# Terms of Reference

## Energy Queensland
## Customer and Community Council

(including associated Working Groups)

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# 1 BACKGROUND

Energy Queensland has a vision to energise Queensland communities.

The Energy Queensland Strategic Plan 2032 defines 'how' we will achieve our sustainable commitments towards 2032. This is a strategic journey that will propel us towards an 'Electric Life.'

An 'Electric Life' is where households and businesses are in the driver's seat, and our subsidiary businesses are trusted partners delivering affordable, reliable, and sustainable energy solutions.

Our customers and communities are directly impacted by our operations, which could support or affect their lifestyles. The Customer and Community Council (including associated Working Groups) provides a key mechanism to ensure the 'customer voice' is considered as part of our business decision making.

# 2 ABOUT THE CUSTOMER AND COMMUNITY COUNCIL

To give a voice to our customers and communities across Queensland, Energy Queensland has established the Energy Queensland Customer and Community Council (the Council).

The Council provides a forum through which Energy Queensland can work together with key customer representatives and stakeholder organisations to provide advice and insights regarding issues and initiatives that impact our customers and communities, to explore business decisions relating to customer and community needs and expectations, emerging customer and community issues and initiatives in energy infrastructure and services, and the provision of energy solutions across Queensland.

# 3 ABOUT THE TERMS OF REFERENCE

The Terms of Reference in this document set out the governance structure and operating procedures for the Council. The Terms of Reference may be updated, amended, or reissued by Energy Queensland at its discretion at any time in consultation with Council members.

# 4 PURPOSE

The Council is established as an advisory body to provide advice and guidance to Energy Queensland's Board, Executive Leadership Team, senior decision makers and subject matter experts.

### The primary aims of the Council are:

- to bring the views and voices of everyday Queenslanders to Energy Queensland regarding the needs, views, and expectations of Energy Queensland's customers and the broader community
- to facilitate engagement with our customers and communities through the members' respective organisations and networks.

### The Council will:

- contribute to tangible improvements for customers, long-term customer impact and sustainable and affordable customer benefits
- identify customer opportunities as part of the energy transition and Energy Queensland's utilisation of existing assets, strategic priorities, and future regulatory process to ensure prudent investment and value for money
- support Energy Queensland's engagement principles and engagement and regulatory frameworks
- provide a forum to 'test and challenge' through constructive collaboration and engagement on policy, planning, service decision making and the progress on the Energy Queensland Strategic Plan 2032, associated corporate scorecard and regulatory activities that affect customers
- explore the environment and market within which Energy Queensland operates including trends and technological developments which impact on future plans and strategies
- work with the Independent Chair of the Council to provide verbal and written briefings/reports as required to the Energy Queensland Board and Executive Leadership Team on issues where required, and the Australian Energy Regulator (AER) on progress and updates in reference to Energex and Ergon Energy Network regulatory determination submissions, past, present and future
- provide the views and insights from Energy Queensland's diverse customer base (including Council members engaging with their own member representative base and networks) to reflect their perspectives and their priorities.

For more details on the role and scope of the Council, refer to page 6 in the Energy Queensland Customer and Stakeholder Engagement Framework.

An indicative schedule of consultation topics/issues for each financial year will be drawn up by Energy Queensland collaborating with the Council members. This will include highlighting where on the International Association of Public Participation (IAP2) Spectrum these topics and issues will sit in relation to the level of influence Council members will have on those topics and issues.

Council members are also encouraged to provide their own topics/issues, and a register will be maintained by Energy Queensland.

The aim of the Council is to discuss the economic, social, environmental and governance topics that are most material to our customers and stakeholders.

While Energy Queensland may elect to rely on the advice and recommendations of the Council, the Council is not a formal decision-making body and has no authority whatsoever to bind or otherwise represent Energy Queensland.

