

Minutes

Meeting Name	DCP 054 Working Group	Meeting Number	035
Meeting Date	27 February 2013	Meeting Time	10:00am
Venue	Web - Conference		

Attendee

Glenn Sheern [GS] (Chair)
Anne Jackson [AJ]
Angela Mann [AM] (dialled in)
Ian Main [IM]
Paul Hart [PH]
Lynne Fallon [LF]
Richard Vernon [RV]
Roger Parnell [RP]
Tony Savka [TS]
Claire Hynes [CLH] (Secretary)

Company

E.ON UK
SSE Energy Supply
E.ON UK
Scottish Power
UK Power Networks
British Gas
Npower
EDF Energy
Electricity North West
ElectraLink Limited

1. ADMINISTRATION

- 1.1 Apologies were received from Lynne Hargrave (Northern Powergrid).

2. 034 MEETING MINUTES

- 2.1 The minutes of the previous 034 were agreed without amendment.

3. OUTSTANDING ACTIONS

- 3.1 The Working Group reviewed the actions from the previous 034 meeting.
- 3.2 A summary of new and outstanding actions is attached as Appendix A.

4. DATA ITEMS USED TO REPORT ON THEFT

- 4.1 The Working Group met to update the appendices to the Code of Practice (CoP) and discuss a sensitive and non sensitive data items table which the Working Group members had filled in since the last Working Group meeting. Two tables were provided, one table from Trevor Clark constituting the outcome of discussion on data items under the SPAA theft of gas (ToG) Working Group meeting on the 12 February 2013 and the other from Richard

Vernon of Npower. The Working Group decided to concentrate on the method of notification and classifying the information within the D0238 flow as sensitive or non sensitive data.

- 4.2 The Working Group discussed if the information provided in the flows that could be used to report theft had been reviewed by Data protection agents prior to being implemented. The Working Group agreed that so long as there was sufficient justification for the information being shared as part of an on-going investigation in to theft or a pending investigation then the information in the D0238 flow could be provided.
- 4.3 The Working Group reviewed the D0238, D0237, D0239 and D0137 flows and deemed the D0238 flow fit for purposes for the reporting of theft of electricity to all parties. The current mandatory fields in the D0238 flow are MPAN Core, Meter Operator ID, Revenue Protection Priority level, Tampering Code, Tampering Report Source, Tampering Report date, Meter id (Serial Number), Manufacturer Make & Type, Meter Type, Meter Location, Last Reading /Inspected Date, Energisation Status, Disconnected for Non Payment Status. The Working Group agreed to remove the obligatory field of disconnected for non payment status when reporting on the theft of electricity.
- 4.4 The Working Group noted that contact numbers could play a role in recognising theft when the same contact number is being used for one premise which has undergone several change of tenancies or a change of Supplier and has left a trail of debt on the preceding accounts. The Working Group agreed that all non obligatory fields such as providing contact numbers should be provided on a case by case basis where appropriate.
- 4.5 The Working Group discussed ways in which you could check who was currently occupying a premise where theft of electricity is suspected. It was noted that one is entitled to look at the public register so you can check the council tax registers legitimately and cross check with the customer account.
- 4.6 The Working Group discussed site information to be placed on D0238 flow in regards to information such as fighting dogs on the site where theft is suspected. The Working Group agreed that they had duty of care to the agent visiting the site to provide this information. The Working Group agreed to seek the visit reason codes for a mad dog and populate the flow to contain this optional information.

- 4.7 The Working Group agreed that the length of time under which information can be shared between parties in the D0238 flow should not exceed length of time a person can be held accountable for the crime once charged under the rehabilitation act.
- 4.8 The Working Group discussed the provision of information to Social Services and Charities if power is disconnected to a vulnerable customer due to serial theft of electricity. The Working Group agreed that the Party has a duty of care to the Customer and any report to the Social Services or a care agency would need to occur on a case by case basis weighing up the possible outcome if it is not reported. The Working Group agreed to provide a Best Practice section in the CoP to state that the information of vulnerable customers can be provided to Social Services and Charities where appropriate once the property has been disconnected.

