

# Code of conduct

Advisory Council to the Energy and Water  
Ombudsman Queensland

# Introduction

The *Energy and Water Ombudsman Act 2006* (the Act) provides for an Energy and Water Ombudsman (Ombudsman) to be appointed by Governor in Council, and for the establishment of the Office of the Energy and Water Ombudsman consisting of the Ombudsman and officers of the Ombudsman.

The Office of the Energy and Water Ombudsman is a free, fair and independent dispute resolution service for residential and small business energy customers across Queensland, and water customers in south-east Queensland, who are unable to resolve a complaint with their electricity, gas or water supplier (scheme participants).

The Act also establishes an Advisory Council (Council), appointed by the Minister, and consisting of a chairperson and at least 6 other members. Council members are drawn from scheme participants who represent the interests of industry, and equal numbers of members drawn from groups who represent the interests of consumers. The chairperson must be independent of the interests of industry and consumers.

The Advisory Council's functions are to:

- monitor the Ombudsman's independence
- advise the Ombudsman on policy and procedural issues relating to the Act
- advise the Ombudsman on the operation of the Act for customers
- advise the Ombudsman on the preparation of budgets, budget guidelines and the Annual Report
- advise the Minister responsible for energy and water on the funding of the Ombudsman's functions, and
- at the end of the financial year, advise the Minister on the Ombudsman's independence and functions of the office during the financial year.

Council therefore has an important role in ensuring that the Ombudsman and the office act effectively, efficiently, lawfully and independently. The Council's structure supports that role by providing the Ombudsman with a range of diverse experiences and viewpoints.

A strong energy and water Ombudsman office is in the interests of consumer and industry groups alike: consumers, because the Ombudsman helps small customers to be heard; industry, because the independent resolution of complaints improves business practices and contributes to greater consumer confidence.

Nevertheless, consumer groups and industry can sometimes disagree, particularly on issues concerning customer protections and standards of service. If expressed in the right way - respectfully, objectively, well intentioned, and with an open mind - differences of opinion can lead to positive outcomes for all concerned.

Developed by the Council, and consistent with the *Public Sector Ethics Act 1994*, this Code of Conduct aims to assist members to discharge their responsibilities under the Act in the 'right way'. It is not a prescriptive Code but one which contains ethics principles and values which Council members have agreed to put into practice.



Anna Moynihan, Chair  
30 March 2020

# Application

This Code applies to members of the Advisory Council to the Energy and Water Ombudsman (Council) whenever members are discharging the duties, functions and responsibilities of the Council under the *Energy and Water Ombudsman Act 2006* (the Act).

## About this Code

This Code contains the ethics principles and associated values and standards to which Council members have committed.

The ethics principles are:

- Integrity and impartiality
- Accountability and transparency
- Promoting the Ombudsman Scheme

## Principles and values

### Integrity and impartiality

#### **Standard of Conduct - Commitment to highest ethical standards**

We will:

- act honestly and discharge our functions for their proper purpose
- ensure that our conduct meets the highest ethical standards when fulfilling our responsibilities, and
- accept and value our duty to provide advice which is objective, well informed, apolitical and impartial.

#### **Standard of Conduct - Managing conflicts of interest**

We will:

- accept that, as representatives of the consumer or industry, our role may have the potential to place us in conflict with the direct needs of the Ombudsman scheme itself
- disclose any personal interest which gives rise to, or may be seen to give rise to, a conflict between our interests and those of the Ombudsman scheme and the public
- actively participate in finding resolutions to conflicts of interest, and
- resolve conflicts of interest in favour of the interests of the public and the Ombudsman scheme.

#### **Standard of conduct - communicating in an appropriate manner**

We will:

- show respect towards all people, including Council members, the Ombudsman and officers of the Office of the Energy and Water Ombudsman (EWO)

- value and consider the viewpoints of others
- honestly, fairly and respectfully engage with Council members, the Ombudsman and EWO officers, and
- provide timely and accurate information and advice to Council members, the Ombudsman and EWO officers.

## **Accountability and transparency**

We will:

- maintain our knowledge of energy and water issues particularly as they concern the groups we represent on the Council
- apply due care and diligence when discharging our duties as Council members
- use EWO resources appropriately and economically, and ensure that good records are kept of any expenditure relating to Council business, and
- treat information received in our capacity as Council members with care and use it only for the purpose for which it was provided.

## **Promoting the Ombudsman Scheme**

We will look for opportunities to promote the Ombudsman scheme as a free, fair and independent dispute resolution service for residential and small business energy customers across Queensland, and water customers in south-east Queensland.