



6 December 2023

Deputy Secretary  
NSW Office of Energy and Climate Change  
EAPA Reform Consultation  
*Submitted online*

Dear Deputy Secretary,

The St Vincent de Paul Society NSW appreciates the opportunity to provide comments about the proposed reforms to the Energy Accounts Payments Assistance (EAPA) Scheme. The potential reforms are important to ensure that the EAPA scheme is effective and continues to deliver the intended outcomes for customers, in particular people with low incomes and experiencing disadvantage in a crisis or emergency and who cannot pay their energy bills.

## About the Society

The Society is a lay Catholic charitable organisation in NSW that comprises over 3,500 members who provide on the ground financial and material assistance to people in their communities as well as companionship and social support. In 2022-2023, we provided \$13.4 million of assistance in NSW an increase of nearly 60% on the previous financial year. Almost 90% of the people we assist receive government income assistance and unfortunately, over the past year, there has been a 30% increase in new people seeking our help.

The Society has considerable experience as a provider of the EAPA scheme. Prior to COVID, we were one of the largest and most distributed providers across the state. In 2018-19, the Society disbursed \$7.2 million worth of energy vouchers through the scheme. We have recently resumed provision of the scheme this year.

The Society is also a large long-term provider of the Commonwealth Government Financial Crisis and Material Aid – Emergency Relief program across NSW. Daily, the Society bears witness to the fact that people with low income or experiencing disadvantage are disproportionately impacted by the rising cost of living<sup>1</sup>. Utility bills are often the most significant household expense for people on low incomes and are often a ‘hidden’ cost with people left with little to no money for food and other essentials.

## Introduction

Having recently rejoined the Scheme in 2023, this Submission is informed by the feedback and comments from staff and members during Scheme training and implementation. These insights will assist the NSW government to improve the Scheme with the greatest impact - ensuring that valuable government assistance goes a long way and directly to those in need.

The Society acknowledges recent positive measures by the State and Federal governments to reduce energy bills and combat increases in energy prices. But more needs to be done through low and no-cost ways to improve energy equity and affordability. EAPA does not exist in isolation – it sits beside other programs that can help to reduce the severe impact of energy price hikes in a cost-of-living crisis including debt hardship programs, rebate reforms and energy efficiency standards and measures.

---

<sup>1</sup> [NCOSS Barely hanging on: the cost of living crisis in NSW 2023.](#)

We outlined important energy affordability recommendations in our [2023-24 Pre-Budget Submission](#), including the need to transform NSW energy rebates to fairer percentage-based concessions (Section 4.1.1) and the following recommendations for EAPA reform (Section 4.1.2):

*“14) Reviewing the adequacy of the EAPA payment, including making the payment ‘fuel neutral’ and available to embedded network consumers.*

*15) Streamlining the EAPA application process so that it is quick and simple to access.*

*16) Promoting EAPA to ensure eligible people are accessing it, including people with low literacy and culturally and linguistically diverse communities.”*

We are pleased that the Consultation Paper identifies reforms that address these recommendations with respect to embedded networks (1.3.1); making EAPA ‘fuel neutral’ (3.1.1), improving the EAPA application process (2.2.1 and 2.2.2) and increasing awareness of EAPA (2.1.1 and 2.1.2).

This Submission focuses on other suggested reforms as observed by Society members and staff directly involved in completing and assessing EAPA applications and liaising with retailers concerning customer hardship and energy debt.

## Response to EAPA Consultation Paper

### 1. Policy Intent and Outcome

#### a) Intent - Q1.1a and 1.1b

The intent of the policy as outlined in the [2023 EAPA Consultation Paper](#), is to assist customers to pay their energy bills when they are unable to afford them due to a crisis or emergency, seems relatively clear on its face. However, the Society sees many and varied circumstances that might constitute a ‘crisis or emergency’ and so we recommend that ‘crisis or emergency’ is broadly defined to ensure that the people who most need assistance receive it.