5. THEFT OF ELECTRICITY CODE OF PRACTICE (CoP)

- 5.1 The Working Group revised the CoP in light of the decisions made on how they will report the theft of electricity to other parties.
- 5.2 The Working Group agreed to insert a best practice section for vulnerable customers who are disconnected in to the CoP under paragraph 6.

Action: ElectraLink

6. THEFT OF ELECTRICITY CODE OF PRACTICE (CoP) APPENDICES REVIEW

- 6.1 The Working Group reviewed the appendices and requested the removal of the acronym E + W + S to be replaced with England, Scotland and Wales and the removal of the brackets at the end of the affected paragraphs.

Action: ElectraLink

- 6.2 The Working Group agreed that the appendices and the CoP will need to be reviewed to reflect the DCUSA style of writing and its definitions. The Working Group agreed that all instances of DNO in the appendices and the CoP should be changed to distributor.

Action: All

- 6.3 The Working Group discussed the age of the energy efficiency figures used by Parties to gauge the average usage of a Property. The SPAA ToG Working

Group in conjunction with the DCP 054 theft of electricity Working Group have discussed the commissioning of an independent body who can provide up to date average energy usage for appliances in domestic and commercial properties. This information could then be used to determine if a property with certain appliances was using energy within the bounds of average usage or if it required further investigation for theft of electricity or theft of gas. The Working Group agreed it would provide a sound statistical methodology which would provide a reason why a property should be investigated and could provide credence in cases of theft of electricity or gas brought before the courts. Other tests such as load tests would then be carried out at the site. The Working Group agreed to raise the request to commission an independent energy body to provide up to date energy ratings for average appliances in households and commercial properties to the DCUSA Panel.

Action: ElectraLink

- 6.4 The Working Group's request to issue a letter to the HSE with a query on whether DNOs can authorise third parties to undertake safety work on their behalf received the approval of the DCUSA Panel on the 20 February 2013. The Working Group agreed that the letter to the HSE should contain a background scenario stating that operators on site are in a situation where they are fully qualified to make the situation safe but cannot do so as the Supplier does not have the powers. The Working Group agreed to ask two questions:

- Question 1: Can the distributor delegate the authority to de-energise or disconnect to a Supplier or an agent with those particular competencies?
- Question 2: Can that be a general commission given in advance?

Action: GS

- 6.5 The Working Group discussed the issue of unregistered sites which were not assigned to a Supplier and thus not paying for the electricity used. The Working Group agreed that the issue was not in the scope of DCP 054 which is in the process of reaching the Change Report stage. The Working Group discussed a Supplier of last resort obligation as possibly being a solution to the problem. It was noted that DIF 028 was developing a scenario matrix on untraded Metering Point Administration Numbers (MPANs) under the DCUSA

Standing Issues Group (SIG). It was suggested that a separate change may need to be raised on this issue.

7. WORK PLAN AND NEXT STEPS

- 7.1 The Working Group agreed to send the CoP and its appendices for legal review.

Action: ElectraLink

- 7.2 The Working Group agreed that a first draft DCP 054 Change Report would be issued in March 2013. The Proposer and the Chair agreed to attend a meeting in person at ElectraLink to review and finalise the Change Report and its subsidiary documents.

Action: ElectraLink TS & GS

- 7.3 The Working Group agreed to aim the Change Report for the April DCUSA Panel meeting with panel paper date on the 10th of April 2013. The Working Group agreed to meet on the 9th of April for a final review of the CoP and its appendices.

8. ANY OTHER BUSINESS

- 8.1 There were no other items of business raised at the meeting.

9. DATE OF NEXT MEETING

- 9.1 The Working Group agreed to meet in person at 10am on 9 April 2013 to review the final draft of the Change Report and its subsidiary documents.

