

Consultation

Ofgem ECO4 Administration Consultation Part 1

Publication date: 2 November 2021

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Response deadline: 30 November 2021

Following the Government consultation on Energy Company Obligation (ECO4) 2022-2026 we are consulting on some areas of our proposed administration for the scheme. We are publishing this consultation now to reduce the amount of consultation activity nearer the commencement of ECO4. This consultation includes areas of our administration that are not dependent on the Government legislation and can therefore be consulted on ahead of the Government decision and legislation being published. We would like views from any stakeholders with an interest in the ECO scheme.

Once the Government's ECO4 Consultation Decision is published, we intend to publish a further consultation document, if required.

This document outlines the scope, purpose and questions of the consultation and how you can get involved. Once the consultation is closed, we will consider all responses. We want to be transparent in our consultations. We will publish the non-confidential responses we receive alongside a decision on next steps on our website at [Ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations). If you want your response – in whole or in part – to be considered confidential, please tell us in your response and explain why. Please clearly mark the parts of your response that you consider to be confidential, and if possible, put the confidential material in separate appendices to your response.

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Contents

1. Introduction	4
What are we consulting on?	4
Context and related publications	5
Consultation stages	5
How to respond.....	6
Your response, data and confidentiality	6
General feedback	8
2. Domestic Premises	10
Self-contained domestic premises	11
Occupancy.....	14
Mobile Homes	18
3. ECO4 Evidence Documentation	21
4. General Questions	24
Appendix 1 – ECO3 Evidence documents	25
ECO3 Evidence documents	25
Appendix 2 – List of questions	28

1. Introduction

What are we consulting on?

- 1.1. The Department of Business, Energy and Industrial Strategy (BEIS) have consulted on the Design of the Energy Company Obligation ECO4: 2022-2026.¹ This consultation closed on 3 September 2021 and the Government is now in the process of analysing the responses. We will be publishing our main consultation on our administration of the scheme once the Government decision document is published.
- 1.2. Ahead of publishing our main consultation we are consulting on areas of the scheme that are not dependent on the Government decision and legislation. By consulting on these areas now we aim to reduce the number of decisions that need to be made closer to the start of the scheme; facilitating earlier finalisation of our administrative approach and provision of draft guidance to assist stakeholders. Through submitting responses to these areas now this should also reduce the work for stakeholders next year when they are busy preparing for the start of ECO4.
- 1.3. Please note that as this consultation is being published ahead of the Government decision the proposals set out are subject to change and we may be required to revisit these topics in our next consultation.

Section 1: Domestic premises definition

- 1.4. We are consulting on our approach to defining eligible domestic premises for ECO4. We are aiming to reduce complexity in our definition to make it easier for suppliers and the supply-chain to determine what is an eligible domestic premises.
- 1.5. We are aware that park homes often have restrictions in place that prevent the occupier living in the property all year. We are consulting on how these properties should be treated and evidenced for ECO4.

¹ <https://www.gov.uk/government/consultations/design-of-the-energy-company-obligation-eco4-2022-2026>

Section 2: ECO4 evidence documentation

1.6. Under ECO3 there is a suite of documents used to record details of eligibility and the measure installed. We are aware that these forms can be onerous for the supply chain to complete and for the suppliers to process. Additionally, there is now a requirement for nearly all measures to comply with PAS 2030:2019 and to be lodged with TrustMark. We want to avoid any duplication between what is required for that process and what is requested by Ofgem. Therefore, we are seeking views on how our evidence requirements could be streamlined for ECO4.

Section 3: General questions

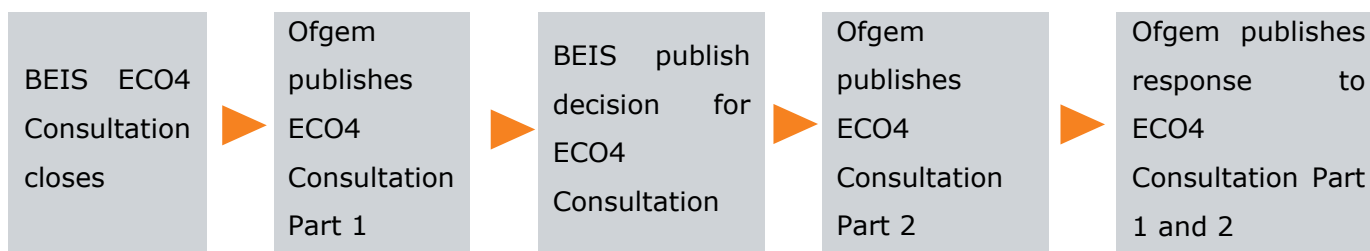
1.7. We intend to publish a further consultation early next year to seek views on our administration. Ahead of this it would be useful to receive any general feedback on our administration to allow us more time to incorporate it into our approach for ECO4. In particular, we request any thoughts on what changes we can make to our guidance documents that would be useful for stakeholders.