We make the following recommendations in response to consultation question 1.1:

- **“Crisis or emergency” needs to be broadly defined** – we recommend providing illustrative guidance with example scenarios that assist with identifying what might constitute a ‘crisis or emergency’ rather than a prescriptive definition as to what constitutes a crisis or emergency. The EAPA Delivery Guidelines (July 2023) identify that a change in circumstances is regarded as an appropriate consideration with scenario examples such as a sudden health issue or loss of work or when a relationship ends. One person’s crisis may not be the same for another and there should be scope to consider the whole of a person’s circumstances. Where a crisis is based on a natural disaster – this can have quite a long ‘tail’. For example, the 2022 Lismore flood recovery processes are still ongoing and is not expected to be resolved within 12 months (as suggested by the Guidelines).
- **Hardship plans should not be a mandatory requirement in the immediate period of crisis or emergency.** The Guidelines suggest a hardship plan or applying for a rebate is mandatory and required before EAPA may be granted (p.14). In crisis situations, undertaking further administrative processes that are not set up for an emergency situation and may take longer to implement are not appropriate. It should be made clear that a hardship plan or rebate application may be an appropriate longer term plan after the crisis or emergency is immediately addressed.
- **EAPA to be applied to the total bill cost** – some clients misunderstand that the Scheme is only intended to apply to the energy consumption component of a bill, not the whole bill. Customers viewed the total bill as something to be assessed for assistance, and often this includes disconnection or late fees. In some cases, the Society has paid the disconnection fee itself or negotiated a waiver or part waiver with the retailer. Although this misunderstanding could be resolved by better communications about the extent of EAPA assistance ideally, EAPA could apply to disconnection or late fees or other charges. There can be

many reasons why clients are in a crisis and unable to pay bills on time or are disconnected and they should not be penalised for the situations they find themselves in.

- **No need to define the timeframe of a crisis or emergency** - Defining a timeframe for a crisis or emergency is not helpful and may exclude those who genuinely need support. Some people live from crisis to crisis due to the circumstances of their lives. See comments on disasters above.
- **Need to clarify State vs Federal forms of energy bill relief** - There is some confusion between the Federal government's Bill Relief program, the State government rebate scheme and the application of EAPA. Clarity around the application of each program is still needed and should be incorporated in any awareness campaign (see Section 2 below).

#### b) Energy Debt – Q1.2

The Society supports the government's proposed reform of a trial debt management program to help customers manage energy debt. Any program design should:

- **Be led by community sector organisations (CSOs)** and be co-designed with customers with lived experience to ensure that it is suitable for people in need and experiencing disadvantage.
- **Cater for communities living with disadvantage and culturally and linguistically diverse communities.**
- **Include funding for CSO administrative and overhead costs**, including management costs.

#### c) EAPA Embedded Networks – Q1.3

The Society strongly supports expanding EAPA to people living in 'embedded network' situations as they currently do not have access to assistance for energy debt in crisis or emergency situations which is inequitable.<sup>2</sup> Many people with low incomes or experiencing disadvantage live in 'embedded network' communities (eg residential parks, some social housing, retirement homes, caravan parks) where they have no choice of provider and limited say in how their energy bills are calculated. Again, an expanded Scheme to include embedded networks should be:

- **In consultation with the Energy and Water Ombudsman, CSOs and people with lived experience.**
- **Cater for culturally and linguistically diverse communities and people with low literacy, people living with mental health needs or a disability and First Nations communities.**
- **Take into account and implement relevant findings and recommendations of the 2022 Parliamentary Inquiry into Embedded Networks.**<sup>3</sup>

With respect to the best method for applying EAPA to a customer's bill that is part of a deemed exempt seller community (being an energy seller with less than 10 residents and not an authorised retailer), the Society supports a system that is transparent, direct, quick and does not impose additional administrative burden on the customer who is already in crisis circumstances or an emergency situation. Customers would also benefit from a point in time notification that the amount has been applied as has been identified in proposed reform (2.2.1) . A suggested payment model, by way of example, is the Sydney Water Payment Assistance Scheme (PAS) for tenants struggling to pay their water bills. If the tenant is eligible for a PAS credit, it will be applied to the Sydney Water account of the property tenanted. A letter can be sent confirming the credit has been applied for the tenant to give to the real estate agent.<sup>4</sup>

---

<sup>2</sup> According to the Energy and Water Ombudsman, some 49,000 people live in buildings with hot water embedded networks and have no access to energy specific consumer protections. <https://www.ewon.com.au/page/publications-and-submissions/reports/spotlight-on-hot-water-embedded-networks>. Accessed at 4.12.2023.

