

Decision

Decision on Data Best Practice guidance and Digitalisation Strategy and Action Plan guidance

Publication date: 7 August 2023

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This document sets out our decision to publish an updated set of Data Best Practice (DBP) Guidance and Digitalisation Strategy and Action Plan Guidance documents along with the supporting information for both Guidance documents. We have published both sets of updated Guidance and both sets of supporting information alongside this decision.

This decision will make it **easier for energy stakeholders and incoming innovators to access and utilise network data** in order to bring market solutions that will optimise the system for the consumer.

We have completed our consultation on the form and content of Data Best Practice Guidance and Digitalisation Strategy and Action Plan Guidance and reviewed the responses. Twenty-four responses were received, which broadly supported the principles with minor changes suggested which this document details.

In addition, we received several suggestions for improvements and editorial clarity which we have considered and implemented where the comments were aligned with the guidance intent. We have included the original tracked changes document for the consultation with the new changes Guidance and Supporting Information, with changes also in tracked, to allow for side-by-side comparison and transparency. This decision document provides a summary of the consultation responses received and our response to them, including the rationale for the changes we are making to the draft sets of guidance.

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Executive Summary

This decision will make it **easier for energy sector participants, organisations with interest in the energy sector, and incoming innovators to access and utilise network data** to bring market solutions that will optimise the system for the consumer.

Ofgem’s Data Best Practice Guidance is intended to create interoperability in data across the energy sector, with the aim of maximising the value of the data to **enable the decentralisation and decarbonisation of the energy system** to meet the UK Government’s legal obligation to achieve Net Zero carbon emissions by 2050¹.

The principles of **Data Best Practice are evolving to meet the needs of a decentralised energy system**. To balance the exponential increase in EVs, Heat Pumps, small-scale distributed generation, and other system changes on the road to Net Zero; the energy network must have better visibility of all assets on the network. This will both optimise and co-ordinate the required building of latency to balance these new demands and generation, and to ensure this takes place at a fair cost to consumers.

We cannot achieve this whole-system visibility with the way we use data in the energy sector currently. To this end, Ofgem aims to use the principles herein to ensure common standards which will make data from across the energy system **reliable, secure, discoverable, interoperable, and exploitable**. These foundational steps will be the bedrock upon which proposed developments such as the digital spine, digital twins, flexibility markets, and other Foundational Digital Infrastructure of the future will be built.

Introduced in 2021 as an obligation under Licence, Data Best Practice Guidance requires review and refresh to remain relevant in the fast-evolving world of data. Our changes, confirmed as part of this consultation decision, fall into four key areas:

- Providing greater clarity and certainty to obligated parties through the inclusion of ‘intended outcomes’ and updated ‘explanations’ to clarify the intent of each principle.
- Mandating the use of a Common Metadata Standard; namely Dublin Core²; and the use of Common Data Licences; namely dual licensing either the most recent version of Creative Commons Licence³, or Open Government Licence⁴.
- Increasing discoverability of data through requiring obligated parties to publish and operate a Data Catalogue.

¹ <https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>

² [DCMI: Dublin Core™ Metadata Element Set, Version 1.1: Reference Description](#)

³ <https://creativecommons.org/licences/>

⁴ [Open Government Licence \(nationalarchives.gov.uk\)](#)

- Clarifying our position that both Aggregated smart meter Data and Data Assets associated with Flexibility Markets are Energy System Data, and so are to be treated as Presumed Open.

Responses to the consultation have been generally positive, with an average of 68% unalloyed approval, 27% caveated approval, and disagreement with three proposals – two by the same respondent; the other being a deadline which we are removing in acknowledgement of industry feeling.

A consistent theme across the responses has been **welcoming of increased clarity and direction from the regulator and an appreciation of signposting the vision we have for the future of data-driven energy**.

While we acknowledge that it is the place of Ofgem and government to set the direction of travel and even mandate standards to build from and encourage commonality; we do not consider that Ofgem has the technical expertise to dictate the granular detail of what is required. Here, **we propose to work with industry fora to establish common methodology, ontology, triage playbooks, and much of the other specificity which underpin these principles**.

1. Introduction

Context and related publications

1.1 We consulted on Data Best Practice Guidance (“DBP Guidance”) and Digitalisation Strategy and Action Plan Guidance (“DSAP Guidance”) on 28th February 2023, with these documents coming into force on 7th August. Prior to this decision, we applied these guidance documents in the following way:

- As the associated documents to the RIIO-2 Digitalisation licence obligation (see Special Licence Condition 9.5 for Electricity Transmission and Gas Transporter, Special Condition 2.11 for the Electricity System Operator⁵);
- As our Data and Digitalisation standards, as stated in our Forward Work Programme (FWP) 2021/22 decision⁶.

Following this decision, we will apply these guidance documents in the following way:

- As the associated documents to the RIIO-2 Digitalisation licence obligation (see Special Licence Condition 9.5 for Electricity Transmission, Electricity Distribution, and Gas Transporter, Special Condition 2.11 for the Electricity System Operator⁷);
- As our Data and Digitalisation standards, as stated in our Forward Work Programme (FWP) 2021/22 decision.

1.2 DSAP Guidance defines the regulatory requirements for transparency, stakeholder engagement and coordination with respect to a licensee’s current and future products and services relating to data and digitalisation. These requirements are to be complied with when a licensee publishes its: (1) Digitalisation Strategy and (2) Digitalisation Action Plan. Any licensee working to publish a DSAP should do so using the most recently available guidance published by the Authority except where the Authority has stated otherwise.

1.3 DBP Guidance is designed to ensure that data is treated as an asset and used effectively for the benefit of consumers and the Public Interest. It is a principles-based approach which provides guidance on the quality, accuracy, and accessibility

⁵ Details on these licence obligations are available here: <https://www.ofgem.gov.uk/publications-and-updates/decision-proposed-modifications-riio-2-transmission-gas-distribution-and-electricity-system-operator-licences>

⁶ See the Activities section of Point 6: <https://www.ofgem.gov.uk/publications-and-updates/forward-work-programme-202122>

⁷ Details on these licence obligations are available here: <https://www.ofgem.gov.uk/publications/decision-updates-data-best-practice-guidance-and-digitalisation-strategy-and-action-plan-guidance>

of data. By complying with this framework, licensees will enable the full benefits of digitalisation of the energy system to be realised for consumers.

1.4 In February 2023, we consulted on amending DSAP Guidance to;

- Apply DSAP Guidance as the associated document for the RIIO-ED2 Digitalisation licence obligation (see Special Licence Condition 9.5 for Electricity Distribution⁸).

1.5 In February 2023, we consulted on amending DBP Guidance to;

- Apply DBP Guidance as the associated document for the RIIO-ED2 Digitalisation licence obligation (see Special Licence Condition 9.5 for Electricity Distribution⁹).

1.6. The aims of this consultation were to update the DSAP Guidance to reflect the views of industry and to evolve DBP Guidance to keep pace with the rapid development of Energy System Data. Principle-based regulation, as DBP Guidance is designed as, has created an environment where a less prescriptive approach has allowed obligated parties to develop their own routes to compliance. This approach supports our fulfilment of the Energy Digitalisation Strategy action 4, namely that Ofgem will implement an agile regulatory environment regarding data, digitalisation, and its market design.¹⁰

1.7. The consultation was well-received by respondents, with an average 68% approval of all questions, 27% caveated approval, or no comment offered, and only 5% disagreement, which represents 3 proposals. For two of these proposals – namely the treatment of aggregated smart meter data and datasets associated with flexibility market operation as presumed open – there was a single objection, however these proposals received support from all other respondents. Given this support, we are proposing to continue with the proposals.

1.8. There was a general disagreement with the requirement for obligated parties to publish a non-interoperable data catalogue, with 3 of respondents directly objecting to this proposal, and a further 3 objecting by proxy. Given the strength of feeling this proposal evoked, and the fact that most of the objections were from obligated parties, we have removed this from consideration. You can find more detail on the discontinuation of this proposal in paragraphs 4.9 and 4.25 of this document.

1.9. Responses from a number of parties have been realistic about differing levels of maturity in data systems, approaches to open data, and leadership in the area of data. To bring all parties to a similar level of digital maturity, this consultation proposed to increase the clarity of the DBP principles through proposing to introduce intended outcomes and revised explanations into DBP Guidance. This direction of travel towards greater

⁸ <https://www.ofgem.gov.uk/publications/riio-ed2-statutory-licence-consultation>

⁹ <https://www.ofgem.gov.uk/publications/riio-ed2-statutory-licence-consultation>

¹⁰ [Digitalising our energy system for net zero: strategy and action plan 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101421/digitalising-our-energy-system-for-net-zero-strategy-and-action-plan-2021.pdf)

consistency, clarity, and certainty for obligated parties continues with our position to mandate three key foundational aspects of opening up data, namely;

- Introduction of the requirement for licensees to use the latest version, or a subsequent iteration, of the Dublin Core Metadata Standard¹¹ as their Metadata standard.
- Introduction of the requirement for licensees to use either the latest version, or a subsequent iteration, of the Creative Commons Attribution Licence¹² or the Open Government Licence¹³ as their open data licence.
- Introduction of the requirement for licensees to own and operate a Data Catalogue to improve the discoverability of their Data Assets.

1.10. In addition to these changes, we clarified that we considered Aggregated smart meter Data and Data Assets associated with Flexibility Market¹⁴ operation to be Energy System Data. This data now falls under principle 11 and must be Presumed Open.

1.11. Our minded-to position on these changes should be seen in a wider context of 'whole-system' transformation. The aim of these changes dovetails with work currently in progress on the Future of Distributed Flexibility¹⁵ and wider government initiatives, such as Flex Markets Unlocked¹⁶, our previous Call for Input on DBP¹⁷, our consultation on the Future of Local Energy Institutions and Governance¹⁸, and our work on adoption of the Common Information Model (CIM) as part of the Long-Term development Statement (LTDS)¹⁹.