Context and related publications

- [BEIS Consultation on the design of the Energy Company Obligation ECO4: 2022-2026](#)
- [Ofgem Energy Company Obligation \(ECO4\) Consultation: scoring methodology – part 1](#)

Consultation stages

1.8. Our consultation will be open for 4 weeks from 2 November 2021. We intend to publish our second consultation after the Government decision is published. Our proposed publishing schedule is as follows:



How to respond

- 1.9. We want to hear from anyone interested in this consultation. Please send your response to eco4.consultation@ofgem.gov.uk.
- 1.10. We've asked for your feedback in each of the questions throughout. Please respond to each one as fully as you can.
- 1.11. We will publish non-confidential responses on our website at www.ofgem.gov.uk/consultations.

Your response, data and confidentiality

- 1.12. You can ask us to keep your response, or parts of your response, confidential. We'll respect this, subject to obligations to disclose information, for example, under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, statutory directions, court orders, government regulations or where you give us explicit permission to disclose. If you do want us to keep your response confidential, please clearly mark this on your response and explain why.
- 1.13. If you wish us to keep part of your response confidential, please clearly mark those parts of your response that you do wish to be kept confidential and those that you do not wish to be kept confidential. Please put the confidential material in a separate appendix to your response. If necessary, we'll get in touch with you to discuss which parts of the information in your response should be kept confidential, and which can be published. We might ask for reasons why.
- 1.14. If the information you give in your response contains personal data under the General Data Protection Regulation (Regulation (EU) 2016/679) as retained in domestic law following the UK's withdrawal from the European Union ("UK GDPR"), the Gas and Electricity Markets Authority will be the data controller for the purposes of GDPR. Ofgem uses the information in responses in performing its statutory functions and in accordance with section 105 of the Utilities Act 2000. Please refer to our Privacy Notice on consultations in Appendix 3.
- 1.15. If you wish to respond confidentially, we'll keep the response itself confidential, but we will publish the number (but not the names) of confidential responses we receive. We won't link responses to respondents if we publish a summary of responses, and we will

evaluate each response on its own merits without undermining your right to confidentiality.

General feedback

1.16. We believe that consultation is at the heart of good policy development. We welcome any comments about how we've run this consultation. We'd also like to get your answers to these questions:


1. Do you have any comments about the overall process of this consultation?
2. Do you have any comments about its tone and content?
3. Was it easy to read and understand? Or could it have been better written?
4. Were its conclusions balanced?
5. Did it make reasoned recommendations for improvement?
6. Any further comments?

Please send any general feedback comments to stakeholders@ofgem.gov.uk

How to track the progress of the consultation

You can track the progress of a consultation from upcoming to decision status using the 'notify me' function on a consultation page when published on our website. [Ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations).


Notifications

Would you like to be kept up to date with *Domestic supplier-customer communications rulebook reforms*? subscribe to notifications: 

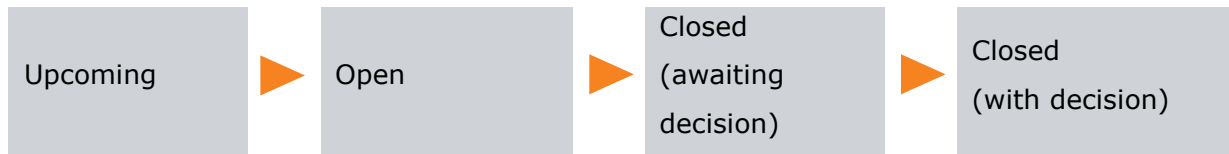
Email *

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Check the box below to verify you're human

I'm not a robot 
reCAPTCHA
Privacy - Terms

Once subscribed to the notifications for a particular consultation, you will receive an email to notify you when it has changed status. Our consultation stages are:



2. Domestic Premises

Section summary

We are consulting on our approach to defining domestic premises for ECO4. As part of this we have looked at our approach to self-contained domestic premises and how occupancy should be treated, particularly when looking at the issue of second homes and mobile homes.

