

Minutes

Meeting Name	DCP 054 Working Group	Meeting Number	008
Meeting Date	17 June 2010	Meeting Time	10:00
Venue	Elaxon, 4 th Floor, 350 Euston Road, London NW1 3AW		

Attendee

Andrew Wallace
Anne Jackson
Sasha Pearce
Alex Burford (Secretary)

Company

Ofgem
SSE Energy Ltd
Npower Ltd
ElectraLink Ltd

1. ADMINISTRATION

- 1.1 Apologies were received from Danielle King (E.ON UK) and Angela Mann (E.ON UK.)

2. MINUTES OF THE PREVIOUS MEETING

- 2.1 The minutes from meeting 008 were agreed subject to a typographical amendment to section 4.4.8.

3. OUTSTANDING ACTIONS

- 3.1 The Group discussed the issue of Supplier Polices. AW noted that once the Code of Practice (CoP) is complete, a review of the DCUSA to assess the definition of Supplier Polices would be required.
- 3.2 The Group also discussed the Assessment of Unrecorded Units. AJ noted that further clarification is required and is seeking guidance from relevant parties at SSE Energy. AW noted that he spoke to xoserve and National Grid and noted that this issue calculation of unrecorded units is being reviewed by them and noted that he will report back any developments to the group at the next meeting. AW took an action to speak to National Grid and British Gas on the issue of gas appliance calculation for theft and report back at the next meeting.

Action: AW

- 3.3 The group discussed the issue of disconnection policy and noted the Ofgem draft guidance document on meter tampering and best practice with disconnection powers. AW noted that the document will also be distributed to the Consumer Focus and to the wider industry once it has been finalised. The group also discussed the issue of vulnerable customers. AW noted that the CoP needs to define vulnerable customers and the disconnection policy for them. SP noted that the Consumer Focus will feedback their views on the CoP at the next meeting.
- 3.4 The group noted further clarity is required as to when a customer can be disconnected. AW noted that the guidance document provides guidance to the industry as to what Ofgem require the CoP to include. The group took an action to review the document and relay comments back to AW.

Action: All

- 3.1 The group also discussed the issue of charging for the stolen units. AW noted that Ofgem has indicated concerns in relation to the legal advice from Wragges & Co in relation to theft in conveyance. It was noted that the advice states that terms can be placed into a contract which allows suppliers to seek payment back from the consumer. It was noted that DNOs are responsible for theft in conveyance, as per legal advice from Wragges & Co. AW took an action to draft a section to go into the CoP on the issue of theft in conveyance and outline the DNO's duty.

Action: AW

- 3.2 The group noted that this issue should be discussed in more detail and AB took an action to place the issue of charging on the agenda for the next meeting.

Action: AB

- 3.3 SP took an action to circulate documentation from a Consumer Focus meeting where these issues were discussed.

Action: SP

4. CODE OF PRACTICE DISCUSSION

- 4.1 The group reviewed the framework for the CoP developed by SP and developed the objectives and principles further.

- 4.2 The Working Group agreed the objectives and the following high level principles for inclusion in the CoP:

- Objectives and Codes. SP took an action to update the objectives and codes section of the CoP as per group comments.

Action: SP

- Obligations on Market Participants. The group noted it would need further information on the obligations on market participants. It was agreed to wait until responses had been received on the Wragge & Co advice which was sent out to consultation as part of the DCP 054 incentive schemes.

- Sources of Information. It was noted that the sources of information section had been updated by AM in accordance with the group's instructions from the last meeting. The group agreed to amend the section further to ensure that there is clarity as to the role of suppliers. SP took an action to re-word the sources of information section as per the group's instructions.

Action: SP

- Collection and Retention of Evidence. The group considered a human rights issue in relation to the collection and retention of evidence and noting that the CoP needs to explain to the customer why evidence is being collected AW suggested that this issue is discussed with the Ofgem legal representative at the next meeting. AW took an action to consider implications of the Police and Criminal Evidence Act 1984 (PACE) on this issue for the next meeting.

Action: AW

- Data Requirements. The group noted the updates to the section made by AW and that the section can be amended further as there is repetition elsewhere in the document.
- Information to Customer. The group noted that the supplier can disconnect the customer for theft at the meter and the DNO can disconnect for theft in conveyance. SP took an action to update the section as per the group's comments.
- Procedures for Investigation. The group agreed to place this issue on hold pending the creation of a consultation on the CoP. The group noted that there would be merit to outline a number of scenarios for consideration at next meeting. The group took an action to develop a number of scenarios and discuss at the next meeting.

Action: ALL

- AW took an action to draft a flow diagram for the scenarios.

Action: AW

- The Group noted that as part of the update from AM for procedures for investigation of theft and that the time scale for a priority case should be 40 days. SP noted that the priority time scale should be 30 days. The group agreed that the priority time scale should be 30 days. SP took an action to ask AM why she felt 40 days was appropriate.

