meetings with ANZOA Members via teleconference, including: Vulnerable Customers and Financial Hardship, Policy and Research and Public Relations and Communications.

Access to Services

Community Awareness and Accessibility

The Office continued to utilise various communication methods to ensure access to its services for the community, including:

- In October 2019, the Assistant Energy and Water Ombudsman and staff attended the Financial Counsellors' Association of Western Australia's 2019 conference and provided information about the Energy and Water Ombudsman at the conference's marketplace;
- In November 2019, Energy and Water Ombudsman staff attended Perth Homeless Connect and provided information on the Energy and Water Ombudsman;
- In December 2019, the Office continued the Regional Awareness and Accessibility Program (the Program), with a visit to Kalgoorlie and Leonora in the Goldfields-Esperance Region. The Program is an important way for the Energy and Water Ombudsman to raise awareness of, and access to, its services for regional and Aboriginal Western Australians. Energy and Water Ombudsman information sheets are distributed and Energy and Water Ombudsman staff receive enquiries and complaints about the electricity, gas and water providers during information stalls and complaint clinics which form part of regional visits;
- In February 2020, the Office undertook an electronic mailout of information about the Energy and Water Ombudsman and relevant publications to over 200 consumer and community organisations and 95 electorate offices of State Members of Parliament; and
- In June 2020, the Assistant Energy and Water Ombudsman attended the Western Australian Advocates for Consumers of Energy Forum as an observer.

Energy and Water Ombudsman Website

The Energy and Water Ombudsman website provides a wide range of information and resources for members of the public on the complaint handling service provided by the Office.

In 2019-20, the Office commenced development of a new website for the Energy and Water Ombudsman to replace the website which has been in place since 2008. The new website will be significantly more accessible and usable for Western Australian consumers of energy and water services.

Some of the features of the new website include:

- Information sheets in a wide range of community languages as well as built-in Google translate;
- Accessible for people with disability and tested to comply with Web Content Accessibility Guidelines version 2.1 level AA;

- Fully responsive for access from mobile devices;
- New community resources such as latest statistics and a searchable case study library; and
- One-click access to an interactive complaint form. The form will assist users with contacting the electricity, gas or water provider if they have not already done so, and inform them where they can go for complaints that are outside the Office's jurisdiction.

The new site will be live in 2020.

'Ask the Ombudsman' on 6PR Perth Tonight

The Office continues to provide access to its services through the Energy and Water Ombudsman's regular appearances on Radio 6PR's *Perth Tonight* program. Listeners who have complaints about electricity, gas or water providers or want to make other enquiries about the Energy and Water Ombudsman can call in and speak with the Energy and Water Ombudsman live on the air. The segment also allows the Office to communicate key messages about the Energy and Water Ombudsman and the outcomes that can be achieved for members of the public. The Energy and Water Ombudsman appeared on the 'Ask the Ombudsman' segment in September and October 2019.

Publications

The Energy and Water Ombudsman provides publications to assist complainants to understand the role of the Energy and Water Ombudsman and the Energy and Water Ombudsman's complaint process.

The Energy and Water Ombudsman's complaint forms and information sheets are translated into 15 community languages to ensure accessibility for people from culturally and linguistically diverse backgrounds. The translated forms and information feature on the website and are available in hard copy on request.



- Company Particulars as at 30 June 2020
- Independent Audit Opinion
- Statement of Profit or Loss and Other Comprehensive Income
- Statement of Financial Position
- Statement of Changes in Equity
- Statement of Cash Flows

Company Particulars and Financial Statements

Company Particulars as at 30 June 2020

Energy and Water Ombudsman (Western Australia) Limited ACN 109 054 426				
Registered address	c/- Kennerlys 37 Ord Street West Perth WA 6005			
Postal address	c/- Kennerlys PO Box 1125 West Perth WA 6872			
Board	Chairperson:	Menno Henneveld		
	Directors Customer Representative: Customer Representative: Customer Representative: Gas Industry Representative: Electricity Industry Representative: Water Industry Representative: Alternative Directors Gas Industry Representative: Electricity Industry Representative: Water Industry Representative:	Karen Willis Natalie O'Malley (Resigned 31/07/2019) Christopher Campbell (Appointed 22/10/2019)		
Company Secretary	Leendert Johan Ouwendyk			
Accountants	Kennerlys PO Box 1125 West Perth WA 6872			
Auditor	Shakespeare Partners, Chartered A PO Box 1257 West Perth WA 6872	Accountants		