Questions

1. Do you think that we should be looking to base our framework for defining domestic premises around the definition of 'dwelling' found in the Energy Performance of Buildings (England and Wales) Regulations 2012 and The Energy Performance of Buildings (Scotland) Regulations 2008?
2. Do you agree that this definition 'dwelling' should be interpreted through its application in SAP? If so, do you think a property having a SAP assessment or EPC would be sufficient evidence that it meets the 'domestic premises' requirement?
3. Are you aware of any other interpretations of 'dwelling' for SAP assessment other than that outlined in paragraph 2.11? If so please provide as much information on the definition and its implementation.
4. If you do not agree with the approaches outlined above, are you aware of any alternative approaches that could be used to define 'domestic premises' for ECO4?
5. What evidence requirements could be provided to confirm that a property receiving measures under ECO4 is not a second home? Please provide any information on possible evidence routes.
6. Do you think there should be any eligibility restrictions, or further eligibility criteria, or scoring adjustments for mobile homes that have restricted tenancies (ie the occupant is not able to live in the property all year)?
7. Apart from council tax bills or official council tax correspondence (eg exemptions or notifications of bills), what other pieces of evidence could be used to provide assurance that the mobile home is chargeable for council tax purposes? Please provide information to support the approach.

Self-contained domestic premises

Current Situation

- 2.1. As outlined in the ECO3 Order a supplier achieves its obligation by promoting qualifying actions in domestic premises.² To assist suppliers and the supply-chain Ofgem have provided guidance on what constitutes a 'domestic premises' for the purpose of ECO.
- 2.2. Currently our definition covers multiple pages of our ECO3 Guidance: Delivery.³ It has provided consistent guidance for suppliers and the supply-chain, but we have also received stakeholder queries throughout the ECO3 scheme on what constitutes a separate domestic premises.
- 2.3. Under ECO3, a property only qualifies as a 'domestic premises' if it meets two tests which are unique to the scheme. This is outlined in Chapter 2 of the ECO3 Guidance: Delivery.
 - 2.3.1. Test I asks if the premises are 'self-contained by containing kitchen facilities for occupants to prepare food.'
 - 2.3.2. Test II asks if the premises are 'used by the occupants wholly or mainly for domestic purposes (ie as a home).'
- 2.4. There are other criteria as well, many of which relate to rules surrounding Houses in Multiple Occupation (HMOs) and scoring, but these largely are a consequence of the two tests listed above. Mobile homes are treated separately and our approach to these is covered in paragraphs 2.26-2.34.

² Article 13 (1)(a) of the [ECO3 Order](#)

³ <https://www.ofgem.gov.uk/publications/energy-company-obligation-2018-22-eco3-guidance-delivery>

Proposed administrative approach

- 2.5. For ECO4, we want to ensure that our approach to defining 'domestic premises' is straightforward and can align with other government energy efficiency schemes as well as the wider sector and legislative landscape.
- 2.6. In order to utilise a more universally recognised framework for defining domestic premises, we are proposing to move away from the current approach. One alternative approach would be to define domestic premises in line with the 'dwelling' definition in The Energy Performance of Buildings (England and Wales) Regulations 2012 and The Energy Performance of Buildings (Scotland) Regulations 2008.⁴
- 2.7. Regulation 2 of The Energy Performance of Buildings (England and Wales) Regulations 2012 defines a 'dwelling' as 'a building or part of a building occupied or intended to be occupied as a separate dwelling'.
- 2.8. Regulation 2 of The Energy Performance of Buildings (Scotland) Regulations 2008 define 'dwelling' as 'a unit of residential accommodation occupied (whether or not as a sole or main residence)
- a) by an individual or by individuals living together as a family; or
 - b) by not more than six individuals living together as a single household (including a household where care is provided for residents)'
- 2.9. One approach would be to base our guidance and evidence requirements solely on these definitions. However, these definitions do not provide by themselves a clear framework for defining the term 'dwelling'. Additionally, we think the different definitions in the two Regulations could overly complicate the process of identifying eligible domestic premises.
- 2.10. An alternative approach would interpret this definition through the approach used for SAP assessments. SAP and RdSAP assessments can only be carried out on properties which are deemed to be 'dwellings'. As the proposed ECO4 scheme relies more on SAP assessments or EPCs, a property's eligibility for a SAP assessment can be used as proof

⁴ <https://www.legislation.gov.uk/ukxi/2012/3118/contents/made>
<https://www.legislation.gov.uk/ssi/2008/309/note/made>

that it is a dwelling and therefore meets the self-contained domestic premises requirement. We expect that aligning the ECO4 definition with these assessments should make the assessments of eligible domestic premises easier for suppliers and the supply-chain.