# 5 MEMBERSHIP

## 5.1 Composition of the Council

### The Council will consist of the following:

- **Sponsor:** appointed by Energy Queensland, the Sponsor will be a member of the Energy Queensland Executive Leadership Team, generally the Chief Customer Officer, with the Sponsor responsible for ensuring corporate support and resources are made available to shape the framework of the Council and its deliberations.
- **Independent Chair:** appointed by Energy Queensland, the Independent Chair is responsible for the management and affairs of the Council ensuring transparency around Energy Queensland discussions and a 'customer voice' around the preparation of the Council meetings

  The Independent Chair will be responsible for:

  - overall effective functioning of the Council including managing the conduct of meetings and facilitating proper information flow to Council members
  - conducting meetings in a way that encourages respectful collaboration and a diversity of viewpoints to be presented and heard
  - guiding the discussions to maintain focus and efficiency
  - input to and approving the agenda and minutes of each Council meeting
  - working with Council members to produce an annual report on Council and Working Group activities
  - meeting with the Board and Executive Leadership Team on a regular basis to discuss Council related matters
  - ensuring each Working Group is reporting back to the Council with clear activities and outcomes for Council to 'test and challenge' their progress
  - working with Energy Queensland and the Council members to establish the forward agenda for Council meetings each year to prioritise engagement initiatives that incorporate customer priorities, customer experience and allow for engagement on emerging issues
- **Secretariat:** appointed by Energy Queensland, the Secretariat function will be provided by staff from Energy Queensland

  The Secretariat is responsible for providing administrative and operational support to the Sponsor, Independent Chair and Council members and will maintain a register of members and minutes that will serve as the definitive record of meetings held.
- **Members**: appointed (as outlined in Section 5.2 Appointment of Members) customer representatives, stakeholders and other representatives from relevant industry and associated organisations who are committed to, and can evidence their role in, enhancing the voice of customers and communities across Queensland on energy related matters
- **Subject Matter Experts:** Energy Queensland may, in consultation with the Independent Chair and Council members, appoint subject matter experts with specialised knowledge or experience to attend relevant Council meetings to give expert opinions or insights on matters to be discussed or observe proceedings of Council and/or Working Group meetings.

## 5.2 Appointment of Members

Energy Queensland will invite individuals or organisations to nominate representatives to serve as members of the Council and Working Groups. Energy Queensland will select and appoint members from amongst those nominations to the Council and Working Groups. The Independent Chair will also be selected by Energy Queensland.

Energy Queensland will endeavour to draw members of the Council from senior representatives of customer and community organisations and community base or from nominated persons with a track record of energy industry / customer advocacy knowledge and expertise.

Members of the Council will be drawn from different and diverse customer and stakeholder cohorts to grow and expand the expertise and knowledge of the energy sector, energy transition and seek to improve Energy Queensland's understanding of customer sentiment on a range of energy sector issues, in particular electricity and related operational and strategic planning matters.

Working Group membership is dependent on the member's relevant expertise or interest, as per the Roles and Scopes defined on pages 7-8 in the [Energy Queensland Customer and Stakeholder Engagement Framework].

### 5.3 Term and removal of Members

Members will generally be appointed for a period of three years, after which their membership may, by agreement, be renewed. Energy Queensland may remove a member from the Council at any time with or without cause, in consultation with the Independent Chair. The Secretariat will notify the member of their removal and update the register of members.

If a member resigns, this must be provided in writing to the Independent Chair and Secretariat. Where the resigning member was participating on behalf of an organisation, a replacement may be nominated by that organisation, with that nomination to be considered and approved by Energy Queensland. If a non-organisation individual member resigns, Energy Queensland, in consultation with the Independent Chair will decide if the position will be filled, and where decided to do so will invite an Expression of Interest to fill the position.

If a member acts in a way contrary to the constructive and collaborative spirit of the Council or Working Groups or in a manner unacceptable to other members (either by majority vote or by Independent Chair decision) their position will be made vacant.

If a member is regularly absent from Council or Working Group meetings, the Secretariat in consultation with the Independent Chair, will contact the member to consult on non-attendance and if necessary, seek replacement membership. All opportunities will be given for the member to remain on the Council.

For Working Groups, the General Manager and Secretariat will be responsible for the above-mentioned activities.

