

# Expression of Interest

Energy and Water Ombudsman (SA) Limited Nominations  
for Consumer Directors  
Duty statement and selection criteria



ENERGY & WATER  
OMBUDSMAN SA

**June 2023**

## Call for Expressions of Interest – Consumer Director nominations

The Energy and Water Ombudsman (SA) Limited is an independent body established to receive, investigate and facilitate the prompt resolution of complaints and disputes between consumers of energy, water and sewerage services and providers of those services who are members of the scheme administered by the Energy & Water Ombudsman SA. It aims to do this by providing a free, impartial, accessible, fair and informal service to consumers.

The Energy & Water Ombudsman SA Board has primary responsibility for the formal administration of the functions of the Energy & Water Ombudsman SA. Its key accountability is for the strategic planning, policy setting and direction to the Ombudsman to enable the efficient, effective and independent operation of the scheme.

The Board comprises a balanced mix of Directors with industry and consumer interest experience. The Ombudsman, Mr Sandy Canale, has responsibility for the day-to-day operations and resolution of individual complaints. These roles are complementary and, generally, the Ombudsman will attend meetings of the Energy & Water Ombudsman SA Board as an observer and advisor as appropriate.

The Essential Services Commission is required to nominate four Consumer Directors for appointment to the Board. As the terms of the current Consumer Directors are all due to expire over the next 12 months, the Commission is seeking expressions of interest for all four Consumer Director positions.

The Commission is seeking to nominate people who can represent and reflect the interests of consumers of electricity, gas and water services, or have experience with public interest or advocacy groups associated with the provision of these services. If you have demonstrated and direct experience of the issues that impact upon consumers accessing electricity, gas and water services, you are welcome to apply.

In times where energy and water markets, along with consumer interactions with those markets, are constantly evolving, people who can strategically navigate and respond to new or emerging issues will be highly regarded. As will people who represent consumers who are Indigenous, culturally and linguistically diverse, live with a disability, financially disadvantaged and/or who are involved in small to medium-sized businesses.

The four Consumer Director Board appointments commence on the following dates: 1 October 2023, 24 October 2023, 28 February 2024 and 1 August 2024. The other appointed Directors of the Energy & Water Ombudsman SA Board are ultimately responsible for approving the appointment of the Commission's nominees.

Further details on the Energy & Water Ombudsman SA, including its 2021-22 Annual Report, Corporate Governance Statement, Constitution and Charter are available at [www.ewosa.com.au](http://www.ewosa.com.au). The website also includes details regarding the current composition of the Energy & Water Ombudsman SA Board, which includes an independent Chair. Applicants are strongly encouraged to review this important information prior to making an application.

## How to apply

Details on the selection criteria and terms of appointment are provided below and are also available on the Commission's website at [www.escosa.sa.gov.au](http://www.escosa.sa.gov.au).

Applications addressing the selection criteria must be received by Sunday, 16 July 2023.

Applications can be emailed to [escosahr@escosa.sa.gov.au](mailto:escosahr@escosa.sa.gov.au). Applications by post will also be accepted and can be sent to:

Energy and Water Ombudsman (SA) Limited Board Nominations  
Private and Confidential  
c/o ESCOSA – Attention Amelia Greer  
GPO Box 2605  
ADELAIDE SA 5001

All applications received will be acknowledged by return email.

## Contact details

Enquiries regarding the Expression of Interest materials or the application process can be made to Amelia Greer, People and Corporate Officer, on (08) 8463 4444 or at [escosahr@escosa.sa.gov.au](mailto:escosahr@escosa.sa.gov.au)

Enquiries concerning the Board or Energy & Water Ombudsman SA Limited can be made to Mr Sandy Canale Chief executive Officer, on (08) 8216 1866 or at [sandy.canale@ewosa.com.au](mailto:sandy.canale@ewosa.com.au).

The Essential Services Commission is an independent statutory authority with functions in a range of essential services including water, sewerage, electricity, gas, rail and maritime services, and also has a general advisory function on economic matters. For more information, visit [www.escosa.sa.gov.au](http://www.escosa.sa.gov.au).