- 2.11. As defined in the RdSAP Conventions (v.11.1),⁵ a dwelling 'could be indicated by the accommodation having its own cooking and bathing facilities and its own access (from the outside)'. However, we understand that this is just a suggestion and that different approaches may be taken across industry, particularly with respect to flats. Therefore, we are consulting in part to gain a better understanding of how this definition is applied in the context of SAP assessments. Therefore, we would welcome feedback on whether this approach to defining dwellings is consistently used for SAP assessments.
- 2.12. If the above approach to defining dwellings is consistently used then SAP assessments or EPCs could be utilised to evidence that a property is a domestic premises for the purposes of ECO4. This would mean that we would consider a 'domestic premises' as the whole dwelling covered by the EPC and would not break it down by individual units, such as bedsits, within that. We will be exploring further how bedsits could be scored and evidenced and may need to consult on this further following the Government decision.
- 2.13. We would welcome feedback on relying on SAP assessments or EPCs as evidence that properties meet the 'domestic premises' requirements for ECO4.

Questions

- 1. Do you think that we should be looking to base our framework for defining domestic premises around the definition of 'dwelling' found in The Energy Performance of Buildings (England and Wales) Regulations 2012 and The Energy Performance of Buildings (Scotland) Regulations 2008?**
- 2. Do you agree that this definition 'dwelling' should be interpreted through its application in SAP? If so, do you think a property having a SAP assessment or**

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[https://files.bregroup.com/SAP/RdSAP_Conventions_11_1_includes_ad_hoc_amendment_\(all_countries\).pdf](https://files.bregroup.com/SAP/RdSAP_Conventions_11_1_includes_ad_hoc_amendment_(all_countries).pdf)

EPC would be sufficient evidence that it meets the 'domestic premises' requirement?

- 3. Are you aware of any other interpretations of 'dwelling' for SAP assessments other than that outlined in paragraph 2.11? If so please provide as much information on the definition and its implementation.**
- 4. If you do not agree with either of the approaches outlined above, are you aware of any alternative approaches that could be used to define 'domestic premises' for ECO4?**

Occupancy

2.14. Adopting the approach outlined above to domestic premises would provide an appropriate replacement for Test I but does not deal with the question of occupancy covered by Test II under ECO3.

Test II: Are the premises used by the occupants wholly or mainly for domestic purposes (ie as a home).

2.15. This part of the test considers the way in which the building is generally used. In most cases, it should be clear that premises are being used as a home, ie the premises are used by the occupants for living in on more than a short term basis, typically more than three months of the year. This can be evidenced in the following ways:

- a) Owner-occupied premises: the receipt by the occupant of utility bills or mortgage statements relating to the premises may indicate that the premises are used as a home. There may be other indicators such as mortgage deeds naming the occupant.
- b) Premises occupied under a lease or licence to occupy: the receipt by the occupant of 3 months of utility bills relating to the premises, or the existence of a lease or licence of longer than 3 months in the name of the occupant (such as a tenancy agreement) may indicate that the premises are used as a home. There may be other indicators that may be considered acceptable evidence.

2.16. This test for occupancy has proved straightforward to both evidence and administer, and we are broadly satisfied that this approach has resulted in measures being delivered to occupied properties. We are therefore proposing to keep it for ECO4 even as we change

our approach to defining self-contained domestic premises. This will help us to make sure that measures under ECO4 are only being delivered to domestic premises so that the maximum amount of bill savings can be delivered to consumers.

- 2.17. We would welcome any views on how occupancy should be evidenced based on experience of ECO3.

Second Homes

- 2.18. One area of complexity relating to residency is that second homes, or holiday homes, which are leased out for certain times of the year. Although in ECO3, a period of three months is used as a guide, there are no formal minimum occupancy periods enforced by Ofgem. We acknowledge that where a person or household owns or rents two homes and one is used as a holiday home then it would not achieve the full bill savings if that property to receive an ECO measure.

- 2.19. The 'dwelling' definitions discussed in the 'Self-contained domestic premises' chapter above cover the structural definition for domestic premises but do not provide any definition for occupancy. Therefore we have explored other routes for this part of the definition.

- 2.20. The Domestic RHI scheme has more evidence requirements for occupancy. Under this scheme homes that have been lived in for less than half the year (ie 183 days a year).⁶ This is evidenced with an annual self-declaration and supplementary evidence may be required during compliance checks. This approach would be difficult to evidence for ECO as there are not the same ongoing compliance checks on installations.

