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south east water

**Service for all – Ofwat's  
draft vulnerability guidance  
for water companies  
supporting customers who  
need extra help**

**South East Water response**

**18<sup>th</sup> October 2023**

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# 1. Introduction

Thank you for providing your consultation regarding the proposed guidance for water companies in supporting household customers who need extra help accessing water. We welcome the guidance as we believe it will play an important role in improving outcomes for water customers.

We have provided responses to the questions posed in the consultation.

## 2. Consultation questions

### 1. Do you agree that we should retain the vulnerability definition we set out in our 2016 Vulnerability Focus report?

We agree that the vulnerability definition set out in the 2016 vulnerability focus report should be retained, as it is both relevant and useful. However, as this is an ever-changing landscape, relevant terms and language should be continuously evaluated and evolved, and where relevant aligned with other sectors. We would appreciate opportunity to review the definition at regular intervals to ensure it remains fit for purpose.

### 2. Do you agree with our approach to nomenclature, particularly our use of the term 'extra help'?

The terms used around vulnerability are understandably emotive and have the potential to alienate or create barriers to inclusion, therefore we agree that its essential to find the right balance in the language used. We largely agree with your approach to nomenclature, however suggest the use of the term 'extra support', rather than 'extra help'. We agree that using the term 'extra help' instead of 'vulnerable' is likely to be less divisive but feel that the word 'support' is more positive and empowering.

We would also welcome the discretion to choose how we use this language and when it's appropriate to adapt, particularly in customer communication, as there is potential to be challenged by individuals or groups about how relevant the terms are to them. There needs to be a degree of flexibility.

### 3. Do you agree with our proposed approach to applying the guidance to new appointees and the Welsh non-household sector?

We agree with your proposed approach but would require tailored guidance if this is rolled out across the non-household sector in England, particularly considering the additional complexity of including retailers.

#### **4. What impact do you think our draft guidance will have on the experiences of customers who need extra help?**

We believe that the draft guidance will have a considerable positive impact on the experiences of customers who need extra help, as it requires water companies to design and implement full vulnerability strategies that will make it easier for customers to engage with their water company and ensure they don't come to harm. It also ensures customers who need extra help receive a consistently high level of service regardless of where they live.

We also believe it will lead to greater collaboration across the water industry and beyond, with access to shared learnings and the opportunity to embrace innovation.

#### **5. Are there further lessons from other regulated sectors that could be incorporated into our draft guidance?**

Further learnings could be incorporated from the introduction of the new 'Consumer Duty', which sets higher expectations for the standard of care provided to customers and focuses on customer outcomes and organisations acting in their best interest. There has been a significant shift in the language used, moving away from recommendation and guidance to a focus on action, as organisations are expected to operate with the customers' needs at the core of their wider strategy. Although we feel the list of minimum expectations partly incorporates the right action-based language, we feel further learnings from consumer duty could be applied here.

#### **6. Do you agree with our proposed approach to enforcing our customer-focused licence condition by reference to our draft guidance?**

We agree with your proposed approach to enforcement and welcome this inclusion. The protection and support of customers who need additional support should be at the heart of every organisation and implemented consistently. It's essential that all organisations are monitored and have measurable commitments or targets, as it ensures customers who need extra support have consistent levels of service regardless of their situation.

As you will be considering what information you need to regularly request to monitor our overall performance, we would welcome an opportunity to consult on this process and feed into the final decision.

### **7. Do you agree that our draft objectives cover the broad areas of vulnerability support activities that companies should be considering?**

We largely agree that the draft objectives cover the broad areas of vulnerability support activities, however we would welcome the inclusion of additional guidance on customers with transient vulnerabilities, as there is a risk that this sub-group isn't consistently supported across all vulnerability strategies.

We would also value encouragement of collaboration across the water industry, with learnings and innovations being shared and underpinning strategies across all companies. It's also beneficial to tap into the experiences and expertise of other sectors, as this could reduce the duplication of research and insight activities.

### **8. Do you agree with the proposed list of minimum expectations we have set out?**

The list of minimum expectations covers what we would expect from a successful vulnerability strategy. We particularly agree with the commitment to innovation and continuous improvement, regardless of how strong an existing vulnerability approach might be. We would welcome stronger emphasis on customer engagement, ensuring that product, service and process design is led by understanding customers' needs and preferences.

### **9. Do our draft minimum expectations offer a good balance between making clear the minimum standards we expect from companies, and challenging companies to innovate and find new ways to meet the needs of their customers?**

The draft minimum expectations offer a good balance between expectations of standards and challenging companies to innovate, however although the expectations need to be indefinite to allow for water companies to adapt them to their organisation, it isn't clear exactly how the minimum expectations will be monitored, and if they will be included during enforcement.

### **10. Do you agree with the proposed approach and timeline around companies' vulnerability strategies?**

We agree with the proposed approach around companies' vulnerability strategies but would welcome the opportunity for Ofwat to promote further collaboration across the industry and beyond. It would be beneficial for the vulnerability strategies to be shared, and there to be an opportunity to challenge and learn from one another prior to publication.

**11. Do you agree with our proposed approach and timelines for setting out our detailed expectations around the design of priority services registers in a separate standards document?**

We agree with the proposed approach around the design and implementation of priority service registers, particularly your reluctance to stifle innovation, and welcome the opportunity to consult on this once the final vulnerability guidance has been published. However, if we are required to publish vulnerability strategies by Summer 2024, we will be doing so without guidance and the suggested approach to measurability of our priority service registers, due to be published in 2025. We would welcome access to draft PSR guidance prior to submitting our vulnerability strategy.

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