



Transfer of Consumer Data



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SCHEDULE 13

Transfer of Consumer Data

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Domestic Suppliers	Mandatory
Non-Domestic Suppliers	Mandatory
Gas Transporters	Mandatory
Distribution Network Operators	Mandatory
DCC	N/A
Metering Equipment Manager	N/A
Non-Party REC Service User	N/A

Change History

Version Number	Implementation Date	Reason for Change
0.1	N/A	Initial draft for Summer 2020 publication
0.2	N/A	Draft for December 2020 consultation
2.0	1 September 2021	Incorporating respondents comments
<u>4.0</u>	<u>Code Manager Licence Commencement Date</u>	<u>No substantive change, alignment with CML</u>

1 Introduction

1.1. This [REC Schedule](#) sets out the requirements relating to the transfer of certain [Consumer](#) data between [Parties](#). The data in question comprises:

- (a) [PSR Data](#) concerning records on the [Priority Services Register](#); and
- (b) [Consumer Contact Data](#) for contacting [Consumers](#), particularly in the case of emergency situations.

[PSR Data](#)

1.2. [PSR Data](#) is only relevant to [Domestic Consumers](#).

1.3. Each [Energy Supplier](#) and electricity [Distribution Network Operator](#) is required by its [Energy Licence](#) to maintain a [Priority Services Register](#). Priority services

include support provided to help particular [Consumers](#) engage with their gas or electricity account and/or ensuring priority for [Domestic Consumers](#) in the event of network disruption. The [Priority Services Register](#) is also used by [Energy Suppliers](#) to support effective safeguarding activities.

- 1.4. Each [Gas Transporter](#) is required by its [Energy Licence](#) to maintain practices and procedures to identify [Domestic Consumers](#) who may be eligible for assistance due to their circumstances, and to offer these [Consumers](#) specific priority services.
- 1.5. Each [Energy Supplier](#) is obliged by its [Energy Licence](#) to share [PSR Data](#) via the relevant industry mechanism as specified in this Schedule.
- 1.6. Each [Distribution Network Operator](#) is required by its [Energy Licence](#) to share [PSR Data](#) with the [Registered Supplier](#) and/or with the relevant [Gas Transporter](#).
- 1.7. Each [Gas Transporter](#) is required by its [Energy Licence](#) to share [PSR Data](#) with the Registered Gas Supplier and/or with the relevant [Distribution Network Operator](#).
- 1.8. An [Energy Supplier](#) may also issue [PSR Data](#) to its [Supplier Agents](#), as further detailed in the [Data Specification](#).

Consumer Contact Data

- 1.9. [Consumer Contact Data](#) is relevant to [Domestic Consumers](#) and [Non-Domestic Consumers](#).
- 1.10. However, the obligation to provide [Consumer Contact Data](#) for gas is only relevant to [Consumers](#) at sites with an [Annual Quantity](#) of up to 732,000kWh (25,000 therms). Sites with a larger [Annual Quantity](#) are not subject to Paragraph 5, and are instead subject to separate arrangements under the [UNC](#).
- 1.11. [Consumer Contact Data](#) may also be used by holders of [Energy Licences](#) in order to comply with duties under their [Energy Licences](#), and subject to the further requirements and limitations of this [REC Schedule](#).

2 Conditions Precedent

- 2.1. Each [Energy Supplier](#), [Gas Transporter](#) and [Distribution Network Operator](#) shall only share [PSR Data](#) in accordance with the requirements set out in its [Energy Licence](#). If the requirements of this [REC Schedule](#) are inconsistent with such licence requirements, then the licence requirements shall take precedence.
- 2.2. Each [Party](#) shall only access, update, share, use or otherwise process [PSR Data](#) and [Consumer Contact Data](#) insofar as is necessary to comply with its [Energy Licence](#) and any other statutory obligations which apply to it as the holder of an [Energy Licence](#).

2.3. In addition to the purposes set out in Paragraph 2.2, the [Gas Transporters](#) shall only use the [Consumer Contact Data](#) as described in the use cases in Paragraph 5.

2.4. For the [PSR Data](#) and for the [Consumer Contact Data](#) that comprises personal data, each [Party](#) shall only access, update, share, use or otherwise process that data insofar as the [Party](#) has a lawful basis for processing under the [Data Protection Legislation](#). Such lawful basis for processing may include (but is not limited to): consent; legal obligation under [Law](#) or an [Energy Licence](#); or legitimate interests weighed against the [Consumer](#)'s interests. To the extent that the personal data is special category data, the further conditions for processing will also apply.

2.5. Each [Party](#) shall comply with its obligations under the [Data Protection Legislation](#) concerning the [PSR Data](#) and the [Consumer Contact Data](#), including those obligations concerning transparency. Clause 19 (Data Controller Obligations) of the [main body](#) of this [Code](#) applies.

