
Implementation of the energy code reform: Second decision – response template

This document provides a template for responses to our new consultation questions on the proposed code text and current conflict of interest provisions.

If you are interested in responding to this consultation, please complete this word document and send it to industrycodes@ofgem.gov.uk by the end of the day on Friday 17 April 2026.

Guidance

We typically publish consultation responses when we publish our decision. To ensure that we can correctly attribute your response, please ensure that you enter all relevant details in the “Your organisation’s details” section (template part 1).

If you would like us to treat your response as being confidential, either in full or in part, please indicate this to us below. Further information on how we will treat your response, data and confidentiality can be found at the end of this document.

Please use template part 2 “Code text consultation responses” to provide your responses. For all questions, the template below provides space for you to enter free text comments. Some questions also ask whether you agree with our proposals. Please indicate the extent to which you agree or disagree with relevant proposals by deleting all but one of the bullets provided.

There is also a section for “General feedback” (template part 3). Please use this section to provide any views on the overall consultation process.

Template part 1: Your organisation's details

Contact name	Jon Dixon
Role title	Director of Strategy and Development
Company name	Retail Energy Code Company
Telephone number	020 3830 7016
Email address	Jon.dixon@retailenergycode.co.uk
Date of submission	17/04/2026
Do you want your response treated as confidential? (If yes, please indicate whether you would like the whole of your response to be confidential, or just particular parts).	No

Template part 2: Code text consultation responses

Consultation section 2: Future code modifications process

For each section of the proposed code text, please answer the following question:

Question 1: To what extent do you agree that the proposed code text accurately reflects our policy decisions set out in the main document?

Sections A1-A2: To what extent do you agree that the proposed code text accurately reflects our policy decisions set out in the main document?

- **Agree**

Comments:

These comments generally reflect our views on section A: Proposed code modification text. Detailed drafting points have been included in a marked-up version of the text included in our consultation response.

While we agree that code text reflects policy decisions, the current drafting is overly detailed and includes content that would typically sit within code subsidiary documents.

The expectation that each code manager will incorporate this text into their code creates inconsistencies, particularly for the REC, where this level of detail does not align with the existing structure of the main body and schedules.

We therefore consider it would be beneficial to work with Ofgem to agree the appropriate level of detail for inclusion in the REC, and what can instead be placed in subsidiary documents, to ensure greater consistency and flexibility.

We also note that there is some inconsistency in drafting between Section A and Section B for example in relation to SAF roles and responsibilities. Specific examples are highlighted in the marked-up version of the text.

Section A3: To what extent do you agree that the proposed code text accurately reflects our policy decisions set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A4: To what extent do you agree that the proposed code text accurately reflects our policy decisions set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A5: To what extent do you agree that the proposed code text accurately reflects our policy decisions set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A6: To what extent do you agree that the proposed code text accurately reflects our policy decisions set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A7: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A8: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A9: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A10: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A11: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A12: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A13: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A14: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A15: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A16: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A17: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A18: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree
Don't know/no view

Comments:

Section A19: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A20: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A21: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section A22: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Question 2: Are any amendments needed to the proposed code text to ensure it reflects the specific requirements for the BSC and REC?

Comments:

Application to the whole of code architecture: The modifications process and cross-code working arrangements should apply to both primary changes and subsidiary document changes. These are often distinguished, with primary changes affecting core code sections and subsidiary changes affecting supporting documents. For example for the BSC this should apply to both BSC modification proposals and change proposals.

In practice, interpretational differences have allowed certain types of changes to be overlooked or excluded from cross-code processes. However, changes to subsidiary documents are as, if not more, likely to have cross-code impacts and to the core sections of code, so it is important that harmonised arrangements and cross-code obligations apply to both.

Open access: We also note and Ofgem has acknowledged that the code text will need to be adjusted to account for the ability for anyone to raise a code modification to the REC, retaining the current open access. For example the provisions relating to the designation of non-code parties to raise a modification proposal will not apply to the REC.

REC shareholder approval where Company Governance Schedule changes are needed: The current REC (Sch 5, para 24) has a specific process for amendments to the Company Governance Schedule, including a shareholder vote. We cannot see an equivalent carve-out/process in the proposed drafting. This is important as Schedule 4 includes the RECCo Articles of Association, and revisions to them must be done in accordance with company law.

Implementation release-date mechanics linked to service provider system releases: The current REC expressly says release dates are to be established consistently with service provider system release dates, while allowing urgent changes outside that cycle. The proposed implementation section is more general and does not clearly retain that REC-specific release governance. Adherence to these release dates ensures that changes to the code and IT systems remain synchronised and provide important certainty to parties.