- 2.21. A possible approach to identifying second homes would be to use the definition of 'dwelling' from the Local Government Finance Act 1992, as is currently the case in ECO3 for mobile homes. If the owner of a home, even if it is not occupied year-round, is liable to the council tax on that property, then the property will be eligible as a dwelling under ECO4.

⁶ BEIS recently consulted on allowing for exemptions to the metering requirement in exceptional circumstances. See <https://www.gov.uk/government/consultations/domestic-renewable-heat-incentive-ensuring-a-stable-scheme>.

2.22. For second homes which are let as holiday homes, they may be exempt from the council tax regime and instead liable to the payment of business rates property tax. Whether or not business rates apply depends on the location:

a) England: business rates apply where the property is available to let for short periods that total 140 days or more per year

b) Wales: it will be rated as a self-catering property and valued for business rates if it's both:

i) Available to let for short periods that total 140 days or more per year;

ii) Actually let for 70 days

c) Scotland: the Scottish government guidance provides as follows:

“If you're operating a self-catering business or a holiday let, you might need to pay business rates.

If your property is available to let for 140 days or more a year, you should contact your local assessor. This is because your property, or part of it, might be liable for business rates. This applies regardless of how many days it is actually rented out.”

2.23. Under this approach, homes which are liable for business rates property tax and do not pay council tax we would propose to make ineligible for ECO measures.

2.24. However, we expect that the number of second homes that would meet the ECO4 eligibility requirements to be very low. Therefore, whilst council tax evidence could be used as a route to evidence that a property is not a second home, it may well be a disproportionate burden on suppliers and the supply-chain to provide it. We are also aware that there could be situations where households are exempt from paying council tax for other reasons that should not mean they are ineligible for ECO.

2.25. Therefore, we are not proposing to require suppliers to provide evidence of council tax liability for domestic premises when notifying measures without further views on whether this could feasibly be provided. However, we do not think second homes should be eligible and would welcome views from stakeholders on how to evidence this, or identify homes which are used commercially, like the method discussed above. We would also welcome any views on whether there may be other scenarios where households are exempt from council tax and whether this can be easily evidenced that it is not because it is a second home.

Questions

- 5. What evidence requirements could be provided to confirm that a property receiving measures under ECO4 is not a second home? Please provide any information on possible evidence routes.**

Mobile Homes

Current Situation

- 2.26. When dealing with questions of occupancy, an important policy area is that of park or mobile homes as we understand that there is a higher risk that a mobile home won't be occupied for the whole year.
- 2.27. We have been made aware of circumstances where there are clauses in the license conditions for park homes which specify that the occupier can only live in the property for a certain proportion of the year. Park homes have different site licenses issued by local government that specify whether they are a holiday park or a residential park. For example, some holiday park sites specify that occupiers cannot occupy the property between December and March (the main heating months) as the park homes are part of a holiday park which is not intended for primary residences. We are concerned that without additional evidence requirements properties which are on a holiday site and not intended to be primary residences could receive support under ECO.
- 2.28. Under ECO3, for a structure to be considered a mobile home, and therefore an eligible domestic premises, it must:
- a) be a caravan, defined in Part 1 (paragraph 29) of the [Caravan Sites and Control of Development Act 1960](#) (disregarding the modification made by Section 13(2) of the [Caravan Sites Act 1968](#)), AND
 - b) be used as a dwelling for the purposes of the Local Government Finance Act 1992 (note that Part 1 of the Act applies to England and Wales, and Part 2 applies to Scotland) In previous versions of ECO3 Guidance: Delivery, 'used as a dwelling' has been defined as a 'structure being used by the occupant as a home' and 'this structure must be connected to land in respect of which the occupant has some right of possession'. However, this definition has been changed to align with the Local Government Finance Act 1992.⁷

⁷ Paragraph 2.38 of the ECO3 Guidance: Delivery

- 2.29. Ofgem has not previously insisted that suppliers provide evidence that the occupier is liable to council tax on a mobile home to provide assurance that the property meets the domestic premises requirement under the ECO3 Order.