<sup>3</sup> <https://www.parliament.nsw.gov.au/ladocs/inquiries/2873/Report%20-%20Embedded%20Networks%20in%20New%20South%20Wales.pdf>

<sup>4</sup> <https://www.sydneywater.com.au/content/dam/sydneywater/documents/help-for-tenants.pdf> . Noting that this model also relies on the landlord/real estate agent applying the credit to the tenant's rent invoice.

## 2. Access and Awareness

### a) Communications – Q2.1a,b,c,d

To improve communication methods and ensure the people who need it most have access to EAPA and are aware of it, the Society recommends:

- **A broad range of communication methods are used** to maximise the awareness of EAPA, particularly to identified high priority groups, those people experiencing disadvantage and people in rural and regional areas. This could include social media such as Facebook, but also other methods (see below) for those who are not digitally literate.
- **Communication is culturally and linguistically appropriate** and accessible for those with low literacy. Our clients include people with a disability, people who cannot read or write, people with mental health issues and people who need interpreters (and who may also be required to have cultural awareness training). They should be consulted and co-design the method of any awareness campaign.
- **Any awareness campaign should prioritise interpersonal localised communication** - CSO's are well-placed not only to communicate information about the EAPA Scheme but also to provide wrap around supports to ensure that the other needs of the person presenting are met. The Society is well-placed through its services and member reach to assist with any EAPA awareness campaign.
- **CSO's need appropriate, flexible funding to account for the time and resources needed to assist people to access EAPA.** EAPA providers are not funded for the service of assisting clients to access the Scheme, even though it can involve significant time and resources for some clients. Recently, the Society assisted a person who was deaf and mute to apply for EAPA. The client needed to have her 14 year old son present to give her consent to the Society to represent her. The Society was required to video record the giving of consent and provide it to the retailer. Even then, the retailer insisted that the person be present with the Society member in all MS Teams meetings even though the Society had met authorisation to act obligations. This example underscores the significant time involved for providers to assist some clients to access the scheme. Providers should be adequately remunerated for the time and resources required to support clients, particularly those with high or complex need, to understand and access the scheme.
- **People living in rural and remote regions need a localised communication strategy** – While the Society has a statewide footprint and has members across regional NSW, we (and other CSOs) may not reach some people living hundreds of kilometres outside of main town centres in more remote communities. Tapping into, and building up the awareness of, and partnering with a variety of local community organisation such as a farmer's association or network, rural financial counsellors (there are about 8 State-wide) or a local First Nations organisation are also suggested avenues for promoting EAPA awareness.
- **Seasonal advertising (pre-summer, pre-winter) are the best times to make the most impact.** As well, pre-Christmas holiday season and start of school are also times when customers have other high cost of living demands and may have a greater need for assistance.
- **Building capacity of EAPA providers to provide the scheme during or after natural disaster** – EAPA has a role to support the individual in times of disaster so it is important that EAPA providers are included in the network of disaster agencies and that those disaster agencies are aware of and refer people for EAPA support. There is also a need to build the disaster readiness capacity of EAPA providers so they are better equipped to assist clients in times of natural disaster and in the recovery phase. Some recommendations in a recent report commissioned by the Society concerning the 2022 Northern Rivers floods<sup>5</sup> could also apply to essential services and improving EAPA awareness and accessibility for customers impacted by natural disasters, such as establishing phone-based support for customers.

---

<sup>5</sup> See van den Nouweland, R. & Cibin, A. (2022) "[The Impact of housing vulnerability on climate disaster recovery: the 2022 Northern Rivers Floods](#)" (UNSW Sydney City Futures Research Centre), pp38-39 While the report specifically refers to housing vulnerability, principles are relevant to the provision of essential services like utilities.

## b) Application process – Q2.2a and b

The Society supports the work underway or planned to improve the application process and EAPA accessibility for high priority groups, including those customers impacted by domestic and family violence as well as the proposed reforms (2.2.1 and 2.2.2). Key principles for further consideration include:

