

February 2024

**To: Electricity Authority – Te Mana Hiko**

Please find attached our submission on the Improving retail market monitoring: clause 2.16 information notice

For any further inquiries, please contact:

Chris Ford  
Policy Advisor (Central and Southern)  
Disabled Persons Assembly New Zealand  
Email: [policy@dpa.org.nz](mailto:policy@dpa.org.nz)

# Introducing Disabled Persons Assembly

**We work on systemic change for the equity of disabled people**

Disabled Persons Assembly NZ (DPA) is a not-for-profit pan-impairment Disabled People’s Organisation run by and for disabled people.

We recognise:

* Māori as Tangata Whenua and [Te Tiriti o Waitangi](https://www.archives.govt.nz/discover-our-stories/the-treaty-of-waitangi) as the founding document of Aotearoa New Zealand;
* disabled people as experts on their own lives;
* the [Social Model of Disability](https://www.odi.govt.nz/guidance-and-resources/guidance-for-policy-makes/) as the guiding principle for interpreting disability and impairment;
* the [United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) as the basis for disabled people’s relationship with the State;
* the [New Zealand Disability Strategy](https://www.odi.govt.nz/nz-disability-strategy/) as Government agencies’ guide on disability issues; and
* the [Enabling Good Lives Principles](https://www.enablinggoodlives.co.nz/about-egl/egl-approach/principles/), [Whāia Te Ao Mārama: Māori Disability Action Plan](https://www.health.govt.nz/publication/whaia-te-ao-marama-2018-2022-maori-disability-action-plan), and [Faiva Ora: National Pasifika Disability Disability Plan](https://www.moh.govt.nz/notebook/nbbooks.nsf/0/5E544A3A23BEAECDCC2580FE007F7518/$file/faiva-ora-2016-2021-national-pasifika-disability-plan-feb17.pdf) as avenues to disabled people gaining greater choice and control over their lives and supports.

**We drive systemic change through:**

**Leadership:** reflecting the collective voice of disabled people, locally, nationally and internationally.

**Information and advice:** informing and advising on policies impacting on the lives of disabled people.

**Advocacy:** supporting disabled people to have a voice, including a collective voice, in society.

**Monitoring:** monitoring and giving feedback on existing laws, policies and practices about and relevant to disabled people.

# The submission

DPA welcomes this opportunity to give feedback on the Electricity Authority’s (EA’s) proposed improvements to the retail market monitoring regime.

DPA supports the creation of a more robust retail market monitoring system as proposed by the EA with the proviso that there is full recognition of the need for relevant disability and health condition related data to be collected from retailers.

This brief submission makes recommendations around the need to collate Medically Dependent Consumer (MDC) data and ensure that it identifies disabled people and people with health conditions who may need more support and flexibility from retailers.

## Lack of available disability data is a common issue

DPA makes this submission within the context of the lack of available disability data across the board, including within the electricity sector.

The need to maintain uninterrupted, affordable power supplies to the homes of disabled people and people with health conditions is vital.

These challenges are illustrated in data from both the UK[[1]](#footnote-2) and New Zealand,[[2]](#footnote-3) which highlight that disabled people and people with health conditions need to use more electricity to stay warm, cool down and or to power disability-related equipment including power wheelchairs, hoist beds and breathing apparatus.

Energy poverty also adds to the challenge of the many disabled people who live on low incomes while facing higher disability related living costs, including the need for extra power.

This double dilemma is illustrated by 2018 figures showing that 54% of all beneficiaries receiving a benefit from Work and Income New Zealand (WINZ) either had a disability or health condition.[[3]](#footnote-4) Work and Income provides some financial support for disabled people who face additional energy costs in the form of the Winter Energy Payment, Disability Allowance and hardship grants.[[4]](#footnote-5)

Despite the availability of additional assistance from Work and Income, this support does not reach many disabled people due to a sizable group of disabled people being employed, which means that many within this sub-group often miss out on this financial support, even if they face higher costs due to living with a disability and are likely to still benefit from receiving it.