1.12. The changes to DBP, in this wider holistic context, should be seen as establishing the building blocks required to support energy sector participants to develop the necessary tools and processes to facilitate interoperability, and frictionless sharing, of Energy System Data. We consider these tools and process should underpin what we are terming as 'Foundational Digital Infrastructure' (FDI) – such as the Digital Spine proposed by the

¹¹ [DCMI: Home \(dublincore.org\)](https://dublincore.org/)

¹² Current version is CC-BY 4.0 at the time of publication – <https://creativecommons.org/licenses/by/4.0/>

¹³ <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

¹⁴ These datasets could include, but are not limited to; size, co-ordinates, name, etc of the zone for flex; maximum connection voltage, total MW requirement and MW available, indicative hours of usage, dynamic fees for flex, total connection points

¹⁵ [Call for Input: The Future of Distributed Flexibility | Ofgem](#)

¹⁶ [Flex Markets Unlocked Innovation Programme - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/flex-markets-unlocked-innovation-programme)

¹⁷ [Call for Input for Data Best Practice | Ofgem](#)

¹⁸ [Consultation: Future of local energy institutions and governance | Ofgem](#)

¹⁹ [The Common Information Model \(CIM\) regulatory approach and the Long-Term Development Statement | Ofgem](#)

Energy Digitalisation Taskforce²⁰ and assessed through the Energy System Digital Spine Feasibility Study.²¹

1.13. We consider that some FDI elements are partially in development both within the energy sector and across other sectors of the economy, and this update to DBP Guidance forms part of our commitment to helping deliver the governance and co-ordination needed to synergise these technical developments. Building upon this consultation decision, we will be developing a co-ordinated vision for the governance and implementation of FDI within the energy sector. We have begun engagement with industry participants through our Future Systems and Networks Regulation consultation process²².

²⁰ <https://es.catapult.org.uk/project/energy-digitalisation-taskforce/>

²¹ [Energy system 'digital spine' feasibility study \(closed to applications\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674442/energy-system-digital-spine-feasibility-study-closed-to-applications.pdf)

²² [Consultation on frameworks for future systems and network regulation: enabling an energy system for the future | Ofgem](https://www.ofgem.gov.uk/consult/condocs/future/future-systems-and-networks-regulation-enabling-an-energy-system-for-the-future/)

Our decision-making process

1.14. We consulted from 28 February 2023 to 15 April 2023 and sought stakeholders' views on fourteen questions. We received 24 responses to the consultation and have taken all those responses into consideration in arriving at our decision. Stakeholders' responses to the consultation have been published on our website²³.

1.15. Below we have set out each question and reflected the contributions stakeholders made in their responses – and addressed each theme with a response. Additionally, we have provided a change log in the annex which sets out the amendments made to the document with an explanatory comment attached. For brevity, we have excluded from the log minor grammatical changes or obvious errors that have been corrected and only included material changes.

1.16. In addition to the guidance documents, we also provided supporting information documents to assist licensees with examples and techniques related to the principles. We will be making any changes to the supporting information documents, to reflect changes to guidance documents. The supporting information will remain under review and may be updated periodically based on stakeholder feedback and energy market changes or developments. Whilst updating the supporting information documents for DBP Guidance and DSAP Guidance does not require a consultation, we will notify obligated parties and the market of any changes made to these documents.

Your feedback

General feedback

1.17. We believe that consultation is at the heart of good policy development. We are keen to receive your comments about this report. We'd also like to get your answers to these questions:

1. Do you have any comments about the overall quality of this document?
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. Are its conclusions balanced?
5. Did it make reasoned recommendations?
6. Do you have any suggestions for improvements to the Guidance documents?
7. Any further comments?

²³ <https://www.ofgem.gov.uk/publications/decision-updates-data-best-practice-guidance-and-digitalisation-strategy-and-action-plan-guidance>

Decision – Data Best Practice Guidance and Digitalisation Strategy and Action Plan Guidance

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

2. Changes to the design approach of Data Best Practice Guidance

Section summary

This section reviews the responses to our proposed update of the structure of DBP Guidance, and the associated supporting information document, to include the 'intended outcomes' for each of the 11 principles. The intended outcomes are aimed at helping provide guidance and additional clarity to ensure that licensees understand Ofgem's expectations for the behaviours required by the principles. The intended outcomes may be adjusted in future updates to DBP Guidance.

Questions 1 – 2 and Decisions Reached

Question 1:

Do you agree with our proposal to implement a structural change to DBP Guidance, introducing intended outcomes for each principle? If not, how do you suggest we could clarify the aim of each principle?

2.1. We received 22 responses to this question, with two respondents making no comment. Stakeholders were wholly supportive of the introduction of intended outcomes to provide greater clarity on each of the principles. Some suggestions for wording changes were made, which – when they reflected the aim of the DBP – have been incorporated into the new wording as shown in the tracked changes documents, appended to the home page of this decision.

2.2. We have grouped responses into key themes which are outlined below, with sub-bullets representing the range of views or questions on that theme.

- **Support for the greater clarity provided**, and welcome examples of what meaningful compliance looks like was a recurring note of approval, with 13 responses explicitly welcoming the increased clarity.
- One respondent said, in welcoming the changes that they "believe that more clarity on the goals and meanings of the principles can only be positive for their implementation and understanding from within the industry, allowing a variety of industry parties to work towards common goals that are exemplified within the guidance."
- Another respondent said: "We broadly agree that introducing intended outcomes for each principle provides more specific results to be defined and measured. Furthermore, we appreciate that clarifying the aim of each principle provides greater

transparency and focus to licensees. This transparency has the potential to prevent regret spend through ensuring harmonisation within the energy industry.”

- **Pragmatic enforceability of these intended outcomes** was another theme raised. Five respondents, all parties currently obliged to follow DBP under conditions of their Licence, raised this concern, while supporting the changes:
 - One respondent said it “Welcomes the proposal, and fully supports the introduction of intended outcomes” ... “As there is a measure of compliance that is being applied to each of the principles” ...” The definition of non-compliance needs to be clear and well-understood by all parties.”
 - Another respondent said, while fully supporting the proposal, “In the absence of a formally defined standard for ‘Data Best Practices’, providing additional clarity on the intended outcomes should help align licensee interpretations. Whilst we support the proposed changes to the Data Best Practice Guidance we would like to understand if Ofgem expect the intended outcomes to transition to mandatory requirements, and if so in what time scales.”
- **Approval of commonality, but not at the risk of being overly prescriptive** was mentioned by two respondents:
 - One respondent said: “there is a risk that these outcomes will become outdated and/or stifle innovation in what is a fast-paced environment” ... “a practical and pragmatic approach will be required.”
 - Another said: “Clear definition of what is expected in terms of the resultant outcomes of applying DBP Guidance will only aid in driving alignment and consistency, providing clarity while not being overly prescriptive, which risks inadvertently constraining innovation and advancement.”

2.3. The express and stated purpose of the changes to DBP Guidance was to improve the clarity and certainty of the principles-based regulation. We are glad that the intent behind this change has been understood by such a large proportion of respondents.

2.4. Pragmatic enforceability was another reason for the increased clarity aim for this redesign. Common understanding of what compliance looks like is intended to be a key feature of these changes. The intended outcomes will become part of the DBP Guidance, which parties are obligated to follow under the relevant licence condition. This means that obligated parties will be required to show how they meet these requirements.

2.5. The aim of this update to the principles was to address the stated need for greater clarity and certainty while maintaining the less prescriptive approach of principles-based

regulation. We believe we have struck a balance based upon the responses from previous calls for input, and other engagement with currently obligated parties using intended outcomes to signpost what we would expect compliance with these principles to look like. We acknowledge the potential risk of stifling innovation; however, we consider the intended outcomes retain sufficient flexibility for licensees to apply their own innovative project to meet the outcome, thus minimising this risk. We will continue to monitor this risk to ensure we are not stifling innovation.

Question 2:

What are your views on the proposed wording of our intended outcomes for each principle in DBP Guidance?

2.6. There were 20 responses to this question. The majority of responses (13) were broadly happy with the existing principles and explanations and made no specific wording suggestions, although did raise broader suggestions, detailed below. Nine respondents made detailed suggestions to the wording of the principles, which has informed the specific wording covered in the tracked changes documents appended to the home page of this decision.

- Some respondents expressed a preference for **the intended outcome and explanation wording having greater specificity and clarity.**
 - One respondent said: “While the intended outcomes are good and clearly written, they could benefit from being more specific and direct in terms of measurable outcomes and less generic.”
 - Another said that it believes “it would be beneficial for all parties if several of the definitions given for terms used throughout the Guidance were further clarified. For example, ‘Data Users’ has the broad definition of ‘An organisation or individual which utilises data held by a Data Custodian for any reason.’ It would be useful if this could be expanded to include an indicative (though not exhaustive) list of users.”
 - Another respondent said: “We agree with the proposed wording of the intended outcomes for each of the principles. However, we seek clarification where ‘Taxonomy’ is mentioned e.g., principle 2, is this referring to Dublin Core Taxonomy or more broadly?”
- Some respondents expressed concerns about **potential overlap/challenges with existing legislation.**
 - One respondent said: “The word Data Custodian, and perspective of its use, needs clarification because data custodian is used where data controller is meant (Data Controller is a defined term used in GDPR to recognise controller of personal data).”

- Another said: “Intended outcome 3.108 only refers to cyber security. We believe the licensee should also be required to demonstrate compliance with Data Privacy legislation and any relevant data resilience industry standards.”

- **Outcomes could be more focused on the Data User or Stakeholder**

- One respondent said: “We agree that including intended outcomes is valuable and useful to licensees and other interested parties. We would suggest that the outcomes could be more data user and stakeholder focused.”
- One respondent said: “There is more detailed understanding of what “Core Supporting Information” is held in Supporting Information document, however we believe this information needs to be made clearer in the intended outcome for the end consumer.”