Proposed administrative changes

- 2.30. To ensure that mobile homes meet the definition of domestic premises when notifying Ofgem of measures installed in mobile homes, we are exploring potential evidence requirements for ECO4.
- 2.31. One option is that, where the property is a mobile home, suppliers will also have to provide evidence that the occupier of these homes is liable to the council tax on the mobile home, or evidence of their exemption from council tax.
- 2.32. Ofgem proposes to make mobile homes which are not liable to council tax, and without a valid exemption, ineligible for ECO measures as they do not meet the domestic premises requirement. We would welcome views on the impact of this approach.
- 2.33. As discussed in paragraph 2.22, where these homes are liable for council tax, they meet the definition of a mobile home and an eligible domestic premises. However, we would welcome views from stakeholders on whether mobile homes which are not able to be occupied year-round should be subject to further eligibility criteria.
- 2.34. One approach would be to adjust the scoring of measures to account for the occupancy restrictions on the property. This is because the scoring system for ECO4, which will be based upon annual bill savings, assumes the property is occupied year-round and will not accurately reflect savings for a property which is only occupied at certain times of year. This adjustment would likely be a simple decrease in scoring proportionate to the tenancy restrictions, eg a measure on a property that could only be occupied nine out of twelvemonths of the year would only receive a score worth 75% of the normal score. We would welcome views on this approach and suggestions for alternatives.
- 2.35. Holiday parks containing holiday homes may be subject to business rates as an entire site, where it is assumed that no individual mobile home gives rise to liability to council tax. For these sites, ECO measures will not be eligible. However, there are sites where a blanket ineligibility will not be possible, where a site is subject to mixed use and a combination of homes subject to business rates and homes subject to council tax. In these situations, homes that are liable to council tax will be eligible.

Questions

- 6. Do you think there should be any eligibility restrictions, further eligibility criteria, or scoring adjustments for mobile homes that have restricted tenancies (ie the occupant is not able to live in the property all year)?**
- 7. Apart from council tax bills or official council tax correspondence (eg exemptions or notifications of bills), what other pieces of evidence could be used to provide assurance that the mobile home is chargeable for council tax purposes? Please provide information to support the approach.**

3. ECO4 Evidence Documentation

Section summary

We are consulting on our documentation requirements for ECO4. In particular, we want to avoid requesting evidence where there is a requirement as part of the PAS 2030:2019 and TrustMark lodgement process.

Questions

8. Do you agree with our proposal to remove and simplify the schemes documentation for ECO4? If so, please provide information on what requirements or sections should be removed.
9. Which of the existing documentation do you believe should be retained for ECO4? Please provide your reasons for this.
10. Is there any additional evidence you believe should be held by Ofgem in order to ensure ECO4 is delivered in accordance with the legislation?
11. Do you have any general feedback on either the Ofgem or ECO Reporting Working Groups that we should consider when producing the evidence documents for ECO4?

3.1. Since 1 January 2020 measures, installed under the ECO3 scheme, have been required to be installed by or under the responsibility of a person registered with TrustMark. Measures have also been required to be installed in accordance to the relevant Publicly Available Specification (PAS). Measures installed under ECO3 from 1 July 2021 must be installed by a PAS 2030:2019 certified installer and it is the intention that this requirement will continue into ECO4.

3.2. It is expected that installers complete work to the standards to which they are accredited, and that suppliers only notify measures that comply with ECO legislation. Historically, Ofgem held the technical oversight responsibility for ensuring these measures were installed to the relevant standard as part of its role as the scheme's administrator. TrustMark was later introduced with its own technical oversight responsibilities, subsequently taking ownership of the management of both guarantees and technical monitoring, and will continue to do so for ECO4.

- 3.3. Ofgem has created a number of documents in order for installers to record details of the measures installed in order to demonstrate eligibility for the scheme.⁸ Additionally, we also convened the ECO Reporting Working Group (ERWG) comprising of both suppliers and the supply-chain who have produced standardised evidence documents to ensure the required information is consistently collected.⁹ For reference, the Ofgem and ERWG documents are listed in Appendix 1 – ECO3 Evidence documents.
- 3.4. Following the transfer of PAS oversight to TrustMark there is a risk of documentation being required to satisfy both Ofgem’s requirements as well as TrustMark’s. Given that there is a requirement for all measures to have a Certificate of Lodgement produced by TrustMark, we are considering whether the evidence requirements in these documents can either be reduced or completely removed from the measure registration process in order to ease the administrative burden on all parties.
- 3.5. In addition to this, the new PAS 2035:2019 standard will require all installers to follow a robust framework in which all work is overseen by a Retrofit Coordinator. We acknowledge the potential for the work and documentation created by the Retrofit Coordinator to duplicate the current set of Ofgem documentation.
- 3.6. We are seeking to remove any Ofgem evidence requirements that are duplicated by the PAS 2035:2019 process. Ofgem will still maintain oversight over many of the evidence requirements, particularly any related to eligibility and scoring.
- 3.7. Before committing to any changes we would need to be satisfied that the replacement evidencing regime would still enable us to effectively administer the scheme and there were robust processes in place to ensure all measures installed are compliant with the scheme regulations.
- 3.8. Suppliers have also highlighted concerns regarding how they would be expected to proceed if they identify completed measures approved by a Retrofit Coordinator which have to be rejected.