These challenges result in some disabled people and people with health conditions facing the need to pay mounting bill debts or suffer disconnection – which for some can represent the difference between life and death.

All the above factors provide good reasons as to why timely data needs to be collated to ascertain the real levels of energy demand by households containing disabled people and people with health conditions.

## Need for disconnection data on Medically Dependent Consumer (MDCs) is important in the notice for retail data

DPA notes that many disabled people and people with health conditions will be medically dependent consumers.

DPA believes that immediate notification of electricity terminations affecting medically dependent consumers should be undertaken, something that would enable the EA as the regulator to spot any systemic issues that may require its intervention to prevent any further harm being done to disabled consumers and consumers with health conditions.

DPA also notes that the Authority is currently in discussions with Te Whatu Ora about the design of a new MDC form and criteria which will be used by retailers when assessing consumers. DPA has expressed an interest in being part of the conversation around these changes.

DPA also recommends that the Authority – when it makes changes to both the MDC criteria and form – ensures that it enables the easier collation of a wider range of disability and health condition related data by retailers.

Collecting a wider range of anonymised disability and health data will assist in creating a more accurate picture of the number of MDC customers who experience energy poverty.

Other unacceptable outcomes should be more readily and speedily reported upon to the EA as well. These include reports on consumers who get disconnected for non-payment as this would enable more effective and timely monitoring by the Authority of any consumer protection issues which may be involved.

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| **Recommendation 1:** that retailers be required to immediately report terminations involving medically dependent consumers to the Authority. |

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| **Recommendation 2:** that the EA when making changes to both the MDC criteria and form ensures that it enables the easier collation of a wider range of disability and health condition related data. |

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| **Recommendation 3:** that retailers regularly report on customers disconnected for non-payment to enable more effective and timely monitoring of consumer issues. |

## Positives of collating more robust data

Ultimately, having more readily available retail data would enable all retailers to develop better customer plans and policies that would benefit all New Zealand electricity consumers, including disabled people and people with health conditions.

The new retail market monitoring regime must include data collected during every reporting period around whether all customers have been informed as to if they are on the most suitable plan for their household and how much they could save through either switching plans or retaining their current one.

This and other relevant data would enable a better picture to be built up around whether retailers are being fair, compassionate, and – most importantly – enabling true choice and competition for all electricity customers.

Retailers should have the full resources required to undertake market monitoring without resorting to charging customers for data gathering. This means that the costs incurred by retailers while undertaking monitoring on behalf of the EA should not be passed onto consumers through their power accounts.

It is both consumers and retailers who will benefit from having more readily available, reliable and accurate electricity market data.

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| **Recommendation 4:** that retailers be required to collect data every reporting period around whether all customers have been informed about if they are on the most suitable plan for their household/individual/whānau circumstances. |

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| **Recommendation 5:** that the costs incurred by retailers while undertaking monitoring on behalf of the EA should not be passed onto consumers through their power bills. |

1. Sumaria, P. (2022, September 21). Why are disabled people more vulnerable to rising energy costs and what can be done about it? Retrieved from <https://www.regen.co.uk/disability-and-energy/> [↑](#footnote-ref-2)
2. Statistics New Zealand. (2020, October 28). Measuring inequality for disabled New Zealanders: 2018. Retrieved from <https://www.stats.govt.nz/reports/measuring-inequality-for-disabled-new-zealanders-2018> [↑](#footnote-ref-3)
3. Kia Piki Ake Welfare Expert Advisory Group. (2019). Welfare system: statistics. Retrieved from [https://www.weag.govt.nz/background/welfare-system-statistics/](https://www.weag.govt.nz/background/welfare-system-statistics/#:~:text=Recipients%20with%20a%20health%20condition,Working%20For%20Families%20tax%20credits). [↑](#footnote-ref-4)
4. Work and Income Te Hiringa Tangata. (n.d.) Power, gas and heating if you have a disability. Retrieved from <https://www.workandincome.govt.nz/eligibility/health-and-disability/power-and-heating-if-you-have-a-disability.html> [↑](#footnote-ref-5)