## 6 OBLIGATIONS

### 6.1 Obligations of Members

Energy Queensland agrees to:

- comply with these Terms of Reference
- work with the Independent Chair and members on Council and Working Groups' agenda items
- provide Council agenda and meeting materials to the Independent Chair two weeks prior to meeting dates for review and to finalise for distribution
- provide all Council members with agenda and meeting materials five business days prior to meeting dates
- ensure all advice and recommendations provided by the Council and Working Groups are given fair consideration by Energy Queensland
- provide written advice to all Council and Working Group members of how any recommendations they put forward have been considered by Energy Queensland and how they contributed to decision making
- provide draft meeting minutes to the Independent Chair five business days after Council meeting date to finalise for distribution to all Council members ten business days post the meeting date
- General Managers and the Secretariat will ensure agenda, meeting materials and meeting minutes and action items will be distributed to Working Group members within same the timeframes as the Council
- provide Council and Working Group members with meeting minutes and presentations
- a summary of Council and Working Group meeting discussions to be made publicly available on the Energy Queensland Talking Energy website, with the content subject to any confidentiality arrangements required
- commit to working with all members to assist with improving their understanding and capability and to enhance their knowledge on key issues and terminology, including where relevant, providing opportunities for industry awareness and information sessions for members, including encouraging all Council members to cross-skill and knowledge uplift using their knowledge expertise and professional experience.

Members of the Council and/or Working Groups agree:

- to comply with these Terms of Reference

- to perform their duties as a member diligently and in good faith
- where the member has been nominated by an external organisation, to use reasonable endeavours to represent the views and opinions of the customer and community segment which their organisation represents
- to treat all non-public information the member receives or obtains in connection with their membership as confidential information to be used only for the purposes of pursuing the aims and performing the responsibilities of the Council and disclosed only with the written authority of the Sponsor. (Council and Working Group members will be required to sign a Confidentiality Agreement with Energy Queensland highlighting which agenda items fall within that agreement)
- not to publish any statements or make any comments to the media about the Council or its activities, other than with the prior written permission of the Sponsor
- not to act or represent in a way that suggests they have the authority to bind or represent the Council and/or Working Groups or Energy Queensland
- to fully and immediately disclose to the Council and/or Working Groups any conflict of interest or perceived conflict of interest between the interests of any of the member or the organisation which the member represents and Energy Queensland
- not operate in a manner that is detrimental to the commercial, brand and reputation management interests of Energy Queensland
- to contribute in a manner that constructively works with Energy Queensland and other Council and/or Working Group members on strategic issues, to facilitate improved outcomes for customers and the community
- where requested by Energy Queensland, endeavour to seek perspectives and views on specific topics from the members or memberships of the organisations they represent and contribute their knowledge and expertise to consider the needs of all customers
- contribute actively, ensure all voices are heard equally, and engage with evidence-based discussions.

## 6.2 Obligations of nominated Organisations

Where an organisation has notice of these Terms of Reference and nominates a representative as a member, the organisation undertakes:

- to nominate as a potential member only persons who have the requisite skills and experience to perform the functions of a member
- to nominate as a potential member only persons who agree to work constructively with Energy Queensland on relevant issues and is not involved in activities that could be deemed detrimental to the interests of Energy Queensland, its customers and communities
- not to publish any statements or make any comments to the media about the Council and/or Working Groups and their activities, other than with the prior written permission of the Sponsor
- to treat all non-public information which the organisation receives or obtains in connection with appointment as a member as confidential information to be used only for the purposes of pursuing the aims and performing the responsibilities of the Council and/or Working Groups and disclosed only with the written authority of the Sponsor. (Council and Working Group members will be required to sign a Confidentiality Agreement with Energy Queensland highlighting which agenda items fall within that agreement).

# 7 MEETINGS OF THE COUNCIL

## 7.1 Time and place of meetings

The Council will meet a minimum of three times per annum. Meetings will generally be hosted at Energy Queensland's Newstead office during business hours. It is preferred these meetings are in-person attendance however facilities for members to join remotely via video conferencing will be provided.

If a meeting is required outside of the regular Council meetings schedule, an online meeting will be arranged. If a meeting is required as a site visit or to be held at other Energy Queensland locations, advance notice and logistics will be advised after Energy Queensland's discussions with the Independent Chair and Council members. The Independent Chair and/or Secretariat may, in consultation with members, issue a schedule of Council meetings in advance.

## 7.2 Calling meetings

The Independent Chair and/or Secretariat may call a meeting at any time by giving notice to members.

The Secretariat will generally provide to members five business days in advance of each meeting:

- an agenda
- any presentations, reports, papers, or materials which are intended to aid members in the meeting.