Essential Services Commission  
GPO Box 2605 ADELAIDE SA 5001  
Telephone: (08) 8463 4444 E-mail: [escosa@escosa.sa.gov.au](mailto:escosa@escosa.sa.gov.au) Web: [www.escosa.sa.gov.au](http://www.escosa.sa.gov.au)

## Selection Criteria

Applications should include an up to date resume and covering letter (limited to 2 pages) which address the following selection criteria:

1. Demonstrated experience in representing and understanding the interests of, and issues impacting, a wide range of energy and water consumers (particularly consumers from rural and regional communities, who are Indigenous, who are culturally and linguistically diverse, who live with a disability, who are financially disadvantaged, or who are involved in small to medium sized businesses).
2. Demonstrated experience with other relevant consumer focussed organisations that consider the views and perspectives of energy and water consumers and the new or emerging issues they face as energy and water markets evolve.
3. Previous board or committee experience and a demonstrated understanding of the responsibilities and accountabilities of board directors, including expertise in corporate governance, strategy and risk, as well as a high standard of financial acumen. Qualifications from the Australian Institute of Company Directors, in combination with relevant experience, will be highly regarded.
4. An understanding of the role and operation of the Energy & Water Ombudsman SA and the role of the Australian Energy Regulator and Commission.
5. Experience or knowledge of the energy and water industries and the issues that impact upon the wide range of consumer groups accessing these markets, in particular, how consumers are changing the ways in which they interact with those markets and service providers.
6. Demonstrated skills or knowledge in other relevant disciplines or fields such as, information technology, digitisation, ethical business practice, environmental, social and governance issues (ESG), cybersecurity or regulatory economics.

You may also wish to include any other relevant background material with your application (ie covering letter) in addition to information provided in response to the selection criteria. Please also ensure current contact details, including telephone and email address are provided.

## Terms of Appointment

### Description of duties

As a consumer Director you will be expected to prepare for, attend and contribute to board meetings, general meetings of the Energy & Water Ombudsman SA and any relevant committee meetings. A consumer Director has the full responsibilities of any director of public company limited by guarantee. It is also expected that all members of the Board will make a full contribution to the Board's work and operate as part of a team.

Additional duties of Directors are also set out in the Constitution and Charter of the Energy & Water Ombudsman SA, which are available from [www.ewosa.com.au](http://www.ewosa.com.au). The obligations on directors outlined in the Corporations Act 2001 are also relevant. Applicants are strongly encouraged to review these important documents before applying.

### Length of appointment

The Commission has determined that the term of appointment is for a period of three years.

### Reappointment

Directors are eligible to be nominated and appointed again for a subsequent term or terms. However, no Director is eligible to serve more than nine consecutive years as a Director.

### Resignation or termination of appointment

In accordance with the Corporations Act 2001 and the Energy and Water Ombudsman SA Constitution, a Director may resign by notice in writing. The Constitution also sets out other circumstances in which the office of a Director may be vacated.

### Remuneration

The current annual fee for Directors is \$ 24,347 (which includes 11% superannuation).

The members of the Energy & Water Ombudsman SA approve a total annual figure for the remuneration of Directors in a general meeting. The remuneration is reviewed annually.

### Meetings

Currently, there are six Board meetings scheduled during a financial year. In the event an urgent matter requires the attention of the Board, additional meetings or briefings may be arranged.

Directors may also be required to become a member of a committee established by the Board to assist with the functioning of the Energy & Water Ombudsman SA. The current committees are Finance, Audit and Risk and Remuneration and Executive Review. Other committees may be established depending on circumstances.

### Conflict of interest

Each nominated consumer Director will be required to sign a Consent to Act, which includes a declaration of interests. This should include any activities that could be perceived to be, or are, conflicts with being a Director of the Energy & Water Ombudsman SA.

A Director may not be counted in any quorum and is not entitled to vote in respect of any proposed contract with the Energy and Water Ombudsman SA in which he or she has an interest, or on any matters the Director has a material personal interest.

### Confidentiality

A Director must undertake that they will not, at any time during or after their appointment as a Director, in any manner directly or indirectly, disclose or use any confidential information of any kind concerning the business, affairs or employees of the Energy and Water Ombudsman SA or acquired by the Director in the course of or in consequence of their appointment. This does not apply to the disclosure of information which is freely available to the public, or disclosures required of the Director by law.