2.7. We consider there is a balance to be struck between continuing the flexible and less prescriptive approach which DBP Guidance was designed to achieve, and a greater degree of clarity which the changes seek to provide.

2.8. Our view on the potential for overlap/challenge with existing legislation is that the classifications, such as Data Controller versus Data Custodian are intentionally distinct from GDPR classifications as the roles are sufficiently distinct that the same naming convention would cause confusion. The distinctions are covered in the definitions page of DBP Guidance and Supporting Information. We are not proposing to change the definition of “Data Custodian” at this time.

2.9. On the area of Cyber security versus Security, Privacy, and Resilience (SPaR), we have considered this point and the feedback from both this consultation and other government bodies (such as the National Protective Security Authority) and are retaining references to physical security as being a critical aspect of DBP Guidance. The amended wording of Principle 9 can be found in tracked changes document. As a responsible regulator conducting an open and transparent consultation process, we need listen to and, where appropriate, act on the views we receive, which is why we are amending this proposed change to reflect the requirement to follow both physical security and cyber security legislation in terms of our obligations as a Competent Authority under the Network and Information Systems (NIS) regulations and in terms of any licencing expectations.

2.10. Our view on the focus on Data User is that this is a valuable insight. The focus on data decisions should be with the value to the Data User and external use cases in mind. Each relevant intended outcome has specific wording aimed at the prioritisation of actual and potential Data Users.

Decisions Reached

2.11. We are confirming that ‘intended outcomes’ will now be a core part of DBP Guidance. Overall, respondents welcomed the additional clarity of intended outcomes and explanations, to provide greater certainty of parties with regards to minimum standards

considered to be compliant. We would view these as the best way obligated parties can demonstrate compliance with the principles and will be treating future compliance in this way.

2.12. However, we acknowledge the wide variance in data maturity and will not be taking any compliance action until after the deadlines mentioned in this publication (paragraphs 3.7, 3.15, 3.26, and 4.24) are complete and obligated parties have had time to embed the processes referred to in the intended outcomes before treating them as minimum compliance standards.

2.13. We have provided Change logs covering the changes suggested in the consultation in Appendix 2 and cover the tracked changes in the documents in the homepage of this Decision²⁴

2.14. We believe the wording selected has due consideration for the points raised by respondents. We think it strikes the balance between the requested clarification of what is required to ensure compliance and the flexibility of principles-based regulation. We do not believe these changes will hinder innovation and will maintain a prudent and conscientious regulatory regime.

²⁴ <https://www.ofgem.gov.uk/publications/decision-updates-data-best-practice-guidance-and-digitalisation-strategy-and-action-plan-guidance>

3. DBP and DSAP scope and content

Section summary

This section explains our proposed changes to:

- Update both DBP Guidance and DSAP Guidance to signpost that Electricity Distribution licensees are now required to adhere to these documents.
- Introduce a requirement in DBP Guidance for the licensee to utilise the latest version, or a subsequent iteration, of Dublin Core as their Metadata standard.
- Introduce a requirement in DBP Guidance for the licensee to utilise the latest version, or a subsequent iteration, of either the Creative Commons Attribution Licence or Open Government Licence as their open data licence.
- Introduce a requirement in DBP Guidance for the licensee to create and publish a Data Catalogue, in a location available to all Data Users, to improve the discoverability of their Data Assets.

Questions 3 – 9 and Decisions Reached

Question 3:

What are your views on our proposal to require the use of Dublin Core as the Metadata Standard for companies obligated under DBP Guidance?

3.1. There were 21 responses to this question. The majority were happy the proposal to mandate Dublin Core as a common Metadata standard. Some suggested that Dublin Core had limitations in the areas discussed below; however most who suggested this note of caution conceded that it was the most commonly used system-agnostic standard.

- A query brought up by respondents was **whether the common Metadata Standard would apply to all Data Assets or published Data Assets.**
 - One respondent said: “We agree that this will provide consistency for Data Users on the available Data Assets and support interoperability. However, we believe that the use of this standard should only be a mandated requirement for external publication of Metadata, not internal purposes”.
 - Another said: “Dublin Core is, perhaps, more like administrative and index metadata, rather than descriptive / technical metadata, and is more suited to DBP 5” {Principle 5 – Make Data Assets discoverable to potential Data Users.}
- Another area where respondents had suggestions to make regarding the suitability of Dublin Core as a common Metadata Standard was that it would be a best placed

as a minimum standard, with additional aspects wherein obligated parties could add value.

- One respondent said: "it is instead required that all metadata for shared and openly published data assets must map to the 15 principal Dublin Core attributes, potentially along with a specified subset of the optional fields, where deemed appropriate and of value. This approach allows individual licensees to utilise metadata attributes beyond the scope of Dublin Core and therefore the potential broader capabilities of contemporary data cataloguing tools whilst still providing baseline commonality, alignment and interoperability of metadata across licensees' openly published and shared data assets."
- Another said: "Further thinking may be required to manage updates and deviations by industry bodies with some sort of working group around the standard's use in the energy context. A broader policy question around the governance of data standards in the sector is emerging and could do with an industry wide view on how to resolve."
- A third took the view: "Dublin Core has a large number of elements, with 15 of them considered as core elements. We suggest that the requirement to adopt the 15 core elements should be added into the intended outcomes. As well as mandating the adoption of the core elements, Ofgem may want to encourage licensees to collaborate to build an 'Industry best-practice' set of elements, although the adoption of these should not be mandatory."
- Another respondent said: "Our approach will be to implement Dublin Core Metadata, specifically the 15 metadata items, as our core elements which we will build and expand on as required, facilitating a more complete capture of required data related fields."
- A small number of respondents sounded a notion of caution around the **risks of mandating a standard with the differing levels of data maturity across the energy sector**
 - One respondent said: "Amongst these principal fields is a very ambiguous attribute called Date and there are hundreds of additional optional attributes which can be utilised. Such ambiguity and optionality therefore present the risk of inconsistency in application of this standard."
 - Another responded with: "However, Dublin Core does have recognised limitations according to datatype specifically it is not recognised as the appropriate standard for Geospatial Data. It would be helpful if Ofgem could provide equivalent direction for geospatial data. Similarly, there may be further data types where alternative Metadata standards would be more appropriate,"

- A third said: “However, implementation across the industry may be expected to take time and will need to be handled carefully. It would be beneficial to understand in more detail about the extent Ofgem requires licensees to implement Dublin Core standard and what timeframes they would require licensees to have this implemented.”

3.2. With regards the question of whether Dublin Core would be a common Metadata Standard for only published Data Assets, or all Data Assets; our position is this applies to all Energy System Data for which the licensee is the Data Custodian, both published and internal. We view this as efficient, as the licensee would likely incur additional costs and inefficiencies from requiring conversion into Dublin Core when publishing, if this standard was not applied to Data Assets internally. We consider that these costs, over many years, would likely be similar to the investment required to apply Dublin Core to internal Data Assets.

3.3. A majority of respondents suggested that the Dublin Core 15 fields should be a minimum standard, with scope for obligated parties to develop their own additional schema or standards. We agree that the 15 fields of Dublin Core should be the baseline Metadata standard, with additional layers being determined collectively by industry. Given the popularity of this approach, and the number of respondents – both currently obligated parties and others – we believe that this demonstrates enough industry consensus to allow us to mandate the 15 fields of Dublin Core as a minimum standard and allow for a degree of value-add through local divergence and development. This is the approach we have settled as the least-regret approach with greatest industry support and potential for expansion.

3.4. Our view of the mentioned limitations of Dublin Core is that these are understood and have mitigations in place. For example, the issues raised regarding the Date standard are ameliorated by the use of ISO 8601²⁵. This is a mature standard and has international acceptance.

3.5. With regards to the appropriateness of Dublin Core for geospatial data, there is no clear consensus choice of standard. However, the Model for Underground Data Definition and Integration (MUDDI)²⁶ may be emerging as a potential international standard. We are of the view that there is not a suitable common standard for geospatial data as yet. Consequently, while Dublin Core is not necessarily the best fit for geospatial data, we require obligated parties to use Dublin Core for all Data Assets, including Dublin Core and industry should continue to develop its thinking on a common Metadata standard for geospatial data.

3.6. In terms of timeframe, and the necessity to allow industry participants at differing levels of maturity to achieve this common standard, we are committed to working with the

²⁵ [ISO - ISO 8601 – Date and time format](#)

²⁶ [Model for Underground Data Definition and Integration \(MUDDI\) Engineering Report \(ogc.org\)](#)

Data and Digital Steering Group (DDSG) and other industry fora to bring all participants forward together. A common standard is only effective when common across all participants. However, we would foresee a strong motivator to achieve commonality, indeed standardisation, in order to unlock value.

3.7. We require industry participants to have deployed Dublin Core as the default Metadata standard by 12 months from the date of this publication. For the rationale behind this deadline, please see paragraph 3.15.

Question 4:

If you do not agree with this proposal, are there alternative Metadata standards that should be utilised by licensees instead?

3.8. There were 14 responses to this question. The low number of responses, compared to other questions was due to the majority of respondents not providing any alternative to Dublin Core, or that they acknowledged that it was the least contentious option, or that there was little suitable alternative. The suggestions that were made by stakeholders are outlined below:

- One criticism of this proposal, while agreeing with this mandating of Dublin Core for external standards, focused on **the mandating of Dublin Core not to apply to internal data.**
 - One respondent said: “We strongly believe there is a need to have the freedom to use other, more technical Metadata standards internally to describe the unique properties of the data elements within the Data Assets. This is because a more granular level of Metadata is required, than that set out within Dublin Core, to be able to inform the design of digital products or services, or integration patterns and solutions between IT systems.”
- Another area where there was comment was that, while agreeing with Dublin Core as a standard, **a culture of continuous improvement and development would be necessary to ensure it stayed relevant.**
 - One respondent said: {We} “believes that while Dublin Core should be used at this time, we believe that ongoing best practice and research should be undertaken to study other metadata standards in the future that may be comprehensive or more valuable for a different sort of data that may be regulated in the future.” ... “This will help maximise the benefits to industry, utilising a culture of continuous improvement and best practice.”