Action: SP

- Conduct of Investigations. AW noted that there are concerns in relation to the differences between criminal and civil investigations. The group agreed to review this section with the Ofgem legal representative at the next meeting.
- Disconnection of Supply and Recovery of Costs. AW took an action to update this section as per the group's instructions and include any future developments that Ofgem wish the CoP to consider.

Action: AW

- Treatment of Vulnerable Customers. SP took an action to speak with the Consumer Focus and ask them to send a representative to discuss this issue at the next meeting.

Action: SP

- Re-visits. The group noted that the current wording needs to be clarified. It was noted that this section should also explain visits to vulnerable customers. The group agreed to seek clarification from AM at the next meeting and to discuss the issue further with The Consumer Focus.
- Maintenance of records. SP took an action to update this section by using a similar section from the 1998 Code of Practice.

Action: SP

- Qualified Persons. AJ noted concerns in relation to agents and noted that there should be a Criminal Records Bureau (CRB) check on third party

agents who wish to gain access to a property. The group agreed to discuss this issue further at the next meeting.

- Incentive Scheme. It was agreed that an incentive scheme will be included in the CoP upon completion of the incentive scheme consultation process.
- Appendices. The group reviewed the list of appendices in the Code of Practice framework document. SP took an action to update the appendix section as per the group's instructions.

Action: SP

5. PARTICIPATION FROM SPAA EXPERT GROUP

- 5.1 The group noted that further participation from the aspect of gas would be welcomed. AB took an action to speak with HR to ask the SPAA Expert Group meeting on the 14 July, for any participants to attend the next sub-group meeting.

Action: AB

6. NEXT STEPS

- 6.1 The group agreed to organise two further meetings to discuss a number of issues with the Ofgem legal representative and a second meeting with the Consumer Focus representative. AW took an action to speak to the Consumer Focus to seek an update on when their principles will be published and if they can attend the meeting in August.
- 6.2 The group agreed to complete their actions and forward to AB to collate and distribute before the next meeting.

Action: AB

7. ANY OTHER BUSINESS

- 7.1 There was no other business raised at the meeting.

8. DATE OF NEXT MEETING

- 8.1 It was agreed that a sub-group meeting will convene in the week of the 14th July the dates are to be confirmed. ElectraLink took an action to confirm the date and venue.

Action: ElectraLink

APPENDIX A – ACTIONS**OPEN ACTIONS**

No.	Action	On	Due
009/01	Speak to National Grid and British Gas on the issue of gas appliance calculation for theft and report back at the next meeting.	AW	16/07/10
009/02	Review the Ofgem Draft guidance document and relay comments back to AW.	ALL	16/07/10
009/03	Draft a section to go into the CoP on the issue of theft in conveyance and outline the DNO's duty.	AW	16/07/10
009/04	Place the issue of charging on the agenda for the next meeting.	AB	16/07/10
009/05	Circulate documentation from a Consumer Focus meeting.	SP	16/07/10
009/06	<ul style="list-style-type: none"> • <u>Objectives and Codes.</u> SP • <u>Sources of Information.</u> SP • <u>Collection and Retention of Evidence.</u> AW • <u>Procedures for Investigation.</u> Develop a number of scenarios and discuss at the next meeting. ALL <p>Draft a flow diagram for the scenarios. AW</p> <p>Ask AM why she felt 40 days was appropriate. SP</p> <ul style="list-style-type: none"> • <u>Disconnection of Supply and Recovery of Costs.</u> AW • <u>Treatment of Vulnerable Customers.</u> SP • <u>Maintenance of records.</u> SP 		16/07/10

	<ul style="list-style-type: none"> • <u>Appendices</u>. SP 		
009/07	Speak with HR to ask the SPAA Expert Group meeting on the 14 July, for any participants to attend the next sub-group meeting.	AB	16/07/10
009/08	Complete actions and forward to AB to collate and distribute before the next meeting.	ALL	16/07/10
009/09	Confirm the date and venue of next meeting.	ElectraLink	16/07/10

CLOSED ACTIONS

No.	Action	On	Due
008/01	<p>Draft the following sections of the CoP:</p> <ul style="list-style-type: none"> • Sources of Information - AM • Collection and Retention of Evidence – AM • Assessment of Unrecorded Units - AJ • Supplier's Policies - SP • Reports - AJ • Data Requirements - SP • Priorities and Timescales - SP • Conduct of investigations - SP • Visit procedure/gaining entry - SP 		11/06/10 Complete updated under action 009/06

	<ul style="list-style-type: none">• Investigations Process - SP• Disconnection of supply and recovery of costs - AM• Treatment of vulnerable customers - SP• Re-visits - SP• Maintenance of records - SP• Safety issues - SP• Appendices – SP		
008/02	Establish when the next UK RPA board meeting will take place and to determine what the data requirements are.	AW	10/06/10 Complete.
008/03	Collate and distribute CoP sections before the next meeting.	AB	14/06/10 Complete.