Energy and Water Ombudsman (Western Australia) Limited ACN 109 054 426

Members

Gas Industry

AGL Sales Pty Limited Alinta Sales Pty Ltd Amanda Energy Pty Ltd ATCO Gas Australia

Electricity Generation and Retail Corporation (Synergy)

Esperance Gas Distribution Company Pty Ltd

Esperance Power Station Pty Ltd

IPower Pty Ltd and IPower2 Pty Ltd (Simply Energy)

Origin Energy Pty Ltd Perth Energy Pty Ltd

Wesfarmers Kleenheat Gas Pty Ltd

Electricity Industry

AER Retail Pty Ltd

Alinta Sales Pty Ltd

Amanda Energy Pty Ltd

A-Star Electricity Pty Ltd

Change Energy Pty Ltd

CleanTech Energy Pty Ltd

Electricity Generation and Retail Corporation (Synergy)

Electricity Networks Corporation (Western Power)

Enwave WA Pty Ltd

Regional Power Corporation (Horizon Power)

Perth Energy Pty Ltd

Rottnest Island Authority

Wesfarmers Kleenheat Gas Pty Ltd

Water Industry

Aguasol Pty Ltd

Bunbury Water Corporation (Aqwest)

Busselton Water Corporation

City of Kalgoorlie-Boulder

Gascoyne Water Co-operative

Hamersley Iron Pty Ltd

Lancelin South Pty Ltd

Ord Irrigation Cooperative

Robe River Mining Co Pty Ltd

Rottnest Island Authority

Shire of Dumbleyung

Shire of Gnowangerup

Shire of Lake Grace

South West Irrigation Management Co-operative Limited (Harvey Water)

Water Corporation

Water West North Dandalup Pty Ltd

Independent Audit Opinion



AUDITOR'S INDEPENDENCE DECLARATION UNDER SECTION 307C OF THE CORPORATIONS ACT 2001 TO DIRECTORS OF ENERGY AND WATER OMBUDSMAN (WA) LTD

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2020 there have been no contraventions of:

- the auditor independence requirements as set out in the Corporations Act 2001 in relation to the audit; and
- any applicable code of professional conduct in relation to the audit.

Stephen Richard Thompson, Director

SHAKESPEARE PARTNERS (AUDIT) PTY LTD

CHARTERED ACCOUNTANTS

Auditor Number: 475031

7 September 2020

DIRECTORS: Leigh-Anne Meyerowitz CA | Stephen Thompson CA

Shakespeare Partners (Audit) Pty Ltd. | ABN 67604460568 47 Outram Street, West Perth, Western Australia 6005. | PO Box 1257, West Perth, Western Australia 6872 www.shakes.com.au. | info@shakes.com.au. | Ph. +61 (08) 9321.2111. | Fax. +61 (08) 9321.2050 Uability limited by a scheme approved under Professional Standards Legislation





INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF ENERGY AND WATER OMBUDSMAN (WA) LTD

Report on Audit of the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Energy and Water Ombudsman (WA) Ltd, which comprises the statement of financial position as at 30 June 2020, and the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies and the directors' declaration.