- The only suggestion for an alternative raised was the suggestion of a refinement of Dublin Core called Data Catalogue Vocabulary (DCAT)²⁷
 - One respondent said: “We agree with the recommendation for publishing metadata using the Dublin Core standard but suggest further refining it to specify the Dublin Core-based Data Catalog Vocabulary (DCAT), which is supported by the main data catalogue platforms and is the metadata standard adopted for all EU public sector data publication.”
 - One respondent said: “We believe that DCAT / DCAT-AP” ... “not only improves indexing and visibility of Data Assets, but also provides a greater level of richness around data assets for data portals. We however currently have not identified any further standards for contextual metadata that would provide greater support to the data consumer.”

3.9. Our view is that this objection has been covered in the paragraph 3.2, and the further paragraphs, 3.3 and 3.4, on Dublin Core’s minimum standard of 15 fields, with individual expansions and value-adds as required by business needs.

3.10. Our view on the approach of continuous improvement is that DBP Guidance is under regular review, and we maintain an agile approach to regulation. We will monitor the effectiveness of Dublin Core and wider DBP Guidance both proactively through Calls for Input and industry engagement, and reactively, through responding to industry concerns. We continue to take this approach.

3.11. Our view on specific refinement of Dublin Core is that there has been significantly more support for Dublin Core, particularly the minimum standard of the 15 fields with scope for individual variation, than has been shown for DCAT. While alignment with EU public sector publications may have benefits in terms of data adequacy, amongst other potential benefits, we believe that the support for Dublin Core within the energy sector makes it the preferred choice for this iteration of DBP. As mentioned in 3.10, review and analysis of DBP Guidance is an ongoing process, and should this support shift, we will re-examine this position in a future iteration.

²⁷ [Data Catalog Vocabulary \(DCAT\) - Version 3 \(w3.org\)](https://www.w3.org/Data/DCAT/)

Question 5:

If you are a licensee required to comply with DBP Guidance, can you provide a timescale for the implementation of the proposal to adopt Dublin Core as your Metadata standard?

3.12. There were 16 responses to this question. Of those responding, 6 had already adopted Dublin Core, including two respondents who are not obligated parties, but had already adopted the Dublin Core standard.

3.13. The suggestions as to timeframes made by stakeholders ranged widely, with the shortest being one respondent who believed it was achievable by October 2023, to the longest, wherein one respondent stated it would require 36 months to adopt Dublin Core as a Metadata standard. However, this respondent stated it was currently compliant with the previously mentioned DCAT.

3.14. One respondent which was already compliant with this proposal suggested that Ofgem set a strict deadline, suggesting the end of 2023.

3.15. Our view on this range of proposed deadlines is that the average across those respondents expressing a view would be 18 months. However, if we consider the obligated parties in the round, with those already using Dublin Core, the average falls to 12 months. Ofgem is of the view that a **deadline of 12 months from the date of this publication is both realistic and proportionate**, given the pace of change within the data space.

Question 6:

What are your views on our proposal to require the use of Creative Common Attribution Licence (CCL) or the Open Government Licence (OGL) as the standard open data licence for companies obligated under DBP Guidance?

3.16. There were 20 responses to this question. The majority approved of this proposal, and there was a slight preference for OGL over CCL, with some approval for dual licensing. The suggestions that were made by stakeholders are outlined below:

- A number of respondents note the **current DDSG workstream in Open Licensing, and suggested that this decision be taken by the Energy Networks Association (ENA)** as part of this ongoing work:
 - One respondent said: “We agree in principle but there is an ENA group focused on common licensing and we would suggest it is prudent to allow this group to develop thinking as a collective in this area before committing.”
 - Another respondent said: “We agree a common licencing approach across the industry would add value and simplify the use of data for our customers.” ... “We believe decisions made on the choice of these licencing standards is best made as part of the DDSG. Please could Ofgem clarify if the proposal is to

allow licensees to choose either of the two licences specified above or is the plan to enforce one of the two licences? Does Ofgem require us to advise on a preference of the two?

- The mention of **'dual licensing', or retaining the choice between OGL and CCL on a case-by-case basis** was raised by respondents;
 - One respondent said: "We agree with the use of standard open data licences for companies obligated under DBP, and in particular for licensees who currently are not using open data licences. However, to minimise disruption that could be caused by mandating a single open data licence, we suggest that Ofgem set out a few well-established standard open data licences from which licensees can choose."
 - Another respondent said: "We have no initial preference between the two open data licences referenced, however we have engaged with other network companies to obtain their views." ... "Our timescale to adopt the Creative Commons Attribution Licence or the Open Government Licence will be defined in line with the creation of our Open Data Portal".
 - A third respondent said: "Offering up both CC and OGL as options goes some way to addressing [clashes] but, considering this kind of issue, we would recommend that the option of dual licensing also be explicitly stated."
- Some respondents sounded a **note of caution around mandated licenses potentially stifling innovation, and clashes between OGL/CCL and other derivative products.**
 - One respondent said: "It is however important to recognise, in a similar vein to the previous commentary on metadata standards, that no one licence is perfect and each of the proposed licences present limitations." ... "We were however contacted by Open Street Map who considered this form of licence to be incompatible with the Open Database Licence which they utilise, therefore impacting their ability to utilise our openly published data in the manner they would ideally want."
 - Another respondent said: "Our opinion that CC-BY 4.0 would be a preferable standard is supported by the notion that OGL licences are designed by use for public sector organisations, and beyond a possible reluctance for licensees to use OGLv3.0, the OGLv3.0 licence also enables proprietary licence terms on onward distributions of the data, i.e., an organisation can set restrictions on forward use in a way that may not align with the spirit or intent of Data Best Practice." ... "A legal review by Ofgem, DESNZ {Department for Energy Security and Net Zero} or another party may be appropriate in the medium

term to provide clarity on if this is a tangible risk, and what steps can be taken to mitigate it.”

3.17. Having considered the views expressed and engaged with the Open Licence Workstream with DDSG - noting the lack of a clear preference for either OGL or CCL as a mandated common open data licence - we are of the view that dual licensing is the most appropriate way of ensuring commonality and interoperability. Companies will licence open data under either CCL or OGL, depending on circumstances.

3.18. This has been communicated to the relevant workstream lead in DDSG to allow the ENA to better prioritise work. We will continue to engage with the relevant fora to support this deployment and will review in due time. We consider it appropriate for Ofgem to set a high-level mandate for standards, which industry fora such as DDSG will be best placed to select and deploy the granular details of implementation. We expect these industry fora to provide Ofgem with regular updates on the implementation of our mandated standards, to ensure non-compliance with DBP Guidance is avoided.

3.19. Having reviewed the responses, only one respondent describes a clash between the proposed common open data licences and other open data licences occurring, as opposed to a hypothetical. We are exploring this and will discuss in bilateral engagement with the respondent and will feed back the findings to DDSG for learning and promulgation. While no license is perfect; we believe that the option of dual licensing will mitigate this risk.

3.20. With regards to the risk of stifling innovation by mandating a common open data licence, we are of the view that a common licence can only reduce friction in innovation. When innovators can use data from multiple industry sources – all with common standards of Metadata and under common licences – this openness and interoperability will expand innovation, rather than stifle it.

Question 7:

If you do not agree with this proposal, can you suggest alternative open data licences to be utilised as a common open data licence?

3.21. There were only three responses to this question. The majority made no suggestions as to alternatives. One response related to Question 6, which was covered in 3.17, paragraph 10, above. The other suggestions made by stakeholders are outlined below:

- One respondent raised the concern that other obligated parties had been **making alterations to CCL or OGL**. It also raised the point that **development of a new, sector-specific common open data licence**, and believed that this was not a desirable outcome.
 - This respondent said: “CC and OGL provide appropriate and effective open data licences that are well established, universally recognised and effectively used across industry. We do not therefore see any need to consider further alternatives. We also note that” ... “there is the suggestion of development of a common open data licence. It is our opinion that this is neither desirable or

necessary and should be avoided. This activity should simply be about adoption of an existing licence or licences.”

- It went on to say: “It is therefore disappointing to see the level of divergence that has taken place between licensees who have adopted a variation of licences, and in most cases revised those existing licences with the introduction of additional clauses and terms. This only introduces restrictions, thereby undermining their very purpose given that the presence of any limitation can only be considered as meaning they are no longer truly open licences.
- “We would therefore like to see this requirement go further in both specifying the open data licences to be used as standard and stating that these should be utilised in their unadulterated form. Without this, each organisation will be likely to continue to apply their own clauses, diverging from any form of standardisation.”
- Another respondent stated that the **demand it had uncovered was primarily for Shared data, rather than Open.**
 - This respondent said: “General demand for data-sharing between regulated and non-regulated stakeholders stems primarily from *Shared Data*, not Open Data. Open Data alone will not be sufficient to achieve net zero. Data exchange between regulated and non-regulated stakeholders for net zero purposes/projects is also primarily driven by Shared Data, not Open Data. This concerns data shared by and to regulated entities. Reflecting the above points, we recommend that future investment in the ecosystem of energy and related data should focus on specifying a unified approach to sharing types of data that do not meet the criteria to be published as Open Data.”

3.22. We agree that changes, caveats, and codicils to the wording of CCL or OGL do not align with the approach of commonality and run the risk of reducing the openness of the licence framework. Either outcome would defeat the object of this change.

3.23. We consider the flexibility provided by dual licensing is balanced with the rigour of requiring either licence to be used without alteration from its current form.

