

Ofgem consultation on the translation of its Voluntary Code on the Forced Installation of Prepayment Meters (published in April 2023) into mandatory regulation.

Citizens Advice South Warwickshire - 'Citizens Advice working in partnership across Warwickshire'.

July 26th, 2023.

Introduction

This response reflects the expertise and experiences of front line advisers and clients from Citizens Advice South Warwickshire (CASW), North Warwickshire Citizens Advice (NWCA) and Citizens Advice across Bedworth, Rugby and Nuneaton (BRANCAB).

Together, these three offices supported over 13,000 clients with more than 75,000 issues in 2022-23; delivering specialist fuel poverty and related energy advice to urban, rural, isolated and struggling households.

Response

In a previous consultation response, focused on the merits and challenges inherent in the voluntary code of practice as we saw them, we laid out numerous issues which we felt either undermined the underlying objectives of the code or which needed clarification or amendment.

Having read the new consultation document, and being given the opportunity to provide our feedback on its contents, we note that many of the issues we raised have been addressed; so we do not intend to repeat our earlier concerns.

This response is focused on one issue, one concern, and one suggested solution alone.

It is important that, prior to the 'forced installation' of a prepayment meter (PPM), genuine efforts are made to assess the vulnerability (however defined) of those subject to this imposition. Energy suppliers must make several attempts - through various methods and at varying times of the day, to cater for service-user working or caring responsibilities - to contact the consumer in question before making their assessment.

Once an installation decision is made, and a PPM installed, every effort must then be made, should new information come to light or consumer circumstances change, to reverse that decision and effect an agreed remedy.

Our point of concern centres on what should, in our view, happen once the assessment has been made but before forced installation has gone ahead.

We know from the experiences of our clients and advisers that any debt collection process that relies on making effective contact with the debtor prior to the imposition of a penalty or sanction, in order to shape or influence that penalty or sanction, is flawed. Debtors may not

want to be contacted, may not want to be responsive, may be difficult to contact, may be unable to make contact, may be oblivious to efforts to make contact.

Whichever scenario applies, it is not uncommon that assessment, penalty and/or sanction decisions are based on poor, or even incorrect, information.

We believe that, with such devastating consequences potentially emerging from a decision to forcibly install a PPM, not least the potential for repeated self-disconnection and the attendant harm that can accompany that decision, it is imperative to get the assessment decision right first time.

With that in mind we strongly suggest that the energy supplier's assessment be shared with, and be open to challenge by, the consumer (supported by a third party if necessary) **before** an installation decision is made.

This will, undoubtedly, add delay to the process. However, in our view, it is the only way to ensure the original assessment is as accurate as possible and that mistakes are reduced to a minimum.

Delay in this context, we believe, would be a welcome addition to the process and will be more than made up for by the time and cost not lost to post-installation challenges and installation reversals.

We believe this pre-installation obligation constitutes the most important stage in the entire process and, without it, brings the whole notion of a mandatory code aimed at protecting vulnerable consumers into doubt.

Thank you for your consideration in this matter.

Ed Hodson
Research & Campaigns Lead
Citizens Advice South Warwickshire ('working in partnership across Warwickshire')
T: 07686 688 395
E: ed.hodson@casouthwarwickshire.org.uk .