In our opinion the financial report of Energy and Water Ombudsman (WA) Ltd is in accordance with Corporations Act 2001, including:

- a. giving a true and fair view of the Company's financial position as at 30 June 2020 and of its performance for the year ended; and
- complying with Australian Accounting Standards to the extent described in Note 1 and Corporations Regulations 2001.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the Company in accordance with the auditor independence requirements of the Corporations Act 2001 and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by the Corporations Act 2001, which has been given to the directors of the Company, would be in the same terms if given to the directors as at the time of this auditor's report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the directors' financial reporting responsibilities under the *Corporations Act 2001*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

DIRECTORS: Leigh-Anne Meyerowitz CA | Stephen Thompson CA

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Other Information

The directors are responsible for the other information. The other information comprises the information included in the annual report for the year ended 30 June 2020, but does not include the financial report and our auditor's report thereon.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the Directors for the Financial Report

The directors of the Company are responsible for the preparation of the financial report that gives a true and fair view and have determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the requirements of the Corporations Act 2001 and is appropriate to meet the needs of the members. The directors' responsibility also includes such internal control as the directors determine is necessary to enable the preparation of a financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/Home.aspx. This description forms part of our auditor's report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgment and maintain professional scepticism throughout the audit. We also:

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- Identify and assess the risks of material misstatement of the financial report, whether due
 to fraud or error, design and perform audit procedures responsive to those risks, and
 obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.
 The risk of not detecting a material misstatement resulting from fraud is higher than for
 one resulting from error, as fraud may involve collusion, forgery, intentional omissions,
 misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit
 procedures that are appropriate in the circumstances, but not for the purpose of
 expressing an opinion on the effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.
- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Stephen Thompson, Director

SHAKESPEARE PARTNERS (AUDIT) PTY LTD

CHARTERED ACCOUNTANTS

Auditor Number: 475031

7 September 2020

DIRECTORS: Leigh-Anne Meyerowitz CA | Stephen Thompson CA

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Statement of Profit or Loss and Other Comprehensive Income

Energy and Water Ombudsman (WA) Ltd For the year ended 30 June 2020

	2020 \$	2019 \$
Income		·
Complaint/Dispute Revenue	2,827,864	2,448,710
Total Income	2,827,864	2,448,710
Other Income		
Other Revenue	10,000	-
Total Other Income	10,000	-
Total Income	2,837,864	2,448,710
Expenses		
Accounting Expense	30,780	30,180
Bank Fees	125	120
Directors Fees	55,111	49,448
Dispute Costs	2,421,625	2,392,330
Filing Fee	160	274
Insurance	3,873	3,674
Professional Fees	21,356	19,662
Statutory Review Fees	-	4,950
Superannuation	29,399	35,154
Recruitment costs	-	8,783
Total Expenses	2,562,429	2,544,574
Profit/(Loss) before Taxation	275,435	(95,864)
Income Tax Expense		
Income Tax Expense	48,653	_
Total Income Tax Expense	48,653	_
Net Profit After Tax	226,781	(95,864)
Other Comprehensive Income		
Total Other Comprehensive Income	<u>-</u>	
Total Comprehensive Income for the year	226,781	(95,864)

Statement of Financial Position

Energy and Water Ombudsman (WA) Ltd As at 30 June 2020

	30 JUN 2020 \$	30 JUN 2019 \$
Assets	,	·
Current Assets		
Cash at Bank	935,847	596,648
Trade Debtors	1,864	-
Prepayments	982	926
Income Tax Payable	-	56,226
GST Payable	2,256	14,171
Total Current Assets	940,950	667,972
Non-Current Assets		
Capital Work-In-Progress	33,660	_
Total Non-Current Assets	33,660	_
Total Assets	974,610	667,972
Liabilities		
Current Liabilities		
Trade Creditors	39,848	13,808
Current Tax Liabilities		
Income Tax Payable	48,653	-
PAYG Withholdings Payable	3,432	5,252
Superannuation Payable	7,350	367
Total Current Tax Liabilities	59,435	5,619
Total Current Liabilities	99,283	19,426
Total Liabilities	99,283	19,426
Net Assets	875,327	648,546
Equity		
Retained Earnings	875,327	648,546
Total Equity	875,327	648,546