3.24. We agree that the energy industry needs mechanisms to share data that can't be classified as Open Data. We consider the work being taken forward through the Digital

Spine Feasibility Study²⁸, Virtual Energy System²⁹, and Open Energy’s Trust Framework³⁰ amongst other projects should provide the energy industry with potential mechanisms to exchange ‘Shared’ data.

Question 8:

If you are a licensee required to comply with DBP Guidance, can you provide a timescale for the implementation of the proposal to adopt the Creative Commons Attribution Licence or the Open Government Licence as your open data licence?

3.25. There were 15 responses to this question. The vast majority of those responding were obligated parties, with one response from an entity not currently obligated, which suggested a Data Trust style of governance. Of the responses, seven stated they had already adopted either CCL or OGL. Of the seven who had not adopted either licence, the proposed schedules ranged between two months and 18 months. The suggestions that were made by stakeholders are outlined below:

- One respondent took the view that **any timeline would be best decided by the ENA**, stating that:
 - “This has dependencies on the ENA licensing group, and we would suggest the timeline will be driven by this group with a collective view across all licensees.”
- Some respondents stated that the progress of implementation meant that there were **difficulties in setting a specific timeline and further design considerations may require development time**:
 - One respondent said: “As any new implementation will have to be worked into current commitments and workloads, a further review will need to be carried out to assess when a viable timeline would be ready to be implemented.”
 - A second respondent said: “We are able to update terms and conditions text with relative ease but if there is a requirement to have active confirmation by users agreeing to the licence agreement, such as acceptance boxes or user logins then this will require significant software changes” ... “which will increase timescales for delivery.”

²⁸ [Energy system ‘digital spine’ feasibility study \(closed to applications\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444444/energy_system_digital_spine_feasibility_study_closed_to_applications.pdf)

²⁹ [Virtual Energy System | ESO \(nationalgrideso.com\)](https://www.nationalgrideso.com/virtual-energy-system/)

³⁰ [1. Introduction to Open Energy – Open Energy Technical Documentation documentation](#)

3.26. Our view on ENA setting the timeline is that there is already a degree of adoption of common open data licences across the industry and current momentum would be lost by this proposal. As the Open Licensing Workstream is already in progress, we believe that **12 months from this publication is a reasonable and proportionate deadline** for licensees to have adopted a common open data license(s).

Question 9:

What are your views on our proposal to require licensees to create and publish a Data Catalogue of their Data Assets?

3.27. There were 22 responses to this question. All but one respondent agreed with and supported the requirement. A number of suggestions made by stakeholders have been grouped into relevant themes and are outlined below:

- One suggestion made by a number of respondents was for **a centrally held data catalogue containing links to all data catalogues**.
 - One respondent said: “We recommend that Ofgem assess the value of an industry wide data catalogue that can be accessed in a centralised location. For example, as the regulator, Ofgem could design a landing page that signposts where energy Data Assets can be discovered. This could deliver particular value to those not familiar with the energy sector such as innovators.”
 - Another respondent said: “However, we feel an opportunity may be missed if Ofgem does not also require the central publication and maintenance of a Data Catalogue. Without a centralised data catalogue of Data Assets, engagement within sector and beyond could prove challenging and ineffectual; it could unnecessarily duplicate data users’ effort, whilst also increasing unhelpful complexity, driving inefficiencies when trying to assess and interpret the available data.” ... “A central repository has the added potential for efficiencies of scale, ease of discoverability, familiarity and ease use, leading to a consistent, overall data user experience.”
 - A third respondent said: “We are keen to understand if there would be any concerns around the majority of Licensees utilising one product vendor (for example OpenDataSoft) and potential impact one vendor has on Data Access within the Energy Sector. We believe that there is a need to commit a requirement that the data catalogue should enable indexing of data across wider industry data portals.”
- Another common area of interest for respondents was around **clarification of the scope of the require Data Catalogue**. Some notable responses are below, although this is not an exhaustive list.

- One respondent said: “We also believe that Data Assets would be more discoverable with a Data Catalogue and we also believe all Data Assets should be discoverable for Data Users and Stake Holders. There should be clear guidance on what the minimum requirements of a Data Catalogue are. A suitable refresh frequency for the Data Catalogue should be determined by a Cost Based Analysis (CBA) to balance costs for customers and value provide to Data Users. An approach to this is already be covered by the ENA Data Triage Playbook.”
- Another respondent said: “It would be beneficial to clarify the minimum requirements of the data catalogue (beyond the metadata headings), minimum requirements in terms of access levels (for example around Identity & Access Management), and other supplementary activities that Ofgem would reasonably expect a compliant licensee to carry out; for example whether Ofgem would expect to see a risk register for open data, and if so what the minimum requirements for that register would be
- A third respondent said: {It} “agrees with this requirement. It would however be beneficial for Ofgem to be more explicit in defining what it means by Data Catalogue as this can be interpreted in a number of ways.” ... “Additionally, we note that no target date for fulfilment of this requirement, subject to a clearly defined scope, has been proposed or defined. We however suggest that no later than the end of 2023 is reasonable for licensees to have a Data Catalogue in place, recognising that development of associated content will be an ongoing activity, incrementally expanding over time.”
- Developing from this point on clarification of scope, some respondents expressed a request to **reduce the scope of the data catalogue** requirement, and some respondents questioned **the necessity for obligated parties to build the requisite platform in-house**, rather than outsourcing, or developing jointly to ensure interoperability.
 - One respondent said: “It will be important for Ofgem to clarify their expectations on the ‘publication of a Data Catalogue’ as there is no additional supporting information included for this particular requirement. Our view is that a read-only.pdf type document/spreadsheet is appropriate as a public version of a Data Catalogue, to provide an active document would be significantly more challenging and come against system constraints that would need to be resolved. It is important to recognise that Licensees should ensure that only appropriate Data Assets are included on the Public Data Catalogue and the Triage Assessment be applied.”
 - Another respondent said: “We believe the purpose of this principle should be to develop a catalogue, or a suite of data catalogues. As it is currently written, we interpret a decision, or an inadvertent outcome is found, that

each licensee will have their own individual catalogue, with inference that this would be hosted locally in each instance – which may not be the optimal solution.”

- A third respondent said: “Whilst we are supportive of the requirement to publish a Data Catalogue, we” ... “disagree with the proposal for the definition to include all Data Assets because if the expectation is for the Data Catalogue to be published, then it requires all key Metadata to be triaged. This does not recognise the iterative approach needed to build the Data Catalogue and time and resource required to identify and mitigate sensitivities within the Metadata and subsequently Data Assets.”

3.28. Our view on the suggestion of a central catalogue is that it has merit and would be an aspiration which will evolve from the standardisation of individual data catalogues. Industry has a number of well-established working groups on data, such as the ENA’s DDSG, which has a work programme focused on harmonisation and standardisation.

3.29. Our view on how to clarify the requisite scope is that the aims and objectives of DBP Guidance are clear, with intended outcomes to bolster this clarity. However, we do not aim to be prescriptive in the methodology or technical specifications of the Data Catalogue. Industry, under the aegis of DDSG or similar fora should decide a common scope and format to fulfil the needs of this proposal.

3.30. In the spirit of collaboration, we commit to working with the DDSG to organise a series of workshops between the publication of this document and the end of 2023 with network licensees to define the requirements of a Data Catalogue. Following the successful deployment of Data Catalogues by all parties obligated under DBP Guidance, we will encourage a work programme to create a central catalogue and conduct work to establish for the most appropriate host organisation.

3.31. Having considered the views of respondents, and engaged with the DDSG Work Programme, we are of the view that the design requirements, cadence of updates, and technical specifications of the Data Catalogue would be best selected by industry, with an agreed proposal put to Ofgem for approval. This would contain minimum standards for obligated parties to meet, with latitude for individual value add, while retaining interoperability.

3.32. We expect to see a finalised proposal from the DDSG no later than 1 April 2024.

3.33. Following on from this, we expect each obligated party to own and operate their own data catalogue by the end of 2024. However, these should not be built in siloes and each catalogue will need to be interoperable with the others, to allow for the creation of a central data catalogue. The benefits from synergy and commonality of process are a key focus of DBP Guidance. Once the scope and technical requirements of a Data Catalogue are agreed through DDSG or similar fora, Ofgem will approve this, and obligated parties can either build in-house, or share/contract the build.

3.34. We would reinforce our vision of all obligated parties reaching a similar level of data maturity, while recognising that all parties are not starting from the same position. We would hope industry will be ambitious, tempered with an understanding that any solution must aim to meet the needs of all stakeholders.

Decisions reached

3.35. 71% of respondents approved of the proposal to mandate Dublin Core as a common Metadata standard, with an additional 21% approving but with queries or caveats. When asked for alternative suggestions for a common standard, the only option considered was DCAT, a variant of Dublin Core.

3.36. We have considered this, weighing its merits against the established and tested nature of Dublin Core, and the international and multi-sector uptake of Dublin Core as a standard, and have decided to mandate Dublin Core as the Metadata standard.

3.37. The deadline for implementation of this standard is 12 months from date of this publication. We are mindful of the differing levels of data maturity across the industry and will continue to consider this when undertaking compliance action. The 15 common fields will be the minimum standard which obligated parties will need to meet to demonstrate compliance. Any additional technical specifications can be decided and standardised across industry through the DDSG working group.

3.38. When it came to the proposal mandating a common open data licence; there was a slight increase in unalloyed approval, at 79%, with an additional 21% of respondents approving, albeit with queries or caveats. We consider this a mandate to introduce a common open data licence.

3.39. Considering whether OGL or CCL was supported by industry, there was not a clear choice, with 21% preferring OGL, 17% preferring CCL, and 62% expressing no preference. Without a clear preference for either, we do not consider that we have an unequivocal mandate to select one licence over the other.

