

Service Providers—Customer Service Standards

The *Water Supply (Safety and Reliability) Act 2008* (the Act) requires service providers to prepare a Customer Service Standard (CSS) unless:

- they have a contract for the supply of registered services with all of their customers
- or
- the regulator has granted an exemption from complying with this requirement.

The regulator is the Director-General of the Department of Environment and Resource Management (the department).

This fact sheet explains CSS and how the Act regulates them.

What is a CSS?

A CSS is a document prepared by a service provider that sets out important customer service information.

The purpose of a CSS

A CSS is intended to protect customers who do not have a contract for the supply of registered services with their service provider. A provider's registered services are its water or sewerage services.

Under s. 117 of the Act, a service provider is required to comply with its CSS when supplying registered services to its customers.

Preparing a CSS

Under s. 115 of the Act, a service provider must prepare a CSS and give a copy to all customers and the regulator within one year of being registered as a service provider, unless exempt.

Section 116 of the Act requires a CSS to state:

- the level of service to be provided by the service provider
- the process for service connections, billing, metering, accounting, customer consultation, complaints and dispute resolution
- any other matter stated in the *Guidelines for Preparing Customer Service Standards* issued by the regulator.

The matters to be stated in the CSS by the service provider are outlined further in the guidelines which are available from the department.

Changing a CSS

A CSS may be changed:

- if an annual review, required under s. 120 of the Act, leads to a change
- or
- as a result of a customer complaint process.

If a CSS is changed, a copy of the changed CSS must be given to the regulator and each customer of the service provider.

CSS annual reports

When an annual report is required

A CSS annual report must be prepared for each financial year after the CSS was given to the regulator.

The CSS annual report may be included in a report under s. 531 of the *Local Government Act 1993*. A copy of the s. 531 report must be given to the regulator within 30 business days of its adoption by the local government. In all other cases, a copy of the CSS annual report must be given to the regulator within 120 business days of the end of the financial year.

Service providers must make all CSS annual reports available to the public for inspection and purchase.

Information that needs to be included in an annual report

A CSS annual report must:

- measure performance for the financial year for its registered services against the CSS
- state the outcome of any CSS review and how matters have been addressed by the provider.

A CSS annual report may be combined with an annual report about a service provider's strategic asset management plan (SAMP) and/or system leakage management plan (SLMP).

Customer complaints

The customer complaint process varies depending on whether a service provider is:

- a 'public sector' service provider subject to the *Ombudsman Act 2001*
- or
- a 'private sector' service provider that is not subject to the Ombudsman Act.

The customer must first attempt to resolve its complaint through negotiation with the service provider.

'Public sector' service providers

If a service provider is an agency as defined in the Ombudsman Act, it is subject to the customer complaint process under that Act and not the customer complaint process set out in the Act.

The following are agencies subject to the Ombudsman Act:

- a state government department
- a local government
- a public authority (e.g. a water authority).

The Ombudsman Act gives the Ombudsman the power to investigate certain administrative actions by these agencies. If the Ombudsman receives a written complaint from a customer of a service provider which is an agency, the Ombudsman will consider whether to commence an investigation into that complaint under the Ombudsman Act.

The service provider must be given written notice if the Ombudsman decides to conduct an investigation and intends exercising powers under Part 4 of the Ombudsman Act.

Depending on the results of the investigation, a report and recommendations may be given to the service provider and the Minister responsible for administering the Act. The complainant will also be informed of the results of the investigation.

'Private sector' service providers

A 'private sector' service provider (e.g. a private company operating as a service provider) is subject to the customer complaint process in ss. 118 and 119 of the Act.

The customer may give the regulator notice of the complaint if it cannot be resolved through negotiation. If the regulator receives such a notice, the regulator must:

- give the service provider a copy of it
- enquire into the matter.

Three options are then available to the regulator:

- If the service provider has not complied with its CSS, the regulator must give the provider a compliance notice requiring it to comply with its CSS.
- If the complaint highlights a deficiency in the CSS, the regulator must give the provider a compliance notice requiring it to revise the CSS.
- If the regulator is satisfied no action is required, the regulator must give the provider a notice to this effect.

The regulator must also give the customer an information notice about the action taken.

Notice to the service provider

If a compliance notice is issued to the service provider, it must be complied with unless there is a reasonable excuse for not doing so.

If the notice requires a revision of a CSS, the service provider must give each of its customers and the regulator a copy of the revised document.

Notice to the customer

The regulator will give the customer an information notice explaining the notice given to the service provider.

Further information

Further information can be found in the following fact sheets:

W99—Service providers—strategic asset management plans.

W100—Service providers—SAMP and SLMP: Review, audit and reporting requirements.

W104—Service providers—small service provider exemptions.

W106—Service providers—system leakage management plans.

For more information about service provider issues you can email the Office of the Water Supply Regulator at: <corrooerenrowsr@derm.qld.gov.au>.

General information regarding Queensland's water industry regulator can be found on the department's website <www.derm.qld.gov.au>.

The Act and related regulations can be obtained from the Queensland Office of Parliamentary Counsel website <www.legislation.qld.gov.au>.

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For general enquiries contact the
Queensland Government call centre 13 QGOV (13 74 68)
or visit www.derm.qld.gov.au