Statement of Changes in Equity

Energy and Water Ombudsman (WA) Ltd For the year ended 30 June 2020

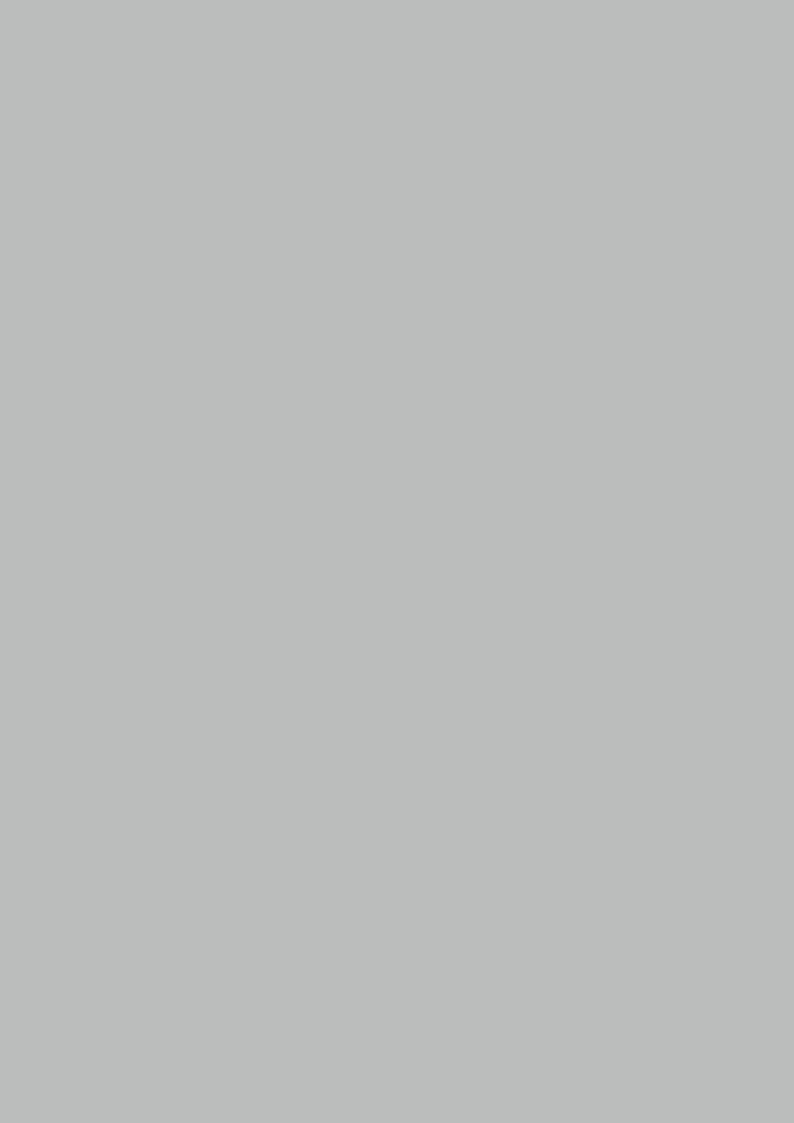
	30 June 2020	30 June 2019
Retained Surplus		
Opening Balance	648,546	744,410
Increases		
Profit for the Period	226,781	(95,864)
Total comprehensive income for the year	226,781	(95,864)
Closing Balance	875,327	648,546

Statement of Cash Flows

Energy and Water Ombudsman (WA) Ltd For the year ended 30 June 2020

	2020	2019
Cash flows from operating activities		
Receipts from Members	3,135,067	2,682,595
Payments to suppliers and employees	(2,815,069)	(2,833,151)
Income tax received	56,226	(118,289)
Net cash provided by/(used in) operating activities	376,225	(268,845)
Cash flows from investing activities		
Purchase of non-current assets	37,026	_
Net cash provided by/(used in) investing activities	(37,026)	-
Cash flows from financing activities		
Net cash provided by/(used in) financing activities	-	-
Cash flows from Other Activities		
Net increase/(decrease) in cash and cash equivalents	339,199	(268,845)
Cash and cash equivalents at 1 July	596,648	865,493
Total Cash flows from Other Activities	-	
Cash and cash equivalents at 30 June	935,847	596,648

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Energy and Water Ombudsman Western Australia



Free, independent and fair dispute resolution