## 7.3 Procedure at meetings

The Independent Chair will preside at meetings and may set any formal or procedural requirements. Generally:

- there are no quorum requirements for a meeting
- members are entitled to attend meetings personally but may appoint a proxy in prior consultation with the Independent Chair and Secretariat should they be unable to attend any meeting
- the Independent Chair and Energy Queensland will decide whether it is appropriate to include any other invitees or allow any other person to attend a meeting whether for the entire meeting or specific agenda items.

## 7.4 Decision-making and endorsement

The primary purpose of the Council and associated Working Groups is to share and discuss feedback based on customer and community views, rather than to act as a decision-making body. They are each focused on facilitating breadth and depth of discussions on key topics and issues. For that reason, there is no formal decision-making mechanism. However, the Council and/or Working Groups can reach consensus or endorse a view or position, by majority (two-thirds of the membership) which they can report to Energy Queensland. Minority viewpoints will also be recorded but will not form part of any formal recommendations.

# 8 WORKING GROUPS

Sitting under the Council, there are several Working Groups focused on facilitating breadth and depth of discussions on key topics and issues relating to Energy Queensland's strategies and business operations. They play a critical role in ensuring customer and community perspectives help influence business decisions.

These Working Groups are:

- Sustainable Grid & Energy Solutions
- Asset Management, Planning & Resilience
- Network Pricing
- Customer Service & Experience
- Ergon Energy Retail.

The Executive Leadership Team will take an active role in ensuring relevant General Managers and business subject matter experts take the lead in facilitating Working Group presentations and discussions.

Depending on the specific agenda items to be discussed at Working Group meetings, the relevant General Manager or the Secretariat will chair the meeting. Unlike the Council, there will be no Independent Chair for the Working Groups.

All Working Groups will have at a minimum two Council members who are responsible for reporting back to the Council on Working Group proceedings. Other Working Group members will be drawn from organisations and individuals with relevant industry expertise or experience on the specific topics and issues within the remit of each Working Group, or who have an interest in obtaining that knowledge as part of their customer representative and advocacy work.

Working Groups' meetings will generally follow a format that enables consensus-based advice/recommendations being formed using the following steps:

1. Learning
2. Discussion
3. Ideas/recommendations for a position/engagement or other
4. Refinement of recommendations
5. Decision Point
6. Agreed external message

Working Groups will be a combination of in-person and online attendance and could include site visits. The timing of these meetings including key decisions on issues will be decided by Energy Queensland in consultation with Working Group members according to the topics and issues identified for discussion and any associated timeframes required for insights to be obtained in terms of business decision making.

Working Groups will play a key role in representing customer priorities and perspectives during the development of Ergon Energy Network and Energex's Regulatory Proposals and Tariff Structure Statements to the Australian Energy Regulator (AER).

# 9 STANDARDS OF CONDUCT

In performing their functions, Members are expected to:

- interact collaboratively as part of a team
- interact in an open, honest, and ethical manner
- show respect for each other, Energy Queensland staff and others who may attend meetings
- recognise and be accepting of differing views and opinions
- approach participation from a place of genuine cooperation and willingness to reach consensus where possible
- ensure views expressed accurately reflect and represent the customer cohorts and communities of member organisations and are evidenced based
- put personal grievances or personal agendas aside
- focus their participation as strategic in nature.

# 10 ADMINISTRATION

## 10.1 Record-keeping

The Secretariat will keep reasonable records of the activities of the Council and Working Groups and provide regular updates to members.

## 10.2 Budgets and spending

The Council and Working Groups are not intended to be a financial body and will generally not have a budget. To the extent Energy Queensland makes funds or other resources available to the Council and Working Groups for any reason, the Sponsor, in consultation with the Independent Chair, seek to allocate funds or resources, in-line with Energy Queensland financial guidelines.

Stakeholder and customer insights will be gathered through the existing Voice of the Customer Program of activities, including via research and insight matrix program, bespoke surveys, and perspectives, facilitated workshops, and direct consultations.

These insights will be integrated into Council and Working Groups discussions to ensure customer and community priorities remain central to decision-making. Energy Queensland will work with the Council and/or Working Groups to coordinate any customer and stakeholder insights requirements to assist with decision making.