3.40. Consequently, we believe dual licensing the most appropriate course. Obligated parties may choose either OGL or CCL as the most appropriate for their business needs. Obligated parties may not amend or alter the terms of these licences.

3.41. The specific application of these licences will remain the purview of the DDSG Open Licensing stream. We expect to see compliance with this proposal within 12 months of this publication.

3.42. Given the current levels of data maturity and progress with data catalogues, in conjunction with the approval (71% unalloyed, 29% approval with caveats or queries) we believe there is a clear appetite for requiring obligated parties to publish a data catalogue.

3.43. We require industry to collectively provide a finalised proposal for standardised data catalogues ready for Ofgem approval no later than 1 April 2024, and for obligated parties to be in a position to publish data in line with this plan by the end of 2024. We commit to

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organising a series of workshops with the established industry groups to define the requirements of a data catalogue.

4. Energy System Data and its application

Section summary

This section sought views on Ofgem clarifying two policy positions relating to the definition of Energy System Data provided within DBP Guidance. We propose to confirm the position to classify aggregated smart meter consumption data³¹ as Energy System Data and propose that licensees share data related to the operation of flexibility markets.

Questions 10 – 14 and Decisions Reached

Question 10:

Do you agree with our proposed position on treating aggregated smart meter consumption data as Energy System Data?

4.1. There were 24 responses to this question, either directly, or through the consolidated response from the ENA. Stakeholders were overwhelmingly supportive of this proposal. Selected excerpts from the responses are below:

- Some respondents had queries around **the level and method of aggregation, and concomitant risks of de-anonymisation.**
 - One respondent said: [We] “recognise that the level of aggregation of smart meter data is key in terms of privacy protection. We would expect that the level of aggregation / anonymisation that is needed for sharing / publishing this personal data will be greater than the DNOs have to undertake currently to access the data for regulated purposes such as running an economic and efficient network. While it is clearly right that this is ultimately a decision for the DNOs to take, there would be value in Ofgem facilitating such a discussion to help in balancing these competing public interest pressures.
 - Another respondent said: “We agree with the proposed position, provided that the data of individual consumers is protected. Ofgem says that it is satisfied that its position is compliant with the obligations that protect

³¹ We define smart meter consumption data as the data collected by DNOs as set out in their Data Privacy Plans.

disaggregated smart meter consumption data and describe the conditions required for its release - we are not challenging that position.”

- A third respondent said: “However, a clear understanding of the level of aggregation that allows Open Data principles to be maintained, will need to be agreed.”
- A significant percentage of responses explicitly referenced areas wherein they felt this proposal would have **a positive effect on the energy sector as a whole**:
 - One respondent said they “strongly believes that this data is important for improving the efficiency of the energy market & hitting net-zero targets, due to the value of these types of data in determining where energy data is situated and for the proper management of the grid as it becomes a smarter and more granular system. As such we strongly support Ofgem’s suggestion to designate this data as Energy System Data and hence presumed open.”
 - Another said: “Yes, this is a very positive step. The availability of aggregated smart meter data will enable a number of use cases from commercial propositions to academic research and should be made available at the earliest opportunity. ”
 - A third respondent said: “We support the recommendation on treating aggregated smart meter consumption data as Energy System Data. Whilst smart meter data access is currently challenging for consumers and third parties developing consumer products and services, we welcome this measure which will accelerate access to aggregated smart meter data, ahead of a possible long-term solution for smart meter data access, such as a smart meter data repository.”
- Another area where respondents sought **clarification was in regard to interaction with licence conditions, namely Special Licence Condition 10A (SLC10A) and Data Privacy Plans**:
 - One respondent said: “As an alternative to removing the restriction in SLC10A Limitations on license consumption which prevents accessing data with more granularity than monthly (which would help overcome some of the practical difficulties associated with the CSP N system), we think that it would be appropriate to review SLC10A completely with a view to removing the need for DNOs to have a DPP on the basis that the provisions of the DPA and GDPR, which postdates the implementation of SLC10A, would provide sufficient safeguards for consumers.”
 - Another respondent said: “It may also be appropriate to review SLC10A in its entirety, with a view to removing the requirement for DNOs to have a DPP

and restrictions around monthly consumption data. The basis for this proposal is that since SLC10A came into effect the DPA and GDPR have been introduced and the obligations placed on us by this legislation provides the necessary safeguards and protections for consumers.

- “Reviewing the need for SLC10A supports the MHHS {Market-wide Half Hourly Settlement} Decision Document dated 20 April 2021, para 6.12 advising on the merits of daily data over monthly data, states that "access to daily data would be consistent with the permitted level of access to data for other regulated purposes that deliver benefits to the system as a whole, such as investigating suspected theft/fraud.”
- A third respondent said: “Where the data is aggregated to provide a distribution network level view of energy usage, it will become de-personalised and could, subject to the points set out below become available to users in the future.
- “As it stands, our Ofgem approved DPP does not permit sharing of smart meter data with anybody other than those with a legitimate requirement for its use, such as Independent Connection Providers (ICPs) under the Connections Code of Practice. We cannot therefore classify smart meter data as Open Data without a revision to the DPP and associated Ofgem approval. This is however a governance issue rather than technical issue given that if the same approach is applied with respect to data aggregation as defined within the DPP, the data will be suitably anonymised.”

4.2. Firstly, we would like to clarify a point raised by a number of gas networks, that this decision relates to electricity networks only, as gas networks do not currently have access to aggregated smart meter consumption data under the Data Access and Privacy Framework.

4.3. Secondly, with regards to the aggregation level required to treat smart meter consumption data as Presumed Open safely, we are aware of workstreams in progress within industry fora such as DDSG and the ENA’s Smart Meter Steering Group (SMSG). We believe industry is best placed to agree a standard methodology, and level of aggregation which will balance the aim of minimising risk of de-anonymisation of personal data while maximising the value inherent in opening up this critical data. We would push industry groups to strive for the lowest possible level of aggregation which will provide robust anonymisation, rather than simply aggregate at the substation level. The utility of this data comes from granularity, and we would push for as high a degree of granularity that can be obtained while ensuring consumer privacy is protected.

4.4. We expect aggregation methods to be considered in a similar fashion to those methodologies deployed in the DNOs’ Data Privacy Plans (DPPs) whilst taking into account the public nature of the aggregated data. We expect the ENA’s DDSG, or a representative nominated by the DNOs to provide us with monthly updates as they develop a common

methodology for sharing aggregated smart meter consumption data. We expect the first monthly update is to be submitted to Ofgem one month after publication of this decision.

4.5. Thirdly, with regards the requirements to update DPPs, this is an ongoing licence requirement, and we expect to see obligated parties update their DPPs to reflect the need to have sharing aggregation smart meter consumption data as an allowed use-case. The concept of shared DPPs – as raised by a number of respondents - can be done by industry if deemed appropriate, though not all DNOs have the same uses for aggregated smart meter data. Given this change will be common across the industry, a common shared template for DPPs can be agreed by industry, but the responsibility to inform Ofgem of changes for approval remains with individual licensees.

4.6. Whilst we note that GDPR has come into force since the advent of SLC10A, we are not proposing to remove or adapt SLC10A at this time. We will actively engage with the DESNZ to discuss whether GDPR fulfils SLC10As purpose with the Data Access and Privacy Framework, or whether an adaptation or removal of SLC10A is required. We would welcome DNOs views on access to non-aggregated smart meter consumption data relating to a period of less than one month, to support this policy consideration.

Question 11:

What are your views on our position that this Data Asset should be published in a non-interoperable fashion by 14 October 2023, if the appropriate security controls are in place?

4.7. Most network responses to this referred to the ENA consolidated response. Responses from parties which are not currently obligated to abide by DBP Guidance were broadly positive. However, the ENA response disagreed with this proposed timeline. Some of the themes in responses are below:

- Some respondents expressed **a preference for an interoperable format for the publication on these Data Assets:**
 - One respondent said: “We however believe that the non-interoperable versions of this data will not be nearly as valuable as the interoperable methodology-backed versions of the data sets, and that focus on making that available is far more important in terms of reaching net-zero and helping reduce costs to customers.”
 - Another respondent said: “Our members would prefer that the industry focuses efforts on resolving existing data access issues, so that consumption data is accessible by DNOs, before being distracted by making process and system changes to make this information more widely available. We also question the benefit to stakeholders of publishing non-interoperable incomplete data and believe that it would be a better use of limited resources to concentrate on defining then publishing interoperable data.”
- The ENA response, representing DNO member companies, said:

- “Some of our members consider that this is achievable, providing that they are only required to share the data they have in their possession and are not required to retrieve additional data where they do not see a positive business case to do so. However, the majority of our DNO members do not agree that publishing the data, in a non-interoperable fashion, by 14 October 2023 is reasonable. Most DNOs consider that it would not be appropriate, necessary, nor in the interests of the energy sector and consumers, that they make the necessary changes, which would include significant system developments, to make consumption data available for publication in a non-interoperable fashion.
- “Our members would prefer that the industry focuses efforts on resolving existing data access issues, so that consumption data is accessible by DNOs, before being distracted by making process and system changes to make this information more widely available. We also question the benefit to stakeholders of publishing non-interoperable incomplete data and believe that it would be a better use of limited resources to concentrate on defining, and then publishing, interoperable data.”

4.8. We acknowledge the points raised by the ENA, and the strength of feeling from industry members. While some obligated parties feel they could make the changes required to meet this deadline, the majority feel it is not reasonable, nor is it effective prioritisation of licensee resources. Concerns raised around the changes required to governance and DPPs are a consistent theme.

4.9. Having heard the views from this consultation, we do not believe continuing with this deadline for the publication of aggregated smart meter consumption data in a non-interoperable form is a prudent course of action. On this basis, we can see the merit in focusing efforts on ensuring aggregated smart meter consumption data can be published on an interoperable basis instead.

