Energy Ombudsman Biennial Review 2023 to 2025

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1. Executive summary

1.1 Purpose and scope

The Energy Ombudsman (EO) is an approved Alternative Dispute Resolution (ADR) provider for the gas and electricity markets. This retrospective review covers 2023-2025 and forms part of Ofgem's continuing oversight of the EO. It considers whether the EO continues to meet the relevant statutory and regulatory expectations for an effective, independent and accessible ADR service for the GB retail energy market.

The assessment combined a review of policies, processes, governance material, and performance evidence with regular engagement with the EO and an examination of a sample of 74 completed cases. The case review tested how the EO's stated arrangements operated in practice.

1.2 Overall conclusion

Ofgem has concluded that the EO continues to meet our criteria to retain approval to provide ADR services in the gas and electricity market.

Satisfied	Satisfied with recommendations	Not satisfied	Total criteria
88	5	1	94

1.3 What is working well

- The strongest area of performance relates to the management of ADR cases within prescribed timescales and the provision of fair procedural opportunities to both parties, including parties being given reasonable periods to submit evidence and comment on evidence provided by the other party, and receiving decisions within the required 90-day timeframe.
- All applicable sampled cases showed decisions based on fairness, documented evidence and principles of natural justice, with proportionate redress reflecting the issue, its impact and any resulting hardship or injustice.
- Reasonable and flexible deadlines were applied, and consumers with complex needs were offered additional support as part of the complaint-registration process.

1.4 Summary findings & recommendations

The review found that the EO met 93 of the 94 assessment criteria. Five of those criteria were met with recommendations intended to strengthen existing arrangements further. One criterion was not satisfied and requires follow-up action.

- Consumers' right to withdraw: this was the single criterion not satisfied. While information about the right to withdraw is available in the EO's FAQs, no evidence was identified in the sampled cases that consumers were proactively informed of this right before the ADR procedure commenced. The EO should provide this information directly before the procedure begins.
- Legal advice and representation: the relevant criterion was satisfied, with a recommendation to strengthen consistency. The EO should inform parties at the start of the journey that they are not obliged to obtain a legal adviser. As this point was also identified in the previous review, Ofgem recommends that it is now addressed consistently across the consumer journey.

- Signposting to alternative third-party: recommendation to strengthen consistency. The EO's established approach should be applied to every rejected case, supported by usable contact details or a direct link to the EO's Additional Support webpage.
- Financial awards: recommendation to improve the information available to consumers. Published information should better reflect typical awards and link to EO case studies, helping consumers form realistic expectations.
- Service complaints: recommendations to improve transparency. The EO should identify the reviewer, provide direct links to complaint forms and explain the role of the independent assessor more clearly.
- Case-opening dates: the requirement to notify the parties of the outcome of the ADR procedure within 90 days of receiving the complete complaint file was met in all applicable sampled cases. Ofgem nevertheless recommends that the recording methodology is refined so that it more accurately reflects the consumer journey, with any effect on reported handling times monitored.

1.5 Follow-up

Ofgem will maintain engagement with the EO in the areas where recommendations have been made and where further work is required.

2. Scope and approach

2.1 Purpose and statutory context

The EO is an approved ADR provider for the gas and electricity markets. Ofgem exercises oversight of the EO as part of its functions in relation to consumer redress schemes in the energy sector.

The ADR Regulations 2015 were revoked in April 2026 following implementation of the Digital Markets, Competition and Consumers Act 2024 (DMCCA). However, energy redress schemes approved by Ofgem under the Consumers, Estate Agents and Redress Act 2007 (CEAR) are treated as exempt under the DMCCA and are therefore not subject to the DMCCA's accreditation requirements. Ofgem therefore continues to exercise its approval and oversight functions principally under the CEAR.

This retrospective review covers 2023–2025 and forms part of Ofgem's ongoing oversight of the EO. It informs our assessment of whether the EO has met relevant statutory and regulatory expectations for an effective, independent and accessible ADR service for the GB retail energy market.

In the absence of the ADR Regulations, and in adherence to the CEAR Act's principle, Ofgem has determined it beneficial to ensure continuity of periodic assessment. The team formed assessment criteria drawing from the previous assessment, feedback from DESNZ' Fairer faster redress consultation[46], and other sources of evidence and intelligence such as from wider Ofgem, consumer bodies and publicly available information. Future assessment criteria would be subject to either an Ofgem, a DESNZ, or joint consultation.

While much of the previous criteria has been retained, the new criteria adds focus on assessing the EOs internal processes/governance, case handling, decision making, appeals handling and organisational performance.

2.2 Evidence and methodology

The assessment also drew on a sample of completed EO cases from the review period, covering key complaint areas across the domestic and non-domestic sectors.

Throughout the review, we met regularly with the EO to understand its policies and processes and discuss our case assessments. We also recognise the EO's ongoing work with suppliers to improve visibility of how it makes assessment of complaints and to develop additional tools. The findings should therefore be read in the context of the period assessed and this continuing improvement work.

We also reviewed a sample of EO cases, the details of which are within Section 3 'Case review: how the EO's arrangements operated in practice'. These case studies helped us to understand how the policies and procedures translated into practice.

The case review evidence informed both the assessment of individual criteria and the overall judgement.