⁸ <https://www.ofgem.gov.uk/environmental-and-social-schemes/energy-company-obligation-eco/contacts-guidance-and-resources/eco-guidance-and-associated-documents>

⁹ <https://www.ofgem.gov.uk/environmental-programmes/eco/contacts-guidance-and-resources/eco-forums-and-working-groups/eco-reporting-working-group>

- 3.9. Finally, any change in our administrative approach will be dependent on the final BEIS policy decisions and the scheme legislation, so this consultation should not be interpreted as a definite indication the administrative process will be significantly amended for ECO4.
- 3.10. We are seeking views from suppliers and the supply-chain on the evidence requirements for ECO4 to allow us to simplify the process of providing ECO4 evidence where possible. We understand that stakeholders carry out different evidence collection processes within the parameters set out by Ofgem and TrustMark therefore we would welcome views from any stakeholder that interacts with any of the documents listed in Appendix 1 – ECO3 Evidence documents.
- 3.11. As outlined above, Ofgem will retain oversight over certain evidence requirements, particularly eligibility and scoring. The documents related to these areas are included in the tables in Appendix 1 – ECO3 Evidence documents as, whilst they do not relate directly to the proposals above, we would welcome any general feedback that could be incorporated into our evidence requirements for ECO4.

Questions

- 8. Do you agree with our proposal to remove and simplify the schemes documentation for ECO4? If so, please provide information on what requirements or sections should be removed.**
- 9. Which of the existing documentation do you believe should be retained for ECO4? Please provide your reasons for this.**
- 10. Is there any additional evidence you believe should be held by Ofgem in order to ensure ECO4 is delivered in accordance with the legislation?**
- 11. Do you have any general feedback on either the Ofgem or ECO Reporting Working Groups that we should consider when producing the evidence documents for ECO4?**

4. General Questions

Section summary

We intend to consult on the rest of our administration once the ECO4 Government consultation response is published. Ahead of this we would appreciate any early feedback on our administration and guidance documents to allow more time to incorporate it into our approach.

Questions

12. Are there any areas of the current guidance documents which are unclear or could be improved?
13. Are there any areas where you think further guidance would be useful?
14. Are there any Ofgem guidance documents or publications which could be consolidated into the Delivery, Supplier Administration or Innovation guidance documents?
15. Do you have any wider feedback on Ofgem's administration that could be incorporated into our approach for ECO4?

- 4.1. We intend to consult further on our proposed administrative approach to ECO4 once the ECO4 Government consultation response is published. This will provide an opportunity to give more detailed feedback on our proposed administration of the scheme. However, we would appreciate any early feedback on our administration and guidance to allow further time for us to incorporate any changes ahead of the commencement of the next scheme.
- 4.2. We will be aiming to publish draft guidance for the commencement of the ECO4 scheme. Before then, we would welcome views from suppliers on our current ECO3 guidance to inform our production of draft and final guidance for ECO4.

Appendix 1 – ECO3 Evidence documents

ECO3 Evidence documents

5.1. The following are Ofgem forms that are collected as part of the ECO3 evidence requirements.

Table 1: Ofgem ECO3 evidence documents

Document name	Description
ECO3 Pre-existing Loft Insulation Declaration	This form must be completed for all loft insulation measures with less than or equal to (\leq) 100mm of pre-existing loft insulation
ECO3 Social housing E, F and G declaration and landlord permission	This document allows the social landlord of a premises to confirm in writing that the premises meets the various requirements of the ECO3 Order.
ECO3 Private housing FTCH declaration & private rented sector landlord permission	This document allows the private landlord of a premises to confirm in writing that the premises meets the various requirements of the ECO3 Order.
ECO3 Boiler Assessment Checklist (BACL)	This document is designed to assist operatives in assessing whether a boiler should be repaired, replaced or upgraded alongside a primary insulation measure.
ECO3 Electric Storage Heater Assessment Checklist (ESCL)	This document is designed to assist operatives in assessing whether an ESH should be repaired, replaced or upgraded alongside a primary insulation measure.
First Time Central Heating (FTCH) Checklist	This First Time Central Heating (FTCH) Checklist ('the FTCH checklist') is designed to assess whether the replacement

	central heating system would qualify under the scheme as first time central heating.
ECO3 Child Benefit self-declaration	The Child Benefit self-declaration must be used to evidence Help to Heat Group (HTHG) eligibility for Child Benefit recipients and contains a declaration that the household income does not exceed the relevant income threshold for the corresponding number of children.
ECO3 Templates to evidence private domestic premises	This document contains six templates that can be used to evidence that a premises is a private domestic premises.