The Change Register content is narrower in the proposed text: The current REC expressly requires publication of related changes and proposed changes in other Energy Codes and other matters affecting the REC, including Significant Code Reviews. The proposed Change Register obligations do not clearly replicate that wider REC-facing transparency requirement. It may also be appropriate to rename this as the “modification register” consistent with the nomenclature in the rest of the schedule and licence.

Explicit Relevant Service Provider and Party impact assessment machinery: The current REC contains detailed provisions for Relevant Service Provider impact assessments, Party impact assessments, indicative/detailed timescales, charging,

performance standards, and independent assessment if a service provider cannot or will not provide one. The proposed text has general analysis/workgroup/reporting provisions, but not that explicit REC-specific machinery. Whilst we are confident that we can obtain timely and robust impact assessment for our contracted service providers, this clause was originally inserted in part to assist in obtaining equivalent analysis from the DCC upon whom we are reliant to provide assessment of impact on CRS systems. Going forward, we will continue to have these dependencies in respect of DCC-2, and against no contractual means of ensuring that happens. We would welcome such a provision being included in the new codes modification rules, potentially referencing any Central System Delivery Body, being defined in the draft code text as “the persons responsible for operating or procuring the operation of a Central System” as designated as such pursuant to paragraphs 1(1)(b) and 1(5) of Schedule 12 to the Energy Act 2023.¹

Consultation section 3: Stakeholder Advisory Forum (SAF)

For each section of the proposed SAF text, please answer the following question:

Question 3: To what extent do you agree that the proposed SAF text accurately reflects our policy decisions set out in the main document?

Sections B1-3: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- **Agree**

Comments:

These comments generally reflect our views on section B: Proposed SAF text. Detailed drafting points have been included in a marked up version of the text included in our consultation response.

As with QT1 while we agree the text reflects policy decisions we do not agree with the level of detail provided in the SAF text. We consider that there are benefits to including much of the text in subsidiary documents including the SAF terms of reference to enable greater flexibility in our approach and greater consistency with the rest of the REC documentation.

¹ See: [“Designation Notice \(amended and consolidated\) under paragraphs 1\(1\)\(b\) and 1\(5\) of Schedule 12 to the Energy Act 2023 designating certain documents and central systems for the purposes of Schedule 12 to the Energy Act 2023”](#)

Section B4: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B5: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B6: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B7: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B8: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B9: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B10: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B11: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Section B12: To what extent do you agree that the proposed code text accurately reflects our policy decision set out in the main document?

[Please delete all but one bullet]

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know/no view

Comments:

Question 4: Are any amendments needed to the proposed code text to ensure it reflects the specific requirements for the BSC and REC?

Comments:

Non identified

Question 5: Do you have any views on whether conflict of interest provisions should be introduced under current panel arrangements?

Comments:

We consider that the current Change Panel already mitigates any potential conflict of interest of Panel members. As Ofgem has indicated that the code manager licence for the REC is likely to be granted before the end of 2026 we think there is limited benefit to introducing further changes to the current panel arrangements in the interim, and note that the proposals for the SAF are intended to more explicitly manage any conflicts.

Template part 3: General feedback

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

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

Your response, data and confidentiality

You can ask us to keep your response, or parts of your response, confidential. We'll respect this, subject to obligations to disclose information, for example, under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, statutory directions, court orders, government regulations or where you give us explicit permission to disclose. If you do want us to keep your response confidential, please clearly mark this on your response and explain why.

If you wish us to keep part of your response confidential, please clearly mark those parts of your response that you *do* wish to be kept confidential and those that you *do not* wish

to be kept confidential. Please put the confidential material in a separate appendix to your response. If necessary, we'll get in touch with you to discuss which parts of the information in your response should be kept confidential, and which can be published. We might ask for reasons why.

If the information you give in your response contains personal data under the General Data Protection Regulation (Regulation (EU) 2016/679) as retained in domestic law following the UK's withdrawal from the European Union ("UK GDPR"), the Gas and Electricity Markets Authority will be the data controller for the purposes of GDPR. Ofgem uses the information in responses in performing its statutory functions and in accordance with section 105 of the Utilities Act 2000. Please refer to our Privacy Notice on consultations, see Appendix 4.

If you wish to respond confidentially, we'll keep your response itself confidential, but we will publish the number (but not the names) of confidential responses we receive. We won't link responses to respondents if we publish a summary of responses, and we will evaluate each response on its own merits without undermining your right to confidentiality.