3 Transfer of [PSR Data](#)

3.1. Where an [Energy Supplier](#) adds data to, removes data from or otherwise updates its [Priority Services Register](#) (including on a [Change of Occupier](#)):

- (a) if the [Energy Supplier](#) is an [Electricity Supplier](#), it shall send the [PSR Data](#) to all recipients of the [Market Message D0225](#); and
- (b) if the [Energy Supplier](#) is a [Gas Supplier](#), it shall ensure that its [Shipper](#) sends the [PSR Record](#) to the [CDSP](#) (and the [CDSP](#) will then notify the [Gas Transporter](#)).

3.2. Where a [Switch](#) occurs and the [Consumer](#) is listed on the [Gaining Supplier](#)'s [Priority Services Register](#):

- (a) if the [Gaining Supplier](#) is an [Electricity Supplier](#), upon completion of the [Switch](#), it shall send the [PSR Data](#) to all recipients of [Market Message D0225](#); and
- (b) if the [Gaining Supplier](#) is a [Gas Supplier](#), it shall ensure that its [Shipper](#) sends the [PSR Record](#) to the [CDSP](#) (and the [CDSP](#) will then notify the [Gas Transporter](#)).

3.3. For electricity [RMPs](#), where a change of [Supplier Agent](#) occurs and the [Consumer](#) is listed on the [Electricity Supplier](#)'s [Priority Services Register](#), the [Electricity Supplier](#) shall send [Market Message D0225](#) to all relevant new [Supplier Agents](#).

3.4. For electricity [RMPs](#), the [Distribution Network Operator](#) shall send [Market Message D0225](#) to the [Registered Supplier](#) whenever the [Distribution Network Operator](#)'s [Priority Services Register](#) is changed as a result of information received from a source other than the [Registered Supplier](#).

3.5. Each [Party](#) which sends updated [PSR Data](#) under this Paragraph 3 shall determine and record its basis for processing under the [Data Protection Legislation](#). Where a [Party](#) is relying on [Consumer](#) consent for the processing of particular [PSR Data](#), then the [Party](#) shall ensure that the relevant [Data Item](#) is

populated to confirm that this is the basis for processing and that the data subject has provided their informed consent.

- 3.6. Where a [Party](#) is relying on [Consumer](#) consent for the processing of particular [PSR Data](#), and where the data subject withdraws their consent, then the [Party](#) shall amend the [PSR Data](#) to remove the relevant personal data and send updates in accordance with this Paragraph 3.

4 Transfer of [Consumer Contact Data](#) (Electricity)

- 4.1. This Paragraph 4 only applies in respect of electricity [RMPs](#).
- 4.2. The [Registered Supplier](#) shall provide updated [Consumer Contact Data](#) to the [Distribution Network Operator](#) on a first [Registration](#), on a [Change of Occupier](#) or on otherwise becoming aware of updates to the [Consumer Contact Data](#).
- 4.3. On a [Switch](#), the [Gaining Supplier](#) shall provide updated [Consumer Contact Data](#) to the [Distribution Network Operator](#).
- 4.4. Where the [Electricity Supplier](#) does not hold some or all the [Consumer Contact Data](#), it shall transmit a blank / null record to overwrite any existing data.
- 4.5. Where an [Electricity Supplier](#) provides updated [Consumer Contact Data](#) under this Paragraph 4, it shall do so by sending [Market Message D0302](#).

5 Transfer of [Consumer Contact Data](#) (Gas)

- 5.1. This Paragraph 5 only applies in respect of gas [RMPs](#), and subject to Paragraph 1.10.
- 5.2. The [Registered Supplier](#) shall provide updated [Consumer Contact Data](#) in accordance with Paragraph 5.5 on a first [Registration](#), on a [Change of Occupier](#) or on otherwise becoming aware of updates to the [Consumer Contact Data](#).
- 5.3. On a [Switch](#), the [Gaining Supplier](#) shall provide updated [Consumer Contact Data](#) in accordance with Paragraph 5.5.
- 5.4. Where the [Gas Supplier](#) does not hold some or all the [Consumer Contact Data](#), it shall transmit a blank / null record to overwrite any existing data.
- 5.5. Where there is no longer a lawful basis under [Data Protection Legislation](#) for storing particular [Consumer Contact Data](#) in the [Secure Repository](#), then the [Gas Supplier](#) shall ensure that the particular data is deleted by sending the relevant [Market Message](#).
- 5.6. Where a [Gas Supplier](#) provides updated [Consumer Contact Data](#) under this Paragraph 5, it shall do so by ensuring that its [Shipper](#) sends the data to the [CDSP](#), and the [CDSP](#) will then make the updated data available to [Gas Transporters](#) as described in the remainder of this Paragraph 5.

5.7. The [CDSP](#) shall provide the [Secure Repository](#) for the storage of [Consumer Contact Data](#) provided by [Gas Suppliers](#). The [CDSP](#) shall ensure that the [Secure Repository](#) provides for:

- (a) a 'broadcast' function that enables a [Gas Transporter](#) to send text messages and/or emails to multiple [Consumers](#) without the contact data being visible to the [Gas Transporter](#); and
- (b) an 'extract' function that enables a [Gas Transporter](#) to extract [Consumer Contact Data](#) for the purposes of direct contact (in which case the contact data is visible to the [Gas Transporter](#)).