See page 5 of the Energy Queensland Customer and Stakeholder Engagement Framework for more details and how these insights flow between different parts of the Framework.

## 10.3 Remuneration and expenses

### Remuneration:

Members of the Council and/or Working Groups will be eligible to claim a remuneration sitting fee for meetings as outlined below:

- FY2024/25: $278.00 (GST exclusive) per hour

- FY2025/26: $286.00 (GST exclusive) per hour
- FY2026/27: $295.00 (GST exclusive) per hour
- FY2027/28: $304.00 (GST exclusive) per hour

The sitting fees outlined above take account of sitting fee rates payable to members of the previous Customer and Community Council for FY2024/25 and a forward 3% increase per annum (rounded to the nearest dollar).

The total sitting fee that may be claimed for each meeting will vary in line with the likely variance of each meeting duration and members actual attendance. The Secretariat will notify Council and/or Working Group members the total fees claimable per meeting post each meeting held.

The sitting fee takes account of an average of two hours of meeting preparation by Council and/or Working Group Members, with no payment for that meeting preparation claimable. However, from time-to-time members of the Council and /or Working Groups may be asked by Energy Queensland to conduct specific packages of work or activities relating to Council and/or Working Group proceedings to which additional remuneration may be offered to compensate for time required to conduct these requested work/activities. The Secretariat will confirm in advance, any additional remuneration fees eligible to be claimed by Council and /or Working Group members. Any additional remuneration fees will be at the same hourly sitting fee rates outlined above.

Individual Council and/or Working Group members have the option of whether to claim sitting fees or not, noting that some members may also be remunerated and supported by their member organisation to participate.

The sitting fee remuneration for any Council and/or Working Group meetings are only payable where a Council and/or Working Group member has attended for the entirety of that meeting, exceptions granted by Energy Queensland as deemed appropriate where a member may have to arrive at a meeting late or leave the meeting early.

The Independent Chair will be eligible to claim remuneration fees for all activities related to their duties and time incurred in carrying out those duties (See Section 5.1 Composition of the Council – Independent Chair, of this Terms of Reference) as follows:

- FY2024/25: $300.00 (GST exclusive) per hour
- FY2025/26: $310.00 (GST exclusive) per hour
- FY2026/27: $320.00 (GST exclusive) per hour
- FY2027/28: $330.00 (GST exclusive) per hour

All fees associated with eligible remuneration are required to be invoiced by eligible members post each Council and/or Working Group meeting.

Remuneration fees will not apply to ad-hoc customer and stakeholder meetings that Energy Queensland may organise, for example, online information briefings open to other stakeholders that fall outside of the specific Council and/or Working Group activities and to which Council and/or Working Group member attendance is optional.

No other remuneration arrangements outside of that outlined above will be entered into with individuals or organisations represented on the Council and/or Working Groups. Equitable application of the remuneration terms ensures an ethical approach by Energy Queensland in seeking probity and fairness in the engagement of members involved in Council and Working Group proceedings. Exceptional circumstances will be considered and agreed with the Sponsor’s approval.

### Expenses:

Members are not entitled to reimbursement of expenses they may incur in connection with the performance of their functions as members of the Council and/or Working Group. However, the Sponsor and Secretariat may, in writing in advance, approve certain expenses which Energy Queensland will reimburse to support participation in the meeting.

Where a member has been requested to attend a meeting in person and had to travel by plane and/or requires accommodation, Energy Queensland’s preference is to organise these on behalf of the member utilising corporate booking procedures and payment arrangements. However, the Sponsor and Secretariat may approve in advance any arrangements for flights and accommodation outside of this process with members on an individual case by case basis where requested, and sufficient justification provided, by a member.

## 10.4 Annual operating report

The Independent Chair will, with input from Council members, and assistance of the Secretariat, compile a report at the end of each financial year summarising the activities of the Council and Working Groups during that year.

## 10.5 Relationship between the parties

Nothing in the operation of the Council and/or Working Groups or in these Terms of Reference should be taken as creating a relationship of employment, partnership, agency, or supply among or between any of the members, the nominating organisations, or Energy Queensland.

# 11 DISBANDING THE COUNCIL AND WORKING GROUPS

Energy Queensland may disband the Council and/or any of the Working Groups at any time.