Question 12:

What are your views on our proposal that DNOs collectively determine an interoperable methodology by 28 February 2024, for publishing aggregated smart meter consumption data?

4.10. As with the previous question, most network responses to this referred to the ENA consolidated response. Responses from parties which are not currently obligated to abide by DBP Guidance were broadly positive. Furthermore, the ENA response agreed with this proposed timeline, subject to certain developments. Some of the themes in responses are below:

- The responses expressed **concerns regarding clarification on the understanding of interoperability:**
 - The ENA response said this: “However, in the context of smart meter consumption data our members will need to be clear on the precise meaning

of 'interoperable' and we will be looking to reach a common understanding of this term across all stakeholders to help ensure that any outcomes are fit for purpose.

- "As part of the work to develop an interoperable methodology consideration should be given to the following aspects:
 - Identifying the process and IT systems changes that would be required to implement a common methodology.
 - Identifying the timescale and costs of making such changes.
 - Whether there is additional supporting data associated with aggregated consumption data that would need to be published so that external stakeholders could interpret the published data. It is important that stakeholders are aware of assumptions made during the aggregation process and the limitations of the data set, for example where only a partial data set is accessible.
 - The need or otherwise to develop a common DPP, and the timescale to develop, and have approved, a common DNO DPP."
- Another respondent said: "However, in the context of smart meter consumption data we are uncertain what 'interoperable' means and we think this needs more consideration. We understand that the prospective uses of aggregated consumption data are to some extent unknown, however it would be helpful to understand the types of prospective uses when developing an interoperable methodology, so that the methodology could be developed with prospective uses in mind."
- Other respondents made clear their **support for interoperability over non-interoperability, and suggest that data be interoperable by default:**
 - One respondent said: "We agree that if aggregated smart meter data is to be shared and/or openly published, then it should be made available in an interoperable format to ensure value can be maximised in an efficient manner by Data Users. Developing the common standards and mechanisms to achieve this will however require coordinated collaborative effort between DNOs and Ofgem."
 - Another respondent said: "We strongly recommend that interoperability be made mandatory as a foundational requirement. Introducing any non-interoperable system into a digitalised market will increase friction, reduce success, increase costs, and be unfit for purpose."

4.11. Our view of the questions raised around interoperability have parallels with the questions around methodology and level of aggregation. In a similar vein, we believe industry is best placed to agree a common framework and definition of interoperability. Furthermore, we expect this to evolve from the workstreams currently in train – such as the DDSG data catalogue and the work being developed by the SMSG - which focus on common methods of aggregation.

4.12. Interoperability comes as a natural output from universal adoption of common standards. We intend that when industry works together, with Ofgem assisting with a holistic, 'whole system' view; standards, methodologies, and ways of working with data will trend towards confluence, and interoperability will result.

Question 13:

What are your views on our proposal that Licensees treat Data Assets associated with flexibility market operation as Presumed Open?

4.13. There were 17 responses to this question. Broadly, respondents agreed with the proposal, while raising some queries. One respondent disagreed with the proposal: A selection of the responses are below:

- Some respondents were of the view that **these Data Assets were already considered open under SLC31E**:
 - One respondent said: "Most data referenced is readily available via the annual LC31E Flexibility Statement/Report and transitioning to make this available via our open data portal represents a simple task, subject to the outcome of Data Triage."
 - Another respondent said: "We are happy with the proposal and already presume this data as Open. We believe we are already mandated to publish this information under SLC31E, within the Distribution Flexibility Services Procurement Report, published in April each year. SLC31E includes these three elements, plus additional fields. A standard template is provided for this. We would therefore welcome further clarification on any additional detail Ofgem is looking to capture through this change, outside of increased frequency of publication."
 - A third respondent said: "We are already required to publish the suggested data (Bids submitted for flexibility market tenders; Bids accepted for flexibility market tenders; and Utilisation of assets contracted within flexibility markets.) as part of our Distribution Flexibility Services Procurement Report as per Licence Condition 31E. We are looking to engage with Ofgem to improve the process and make the data as accessible as possible."

- One respondent strongly agreed with the proposal, and put forward the suggestion that this be **extended into a licence condition for the drafting of regulation for Smart & Secure Electricity Systems (SSES) and Heat Networks:**
 - “Yes, we believe that this is a good approach. In the long term, it may be sensible to include a licence condition within the scope of the SSES consultation work by DESNZ to compel those proposed to be licensed to follow data best practice. A similar case should also be made for future licence conditions relating to Ofgem’s regulation of heat networks given the electricity loads that may be used to operate these networks, where heat pump technologies are utilised, for example.”
- A number of respondents saw explicit **interactions with the work underway on the design of future Flexibility markets:**
 - One respondent said: “We welcome the ambition to treat flexibility market data as presumed open. The recently published Future of Distributed Flexibility Call for Input discusses the need to increase transparency around flexibility markets and address the informational asymmetry between flexibility buyers and service providers.” ... “In time, it would be helpful to have a more specific definition of the flexibility services that are in scope, and expectations around what data is likely to be sensitive and what data is expected to be able to be classified as open. This would help to ensure consistency in the data that is available across different licensees.”
 - Another respondent said: “We support this proposal. It would be helpful to understand how Ofgem see this proposal tying in with the proposals around Distributed Flexibility. In our view it would seem to be an important stepping-stone which might reduce the pressure for a more interventionist approach in the near term.”
 - A third respondent said: “We are already required to publish the suggested data (Bids submitted for flexibility market tenders; Bids accepted for flexibility market tenders; and Utilisation of assets contracted within flexibility markets.) as part of our Distribution Flexibility Services Procurement Report as per Licence Condition 31E. We are looking to engage with Ofgem to improve the process and make the data as accessible as possible.”
- One respondent disagreed with this proposal, saying:
 - “We *do not* recommend that asset-level data be made available as Open Data.

- “We propose that asset-level data be available for discovery (via Open Metadata) and the asset-level data itself be made available as Shared Data to enable risks and controls to be managed, via a Trust Framework such as Open Energy. Open Energy was co-designed by industry, and funded by IUK and BEIS, to address this category of use case.”

4.14. We are aware of the interactions with SLC31E³² and have considered this in proposing this change. The licence condition – introduced in December 2020 to implement Article 32 of the Clean Energy for all Europeans Package³³ – refers to an annual published Distribution Flexibility Services (DFS) Procurement Statement (SLC31E.8).

4.15. SLC31E covers the procurement of DFS by DNOs and is backwards looking. SLC31E provides a degree of flexibility market associated data openness, but is narrow in focus i.e., only DNO procured flexibility. The aim of this consultation decision is to expand the transparency and visibility of flexibility market associated data – such as connection application/notification data, or data held on independent market platforms contracted by network licensees – which will allow for frictionless operation of flexibility markets. We would also expect data classified as Open Data after triage to be published at a more frequent cadence than that required under SLC31E. This cadence can be decided under the aegis of industry fora such as DDSG to ensure interoperability and commonality of how these datasets are triaged and made open to maximise value for flexibility markets.

4.16. With regards to extending DBP Guidance, through the inclusion of licence conditions to follow, we consider this a logical next step for the expansion of DBP Guidance. The aspects of commonality, interoperability and standardisation are most effective when a large proportion of the energy sector follows these standards. We have not yet confirmed which area of the energy system to target next. Consideration was given, as mentioned in responses, to SSES and Heat Networks. However, Industry Codes is currently considered the most logical choice, in terms of effect on the energy system as a whole.

4.17. This proposal is a foundational step for the development of flexibility markets and a key step toward the design and creation of the future energy market. We anticipate close working with the teams designing these markets and will remain in close contact to ensure DBP Guidance parallels and facilitates these markets.

4.18. With regards the view that a Trust Framework is necessary, rather than opening market-critical data; we are not proposing that asset-level data must be open, rather it must be subjected to Open Data Triage to see whether it can be made open (with sensitivities removed). Where these sensitivities can't be removed, i.e., when classified as Shared Data, we agree with the suggestions that the data should still be discoverable, and

³² See page 7 here: [annex_2_-_keeling_schedule_electricity_distribution_v2.pdf](#) (ofgem.gov.uk)

³³ See page 35 here: DIRECTIVE (EU) 2019/ 944 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL - of 5 June 2019 - on common rules for the internal market for electricity and amending Directive 2012/ 27/ EU (europa.eu)

that additional Foundational Digital Infrastructure will be required to enable the permitted parties to access this data. This infrastructure could include a Trust Framework.

Question 14:

Do you foresee any specific barriers to treating Data Assets associated with flexibility market operation as Open Data?

4.19. There were 17 responses to this question with only one objection. The remainder of the responses were broadly positive, with few minor points raised as having the potential to slow or complicate the proposal. These are listed below:

- A number of respondents mention potential complications, such as **the risk of potential gaming behaviour in markets**, and **the need for consistent formats in the publication of Open Data**.
 - One respondent said: “We support and agree that ‘Data Assets’ associated with flexibility market operation should be Presumed Open. However, the ‘Presumed Openness’ of the data is dependent on the procurement status of the associated flexibility services. For example, submitted bids for the provision of flexibility services should not be Presumed Open until the tender and procurement process is complete as this could enable market gaming. Once the flexibility services have been procured, data relating to bids, procurement and operation can be Presumed Open”.
 - Another respondent said: “Data published by all ‘Market makers’ must be provided in a consistent format to allow comparability across market opportunities for there to be value in this. As noted in the proposal appropriate mitigation must be applied; including the data triage which will continue to develop in consultation with our stakeholders.”
- One respondent disagreed with the overall proposal to make Data Assets associated with Flexibility market operation³⁴ as Open Data, saying:
 - “We strongly recommend that Data Assets associated with flexible market operation not be published as Open Data. There may be issues around areas including but not limited to national security (e.g., new attack vectors for bad actors), competitive interests, IP, privacy, and legal challenges.
 - “Utilisation of a Trust Framework for permission / controlled access to such data will enable risks and controls to be applied, technically and legally. As a

³⁴ As a reminder - These datasets could include, but are not limited to; size, co-ordinates, name, etc of the zone for flex; maximum connection voltage, total MW requirement and MW available, indicative hours of usage, dynamic fees for flex, total connection points

roadmap, there may be categories of data that can be ‘moved to open’ using the Trust Framework approach (i.e., taking a data set, sharing it with a small group of registered actors and, based on continued risk assessment, increasing the size of the group).”