5.8. Each [Gas Transporter](#) shall only use [Consumer Contact Data](#) and the [Secure Repository](#) for the following purposes:

- (a) Use Case 1 - Unplanned Interruption - Where the [Consumer](#) concerned is subject to an unplanned interruption to their gas supply and the [Gas Transporter](#) needs to contact the [Consumer](#) to provide information (including arranging to purge and relight the [Consumer](#)'s appliances) or needs to contact the [Consumer](#) to provide information including reinstatement of ground either in the [Consumer](#)'s premises or in public land and/or the highway that may affect the [Consumer](#).
- (b) Use Case 2 - Planned Interruption - Where the [Consumer](#) concerned is subject to a planned interruption to their gas supply, for example as part of a mains replacement project, and the [Gas Transporter](#) needs to contact the [Consumer](#) to provide information (including arranging to purge and relight the [Consumer](#)'s appliances) and/or needs to contact the [Consumer](#) to provide information including reinstatement of ground either in the [Consumer](#)'s premises or in public land and/or the highway that may affect the [Consumer](#).
- (c) Use Case 3 - Gas Safety Regulations Cut-off - Where the [Gas Transporter](#) is required to perform a service cut-off to satisfy the Gas Safety (Installation and Use) Regulations 1998 (as amended) and needs to contact the [Consumer](#) to arrange this.
- (d) Use Case 4 - Contact for Multiple Occupancy Building - Where the [Consumer](#) occupies a building that has multiple occupants and the [Gas Transporter](#) needs to contact a number of [Consumers](#) for operational reasons, for example to replace the rising main.
- (e) Use Case 5 - Payment of Guaranteed Standard of Performance Payment - Where the [Consumer](#) is due a [Guaranteed Standards of Performance](#) compensation payment and the [Gas Transporter](#) needs to contact them to arrange payment. [Guaranteed Standards of Performance](#) compensation payments being those payments which the [Gas Transporter](#) is obliged to pay under secondary legislation or its [Gas Transporter Licence](#) if the Transporter fails to meet the required quality standards. This use case can also be used where a [Gas Transporter](#) chooses to make a voluntary payment to a [Consumer](#).

- 5.9. A [Gas Transporter](#) shall not allow any other person to use the 'broadcast' or 'extract' function in relation to the [Consumer Contact Data](#) held in the [Secure Repository](#) in relation to its network; except that a [Gas Transporter](#) may allow another [Gas Transporter](#) to do so in order to send a message which is of relevance to the [Consumers](#) of both [Gas Transporters](#).
- 5.10. On a [Switch](#), the relevant [Gas Transporter](#) shall ensure that the [Consumer Contact Data](#) provided by the previous [Gas Supplier](#) is deleted from the [Secure Repository](#).
- 5.11. Each [Gas Transporter](#) using the [Secure Repository](#):
- (a) shall be entitled to determine the content of the relevant message, and shall ensure that adequate contact information is provided to enable the [Consumer](#) to contact the [Gas Transporter](#);
 - (b) shall ensure that any [Consumer Contact Data](#) that it extracts from the [Secure Repository](#) is held only for as long as it is required and is promptly and securely deleted once no longer required;
 - (c) shall specify and record a reason for processing when accessing or instructing the use of [Consumer Contact Data](#), including why the broadcast or extract function was used; and
 - (d) shall ensure that the [Consumer](#) is contacted using their preferred contact method (where one is recorded within the [Secure Repository](#)), but may also contact the [Consumer](#) using other contact methods where the circumstances reasonably require.
- 5.12. Where, in response to a communication received via the broadcast function, a [Consumer](#) informs the [Gas Transporter](#) that they wish to be permanently forgotten, then the [Gas Transporter](#) shall direct the [Consumer](#) to contact their [Gas Supplier](#) (but shall have no obligation to notify the [Gas Supplier](#) directly).
- 5.13. Where, in response to a communication received via the extract function, a [Consumer](#) wishes to be permanently forgotten, the [Gas Transporter](#) shall ensure that procedures exist to permanently delete the data extracted by the [Gas Transporter](#) in relation to that [Consumer](#), and the [Gas Transporter](#) shall also advise the [Consumer](#) to contact their [Gas Supplier](#) to remove data held within the [Secure Repository](#).
- 5.14. Where, in response to a communication received via the extract function, a [Consumer](#) wishes to have a 'temporary stop' on a particular broadcast communication, then the [Gas Transporter](#) shall ensure that the broadcast provider acts on this request and ceases any and all further communications related to the particular topic of the broadcast communication (but the [Consumer](#) will not be 'permanently forgotten').



5.15. The [CDSP](#) shall ensure that:

- (a) there is a reporting function in the [Secure Repository](#) to enable reporting of usage by each [Gas Transporter](#) for each purpose defined in Paragraph 5.8, split by use of the broadcast and extract functions for defined date ranges; -and
- (b) where the [REC PAB](#) or ~~Code Manager~~ [RECCo](#) so request, the [CDSP](#) provides a report detailing the number of requests and usage reasons for a defined period in relation to requests by [Gas Transporters](#) to use [Consumer Contact Data](#) held in the [Secure Repository](#).