5.2. The following documents are evidence forms produced by the [ECO Reporting Working Group](#) for ECO3.

Table 2: ECO Reporting Working Group evidence documents

Document name	Description
ECO3 Deemed Scores Survey	This document is designed to assist installers in identifying the inputs that should be used to select the correct deemed score for a measure.
ECO3 Declaration of Conformity and Completed Installation	This document enables the customer and installer to sign for the handover of the measure and make a declaration against a number of requirements.
ECO3 Room-in-roof checklist	This document is designed to assist installers in recording the pre and post installation details of a room-in-roof insulation measure, and to determine the percentage of the RIRI measure installed and the percentage of property treated (POPT) for the measure.

ECO3 Privacy Notice	This document outlines the ways in which a consumer’s personal data may be processed and who it will be disclosed to.
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Appendix 2 – List of questions

1. Do you think that we should be looking to base our framework for defining domestic premises around the definition of 'dwelling' found in the Energy Performance of Buildings (England and Wales) Regulations 2012 and The Energy Performance of Buildings (Scotland) Regulations 2008? If not, please provide suggestions for an alternative approach.
2. Alternatively, do you think that we should align our definition with the approach used in RdSAP? If so, do you think a property having a SAP assessment or EPC would be sufficient evidence that it meets the 'domestic premises' requirement?
3. Are you aware of any other interpretations of 'dwelling' for SAP assessment other than that outlined in paragraph 2.11? If so please provide as much information on the definition and its implementation.
4. If you do not agree with either of the approaches outlined above, are you aware of any alternative approaches that could be used to define 'domestic premises' for ECO4?
5. What evidence requirements could be provided to confirm that a property receiving measures under ECO4 is not a second home? Please provide any information on possible evidence routes.
6. Do you think there should be any eligibility restrictions, or further eligibility criteria, or scoring adjustments for mobile homes that have restricted tenancies (ie the occupant is not able to live in the property all year)?
7. Apart from council tax bills or official council tax correspondence (eg exemptions or notifications of bills), what other pieces of evidence could be used to provide assurance that the mobile home is chargeable for council tax purposes? Please provide information to support the approach.
8. Do you agree with our proposal to remove and simplify the schemes documentation for ECO4? If so, please provide information on what requirements or sections should be removed.
9. Which of the existing documentation do you believe should be retained for ECO4? Please provide your reasons for this.
10. Is there any additional evidence you believe should be held by Ofgem in order to ensure ECO4 is delivered in accordance with the legislation?
11. Do you have any general feedback on either the Ofgem or ECO Reporting Working Groups that we should consider when producing the evidence documents for ECO4?
12. Are there any areas of the current guidance documents which are unclear or could be improved?
13. Are there any areas where you think further guidance would be useful?

14. Are there any Ofgem guidance documents or publications which could be consolidated into the Delivery, Supplier Administration or Innovation guidance documents?
15. Do you have any wider feedback on Ofgem’s administration that could be incorporated into our approach for ECO4?

Appendix 3 – Privacy notice on consultations

Personal data

The following explains your rights and gives you the information you are entitled to under the General Data Protection Regulation (GDPR).

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the controller and contact details of our Data Protection Officer

The Gas and Electricity Markets Authority is the controller, (for ease of reference, "Ofgem"). The Data Protection Officer can be contacted at dpo@ofgem.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

As a public authority, the GDPR makes provision for Ofgem to process personal data as necessary for the effective performance of a task carried out in the public interest. ie a consultation.

3. We will not be sharing personal data with any organisations outside of Ofgem.

4. Your personal data will be held until 6 months past the beginning of the scheme.

5. Your rights

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right to:

- know how we use your personal data
- access your personal data
- have personal data corrected if it is inaccurate or incomplete
- ask us to delete personal data when we no longer need it
- ask us to restrict how we process your data
- get your data from us and re-use it across other services
- object to certain ways we use your data
- be safeguarded against risks where decisions based on your data are taken entirely automatically

- tell us if we can share your information with 3rd parties
- tell us your preferred frequency, content and format of our communications with you
- to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

6. Your personal data will not be sent overseas

7. Your personal data will not be used for any automated decision making.

8. Your personal data will be stored in a secure government IT system.

9. More information For more information on how Ofgem processes your data, click on the link to our "[Ofgem privacy promise](#)".