- Some respondents focused on issues which they expected to slow the implementation of this proposal. These included **the lack of a deadline for this change**, and **an expectation for a route for participants to challenge decisions**.
 - One respondent said: “We note that Ofgem is not proposing to set a deadline for making a flexibility data set openly available, unlike the approach taken for smart metering consumption data. This could present a barrier to implementing this policy change, as without a deadline for compliance or a clear view of what a minimum viable data set is, organisations may not prioritise this activity.”
 - Another respondent said: “There should be a route for market participants to challenge decisions under Open Data Triage, but as stated in our response to Q13, we expect DNOs to provide an equivalent level of transparency on flexibility market operation as that provided via National Grid ESO on its Open Data Portal.”

4.20. Our view on the potential risk for gaming behaviour in the markets is that all data will be subject to the same regulations and overseen by the Ofgem Market Surveillance and ESO Market Monitoring teams. While these protections are established, we would not deem bid data to be Presumed Open prior to the finalisation of standard procurement processes.

4.21. Our view of consistency of data formats is that this would be ensured via other standards required from DBP Guidance, such as the Data Catalogue, and we expect to see a harmonisation of standards, triage process, and format which would create conformity.

4.22. We regard the respondent’s position on Trust Frameworks as the same as for question 13 and have answered in paragraph 4.18.

4.23. In terms of deadlines, we expect to see improved transparency in flexibility market operations in the coming months and years as flexibility market data assets being treated as Energy System Data becomes more commonplace and business as usual. As the work around these markets crystallises, there will be more concrete deadlines in place.

4.24. Regarding processes to allow participants to challenge decisions made under Open Data, principle 11 of DBP Guidance requires licensees to “ensure there is a point of contact available to stakeholders to allow them to seek information about Open Data Triage processes as well as to provide them with the opportunity to challenge decisions and escalate issues”. Data Users should have access to these challenge routes. Data Users should make it clear to Ofgem if these challenge routes are not available to them.

Decisions reached

4.25. All obligated parties broadly agree with the position of treating aggregated smart meter consumption data as Energy System Data, and thus Presumed Open. We can confirm that this position only applies to DNOs as the licensees who receive smart meter consumption data under SLC10A. There is work, which we believe that industry is best placed to conduct, to be done in terms of standardising the level and methodology of aggregation of this Data Asset and the necessary steps to ensure DPPs are in line with this change.

4.26. We have heard and understood the strength of feeling on the proposed deadline of publishing this data in a non-interoperable format by **14 October 2023** and are removing this requirement. The common position that this deadline is unreasonable, and that the energy system will see greater value in discarding the interstitial step in favour of focussing efforts on publishing this data in an interoperable format.

4.27. As such, we require all obligated parties to publish aggregated smart meter consumption data in an interoperable format by **28 February 2024**. We thank the ENA for consolidating the responses of its members. This workstream would sit naturally with DDSG and SMSG, and we expect monthly interactions, commencing from a month after this publication.

4.28. All obligated parties are in favour of the proposal to treat Data Assets associated with flexibility market operation as Energy System Data and thus Presumed Open. We have heard the objections from third parties and have considered these objections. There are aspects around national security of assets which we are working with the relevant agencies and facilitating engagement with industry fora to ensure that data is shared safely, and with an awareness of both physical and cyber security. We would also reiterate that DNOs are still required to operate within the bounds of NIS regulations, and nothing in DBP Guidance should be taken as contradicting or superseding those requirements.

4.29. Whilst we are aware of the ongoing work with establishing a Trust Framework, and consider that it has merits, we do not believe that adoption of this by industry as a solution is sufficiently advanced to justify delaying this proposal. Furthermore, nothing in this proposal precludes or delays the establishing of a Trust Framework.

5. Additional points raised by respondents

5.1. The Energy Systems Catapult (ESC) raised the suggestion of adding a 12th principle to DBP Guidance, obliging parties to have due consideration for Data Ethics³⁵ when Data Assets, Metadata, or software scripts are collected, used, or shared. In a world of decentralised energy generation and increasing use of Data Assets which directly impact consumers, we can see the merit in this principle, and the field of Data Ethics in general. Being able to show consumers that their data is being handled in an ethical way, with licensees being mindful of the source of the data for which they are Data Custodians for, will be a key plank of improving consumer trust in the energy sector.

5.2. Ofgem is working on greater consideration for the ethical use of data, with initiatives in consumer consent shared with IUK and DESNZ, with a proposed framework developed by consultants Zühlke³⁶, and will continue to research the applicability of Data Ethics as a codified principle. However, the suggestion was published on the 14th of April, three days before closure of this consultation. As such, we have not been able to address the idea in this consultation. There were respondents who mentioned Data Ethics, and all were broadly positive. We will consider the introduction of a Data Ethics principle in future updates to, and associated consultations on, DBP Guidance.

5.3. This publication expands the obligation to follow DBP Guidance to Electricity Distribution Companies, as part of RIIO-ED2. Expansion to other areas of the energy sector – as mentioned by a respondent and referenced in paragraph 4.14 – is outside of the scope of this publication. However, expansion is our aspiration for DBP Guidance, and we plan engagement with Industry Codes in the short to medium term, then subsequent engagement with Heat Networks and potential licensees created through the SSES program.

5.4. One respondent addressed the fact that Ofgem agreeing to abide by DBP Guidance in its own handling of data had been omitted from the consultation and had expressed concern. We underwent internal discussions regarding committing to this and had come to the conclusion that, as a regulator, Ofgem could not be held to account under these principles, as there was no competent authority to monitor or manage compliance or potential breaches. However, this specific legal view does not absolve the regulator of a responsibility to 'practice what it preaches'. The Energy Digitalisation Strategy³⁷ specifically

³⁵ [Data best practice: A new principle suggestion - Greg Johnston - Energy Systems Catapult](#)

³⁶ <https://zuhlke-wiki.notion.site/The-Consumer-Energy-Data-Consent-Project-43d19386a5554c27abfd4b023c3efd96>

³⁷ [Digitalising our energy system for net zero: strategy and action plan 2021 \(publishing.service.gov.uk\)](#)

expects Ofgem to **lead by example** in improving energy data practices within our own organisation.

5.5. Ofgem is in the process of a substantial piece of work to digitalise our working processes and improve the way we handle data. As with any large-scale IT or systems project, processes are necessarily agile and iterative. We have internal working groups aligning these workstreams to DBP Guidance in train. We will provide regular updates as to Ofgem’s progress with this. Please see paragraph 6.3 for initial expectations for these updates.

5.6. A number of non-network respondents wanted to highlight their experience and suitability for roles in the future energy sector. While we are aware of the breadth and depth of experience, selecting any organisation to manage a role is outside the purview of this publication.

5.7. During discussions following closure of the consultation at industry fora, and with the National Protective Security Authority (NPSA), concerns were raised about balancing the economic and transparency benefits of Open Data with the potential for risks to Critical National Infrastructure. During these discussions, the expert view was that requiring Data Users to register with a valid email address in order to access Open Data from licensees would present considerable mitigation of those risks.

5.8. We are of the view that, Open Data will still be considered open if Data Users are required to register to access this data. However, the discussions which prompted this view were not formally proposed during this consultation and, as such, we have chosen not to change the definition of Data User or Open Data to reflect this view.

5.9. We would encourage obligated parties to voluntarily create a registration system for Data Users to access Open Data. We will consult on formally requiring this registration and changing the definition of Open Data and Data User, in the next DBP Guidance consultation.

6. Next steps

Next Steps

6.1. We will continue to work with licensees to monitor, review and develop DBP Guidance and DSAP Guidance to ensure they are fit for purpose and enables licensees to comply with the licence obligations.

6.2. We do not foresee either guidance document as a 'one and done' piece of regulation, but living documents which will evolve to meeting the changing needs of the energy sector's data demands, as well as interacting with non-sector data spaces, as the UK's understanding, and exploitation of data becomes more advanced.

6.3. However, we are alive to the risk of 'moving the goalposts' too often, especially as DBP Guidance is an obligation under licence conditions. As such, we do not plan to make significant changes – that is, changes which would necessitate further business planning, or Opex/Capex spend to meet obligations – for a period of no less than two years after this publication. After this 'bedding in' period, we will assess the efficacy of DBP Guidance against the progress and changes experienced in the energy sector, including Ofgem's own progress in following DBP Guidance. Should DBP Guidance require further updates to reflect the pace of change in data and digitalisation, we will run a similar consultation process.

6.4. We do expect to expand the obligation to other areas of the sector in the future. This expansion will be signposted nearer the time and both the relevant areas and currently obligated parties will be duly consulted prior to changes.

6.5. As part of the ongoing engagement with industry, we are proposing a number of workshops covering aspects such as the utility of Dublin Core as a Metadata standard and OGL/CCL as Open Data Licences, as well as physical/cyber security as discussed under Principle 9. We will be arranging this under the aegis of industry fora such as the DDSG and SMSG.

6.6. If you have any questions regarding the Guidance or its development, please contact digitalisation@ofgem.gov.uk

7. Appendix

Changelog

Change number	Document	Change location	Change description	Explanation
1	Data Best Practice Guidance and Supporting Information	Principle 9	Reverted to original wording	Following discussions with NPSA and responses relating to security, this change was reverted to avoid the appearance of focusing on Cyber Security at the expense of physical security or a security-minded approach

Timeline representation of deadlines

