DCUSA CP 3XX – Subsequent Change to Theft Charter

Amend paragraph 14A in Schedule 23 of the DCUSA as follows:

14A Theft Charter

OBLIGATION

The Theft Charter is set out below.

Each Supplier shall take reasonable steps to implement and comply with the Theft Charter in relation to Domestic Customers, and shall support, where necessary, any desktop compliance assurance activities that may be conducted from time to time.

Each Supplier of Domestic Customers shall publish the Theft Charter on its website and refer to (or include) the Theft Charter when it communicates with Domestic Customers in relation to Theft of Electricity.

Energy suppliers are legally obligated to actively investigate the theft of energy. Your energy supplier recognises the importance of identifying where customers may be facing challenging circumstances whilst undertaking their investigations, however energy theft is dangerous and a criminal activity.

Theft Charter

Background

Your energy supplier recognises that some customers face challenging circumstances which require an appropriate level of support. Customers must themselves understand that anybody tampering with the meter or the energy supply is committing a criminal offence. They also put their home and their family at risk, as well as those of their neighbours.

The Theft Charter is a cross-industry commitment to ensure a consistent approach is taken whilst undertaking energy theft investigations in respect of domestic customers. Where a customer is found to be vulnerable, the appropriate actions will be taken to ensure the welfare of the individual(s) is recognised whilst continuing to investigate a potential criminal offence.

Supplier Obligations

Energy suppliers are legally obligated to undertake a number of measures to proactively identify and investigate meter tampering. Where it is found that meter tampering has occurred an energy supplier is obligated to make the site safe which may involve disconnecting supply. Energy suppliers are also entitled to recover the associated costs and, depending on the severity of the tampering found, possibly take court action.

Your energy supplier will seek to identify who has committed the meter tamper and determine the appropriate level of enforcement. Depending on the extent and severity of the offence, they may also consider action in the criminal courts.

Reasonable Supplier Actions

In checking for meter tampering, energy suppliers can undertake the following reasonable actions:

- Gain access to premises to inspect the metering equipment; a visual check is essential to confirm tampering activity and assess whether the premises and equipment are safe.
- If access is refused, a supplier can apply to the courts for a warrant of entry, which gives the legal right to gain access to a premise, by force if necessary.
- Recover all costs associated with the tampering investigation, replacing, or repairing a tampered meter and the value of energy assessed to have been stolen.
- Install alternative metering equipment e.g. a pre-payment meter.
- Monitor ongoing energy consumption and maintain appropriate records to help determine whether there are any further attempts to use energy illegally.
- Request the network operator to consider either a de-energisation or disconnection of supply where co-operation is not achieved and/or premises upon inspection are found to be unsafe.
- Undertake action in the civil courts to recover all of their costs and the value of stolen and unbilled energy where a customer decides not to pay.
- Pursue action in the criminal courts either via private prosecution or via the police and the Crown Prosecution Service (CPS) or Crown Office and Procurator Fiscal Service (COPFS) in Scotland.

Charter Principles

By supporting the Charter energy suppliers agree to ensure the following activities in respect of domestic customers:

- Integration of the Charter with wider cross-organisation policies and procedures including dealing with customer vulnerability.
- That an appropriate programme of vulnerability awareness training is undertaken with all relevant staff.
- Matters are clearly explained to customers (where present) whilst the meter tampering investigation is ongoing.
- Provision of a clearly written summary of the findings and next steps.
- Awareness of the Charter and compliance with its principles by all organisations that may visit a premise during a meter tampering investigation.
- Clearly record on-site observations including any cases of suspected customer vulnerability. Discuss spreading payments over a longer period of time or installing alternative metering equipment to recover the costs in manageable amounts in instances where meter tampering is confirmed.
- Confirm if an alternative named contact (eg. carer) needs to be made aware of investigation and possible next steps where a vulnerable customer is identified.

Implementation Measures

Implementation and oversight of the Charter is based on the following measures in respect of domestic customers:

- **Obligation** – on individual suppliers to promote the Charter on their websites as part of a wider Vulnerable Customer Policy.
- **Continuous improvement** – regular review of the Charter to ensure it remains fit for purpose.
- **Code of Practice** – is supported by an industry Code of Practice which reflects the principles set out in the Charter.
- **Annual independent checks** - to ensure suppliers are continuing to follow the Charter's principles.
- **Engagement** – industry will continue to work with Ofgem, Energy UK, Citizens Advice, charities and other relevant bodies and organisations to offer vulnerable customers the most suitable solutions.

Vulnerability

Aware

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