- **Emphasising the need for front line delivery training to EAPA providers by EAPA government staff with respect to domestic and family violence** at no cost to the EAPA provider – currently no such training is provided and relies on the CSO to fund and provide its own training to staff.
- **Limiting the need for clients to repeat traumatic circumstances as evidence of the crisis or emergency.** Particularly if a client changes retailers. For example, if a client has an Apprehended Violence Order (AVO), that court number could be added to the application form instead of details of the circumstances behind it. For those without an AVO, a statement from an EAPA provider that this is a person impacted by DFV should suffice.
- **Review the need for consent of ex-partner to remove that person’s name from a bill in a DFV situation** in appropriate circumstances eg there is an AVO court number. In some cases, the Society has had to pay the entire bill, close the account and re-open it in the name of the person it represents, which whilst solving the issue, reinforces financial abuse.
- **Streamlining the ‘appointing an authorised person to act’ process** - there is nothing in the Guidelines addressing what is required for an appointment of an authorised person to act on a customer’s behalf. The online EAPA Terms and Conditions indicate the Authorised Person may be asked to provide evidence that they are acting on behalf of a customer.<sup>6</sup> The evidence required by energy retailers must be consistent and not overly burdensome on customers or their delegates. In particular, easy processes should be in place for people with a mental health condition or a disability (see example in 2a above) and in such cases, the expertise and statement of an EAPA provider should be sufficient rather than onerous requirements to provide evidence.

## 3. EAPA limits and delivery – Q3.1 and 3.2

The Society welcomes the proposed reforms to change the program parameters to provide EAPA on a fuel neutral basis instead of split for electricity and gas, as well as accessing EAPA multiple times during the year within the specified limits. The Society also supports work underway to increase the number of NGO providers in regional areas to support people with disabilities and First Nations people to access EAPA. In addition, the Society makes the following recommendations:

- **The requirement that EAPA may only be applied to a current bill should be expanded to past energy bills and also late fees or disconnection fees, not just energy consumption** (as per comments above). To truly assist a person in crisis, EAPA would be more effective and reach those in desperate need without these limitations.
- **Making EAPA available for bottled gas, particularly in rural and regional areas.** In some rural and regional areas only bottled gas is available so that people in a crisis or an emergency miss out on EAPA assistance. Renters on bottled gas may simply have no other choice of energy provider due to decisions made by landlords.
- **Relax the minimum hour guidelines particularly in rural, regional and remote areas to enable a wider service provision of EAPA.** It is submitted that there should be no limits for minimum access hours or limits are adjusted dependant on the capacity and reach of the provider in a particular area (proposed in reform 3.2.1). For example, in some regional areas we have sufficient resources to supply an assessor for 2-3 hours a week whilst in another regional area, we have sufficient resources to provide an assessor for 6 hours per week. Relaxing the guidelines would enable the Society to at least provide a service in these areas (rather than none at all).

<sup>6</sup> <https://www.service.nsw.gov.au/terms-and-conditions/energy-accounts-payment-assistance-eapa-scheme#appointing-an-authorised-person>. Accessed as at 4.12.2023.

- **Fund EAPA providers to implement the proposed EAPA Assisted channel model (3.2.2).** The proposed Assisted channel has benefits in that it empowers a client to complete an application themselves and enables the EAPA provider to assess and provide other wrap-around services. However, it may be more time-consuming and resource intensive for providers. Many people, particularly when they are in crisis or an emergency situation and are not tech savvy, do not know how to look for information and have no or limited awareness about support mechanisms they are entitled to. The implementation of the new model will require the Society's staff and members to devote further time and resources to upskilling clients to use a computer and provide training to make an online application. Additional funding is required so that all providers can implement this model more fully and account for time and resources incurred.
- **Funding to provide additional EAPA assistance services** particularly in rural and regional areas would improve the expansion of the program to those in greatest need. Whilst direct funding by NSW government may result in increased program costs and compliance costs as identified in the Consultation Paper (p.20), this is outweighed by the social benefit of giving people a 'hands up', breaking the cycle of poverty and noting the possible scope for energy retailers to contribute to the scheme with the substantial profits currently earned.<sup>7</sup>

We thank the NSW Government for listening and responding to the many voices in our community that have called for improvements to the EAPA scheme. We look forward to continue engaging with your Department to shape a more equitable and accessible EAPA scheme to better support people in NSW experiencing difficulty paying their energy bill. Should you have any questions please contact Solange Frost, Manager Policy and Advocacy, at [solange.frost@vinnies.org.au](mailto:solange.frost@vinnies.org.au).

Yours sincerely,



**Satya Tanwer**  
**Executive Director**  
**Strategy and Engagement**

---

<sup>7</sup> <https://www.sbs.com.au/news/article/origin-energy-reports-1-billion-profit-amid-cost-of-living-crisis/dl7o8hr4m>;  
<https://australiainstitute.org.au/post/gas-profits-untouched/>