APPENDIX A – ACTIONS**OPEN ACTIONS**

No.	Action / Update	On	Due
031/05	Refine the 6.1 Provision of Information from DNOs to Suppliers reference box in the CoP. Ongoing, LF agreed to produce a refined 6.1 Provision of Information by the 28 February 2013.	LF	28/02/13
031/09	Check whether the reference to Consumer or Customer was appropriate in each instance in the CoP. Ongoing.	JP	09/04/13
031/10	Review the reference and obligations of no. 11 and use information straight from the licence. Ongoing. GS and AM will review the reference and obligations of no. 11.	GS & AM	09/04/13
032/02	Draft a Best Practice section on the retention of a physical meter for evidence purposes. Ongoing. GS confirmed that the length of a physical meter will be retained for will be revisited at the next Working Group meeting on the 27 February 2013.	AJ	09/04/13
035/01	The Working Group agreed to insert a best practice section for vulnerable customers who are disconnected in to the CoP under paragraph 6.	ElectraLink	09/04/13
035/02	The Working Group reviewed the appendices and requested the removal of the acronym E + W + S to be replaced with England, Scotland and Wales and the removal of the brackets at the end of the affected paragraphs.	ElectraLink	09/04/13
035/03	The Working Group agreed to raise the request to commission an independent energy body to provide up to date energy ratings for average appliances in households and commercial properties to the DCUSA Panel.	ElectraLink	20/03/13
035/04	GS to draft a letter to the HSE raising questions on delegating a disconnection of premises	GS	

	on grounds of safety when a qualified technician is on site.		
035/05	The Working Group agreed to send the CoP and its appendices for legal review.	ElectraLink	
035/06	The Working Group agreed that a first draft DCP 054 Change Report would be issued in March 2013. The Proposer and the Chair agreed to attend a meeting in person at ElectraLink to review and finalise the Change Report and its subsidiary documents.	ElectraLink	
035/07	The Working Group agreed that the appendices and the CoP will need to be reviewed to reflect the DCUSA style of writing and its definitions. The Working Group agreed that all instances of DNO in the appendices and the CoP should be changed to distributor.	All	

CLOSED ACTIONS – at this meeting

No.	Action / Update	On	Due
032/01	Check the set length of time under which new evidence may come to light to allow for a decision to be appealed. This may impact on how long a meter may need to be retained as evidence. <i>Angela Mann advised that she had conferred with the head of their legal team who advised An appeal must be commenced not later than 21 days after the making of the decision appealed against by the appellant giving written notice of appeal in accordance with Part 63 Criminal Procedure Rules. (Archbold 2 - 181).</i>	GS & AM	27/02/13
026/01	Ask the DCUSA Panel if it believed that the ESQCRs should be changed to allow a competent person to de-energise on behalf of a distributor, where the customer's installation is unsafe. Ongoing the group noted that this action was discussed at the DCUSA Panel. The action is around the Panel sponsoring a note to the HSE or to seek legal advice asking for clarity on whether a Supplier can disconnect on grounds of safety. Approved by Panel to seek legal advice, AW to confirm with GS what legal advice should be sought. <i>GS confirmed that the panel are happy for DCP 054 to approach the HSE on the question of delegating the ability to disconnect on grounds of safety when a skilled technician is already at the premises.</i>	GS	27/02/13
030/03	Each member of the working group will complete the required sections in the PIA DCUSA	Working	27/02/13

	document. The Working Group agreed to identify the areas of the PIA under which shared information is required when they meet with the ICO before progressing this action. The Working Group discussed the data items as non sensitive and sensitive items at the DCP 054 meeting on the 27 February 2013. They agreed that the reporting should occur through the D0238 flow with the removal of disconnected for non payment status and the addition of a visitor reason code for a dangerous dog. The Working Group agreed that all industry parties should on a case by case basis decide what information to supply in the non essentials elements of the flow.	Group	
034/01	The Working Group agreed to populate a table of data items that would be identified as sensitive or non sensitive data with their own compliance team and data protection specialists and that could be shared with other industry parties. This list will then be reviewed by the Working Group at the next DCP 054 meeting. The Working Group discussed the populated tables of data and the D0238 flow at the Working Group meeting.	All	27/02/13
034/02	The Working Group discussed who would be deemed an appropriate party to share data of vulnerable customers with; social services, charity groups and help groups. As the list of support groups becomes increasingly informal, the Working Group agreed to work in conjunction with their data protection teams to decide the organization level that they would stipulate the information could be shared with. The Working Group agreed to share information using the obligatory fields of the D0238 flow on cases of theft currently under investigation or pending an investigation with all industry parties and to provide best practice guidance in the CoP and appendices. The organisations will be allowed to interpret the data that they can justifiably share with another industry party and with social services and care agencies on a case by case basis.	All	09/04/13