2.3 Scope exclusions

The review concentrates on areas where Ofgem has sufficient oversight, there was meaningful EO activity, and where performance can be assessed against an established framework.

Distribution/Networks: During scoping discussions, the EO advised they were changing the way Network complaints are managed and expected a new system later in 2026. This, combined with the low number of Distribution/Networks complaints they received, meant it was not taken forward in the review.

Third-Party Intermediaries (TPI): The EO has been able to provide ADR services for Micro Businesses and Small Businesses in relation to TPIs and Brokers since 19 December 2024. This area was excluded because Ofgem does not have the statutory powers to assess the EO's work in this area.

Third-party flexibility: This area was not included in the review because the EO only started providing ADR services for third-party flexibility disputes on 8 January 2026, after the 2023-2025 assessment period. At the time of scoping the review, the EO had received no disputes relating to third-party flexibility, so there were no cases available to assess.

Heat Networks: The EO was appointed as the ADR provider for Heat Networks by the Secretary of State from 1 April 2025. Ofgem only began regulating Heat Networks in January 2026, after the assessment period and therefore did not form part of this review.

3. Case review: how the EO's arrangements operated in practice

3.1 Case sampling

Ofgem assessed a sample of 74 EO cases as part of the biennial review. The case studies were intended to understand how EO responsibilities, policies and procedures translated into practice.

Case sampling included domestic and non-domestic disputes across the most common complaint areas. Themes included billing (incl. back-billing), customer service, metering (incl. smart meters), Feed-in Tariff, sales and supplier transfer. Disputes reviewed included cases handled through the standard and non-standard ADR process. These included rejected cases outside the EO's terms of reference, cases appealed by either party and cases involving a service complaint.

3.2 What the case review assessed

Ofgem does not intervene in or substitute its judgement for the EO's decisions in individual cases. However, for the purpose of this review, Ofgem examined a sample of cases to assess whether the EO's decision-making processes and sampled outcomes were consistent with the applicable criteria, including fairness, proportionality and the proper consideration of evidence.

3.3 Positive findings

Quality and robustness of decision-making

Evidence showed that all applicable sampled cases were decided on the basis of fairness, documented evidence, and principles of natural justice. Decisions were proportionate to the circumstances of the complaint, with redress reflecting the issue, its impact and any resulting hardship or injustice. The sample cases provided evidence that demonstrates a strong and consistent decision-making framework.

Support for consumers and accessibility of the scheme

The review found positive evidence that reasonable and flexible deadlines are applied, taking account of consumer circumstances without unnecessarily restricting access to the scheme. In addition, consumers with complex needs were offered additional support as part of the complaint-registration process. This indicates that the EO has effective arrangements in place to promote accessibility and accommodate vulnerable consumers.

3.4 Areas for improvement

Recording of case-opening dates

While the 90-day decision requirement was met in all applicable cases, concerns were identified regarding how case-opening dates are recorded.

Required or recommended action

- Revise the methodology used to record case-opening dates so that reporting more accurately reflects the consumer journey.
- Monitor any resulting impact on reported handling times.

Consumers' right to withdraw

No evidence was identified that consumers were proactively informed of their right to withdraw from the ADR procedure before it commenced.

Required or recommended action

- Introduce standard communication informing consumers of their right to withdraw at any stage of the ADR process.
- Ensure this information is provided directly to consumers rather than relying solely on website content or FAQs.

Service complaint transparency

Service complaints are reviewed by an appropriately authorised individual; however, greater transparency could be achieved.

Required or recommended action

- Clearly identify the reviewer responsible for the complaint.
- Update the "Unhappy with Our Service" webpage to include direct links to the online complaints form.
- Provide further information on the role and status of the independent assessor.

Information relating to legal advice

Relevant evidence on the provision of information relating to legal advice was identified in a limited number of sampled cases.

Required or recommended action

- Consistently inform consumers that they are not obliged to retain a legal advisor.

4. Overall assessment and recommendations

4.1 Assessment at a glance

88 criteria have been satisfied during the review and are shown in green within the Review Findings table found in the Annex; no further action is required.

5 criteria (04.b, 04.d, 05.t, 06.c, 07.i) were satisfied during the review but Ofgem have recommendations for how the service can be improved. These are shown in amber in the Review Recommendations table below and the Review Findings table in the Annex.

1 criterion (06.e) has not been satisfied during the review and additional work is required by the EO. This is shown in red in the Review Recommendations table below and the Review Findings table in the Annex.

We have concluded that the EO continues to meet the criteria required to provide ADR services in the gas and electricity market, and engagement with the EO will be maintained for areas with recommendations to improve the service.

4.2 Recommendations requiring follow-up

The table below highlights the criteria assessed as satisfied with a recommendation or not satisfied. The full assessment of all criteria is in Appendix 2.

Review Recommendations

	Criteria	Assessment
04.	**Consumer Awareness**	Ofgem must be satisfied that the EO ensures awareness of the scheme.
b	The EO periodically analyses the profile of complainants to inform its work to raise awareness of the EO.	We are satisfied that the EO analyses complainant demographics compared to national population benchmarks to inform awareness activity. The relevant Consumer Action Monitor (CAM) report, a comprehensive survey on complaint behaviour in the UK, is now maintained internally, and we recommend it is shared with Ofgem for information.[10]
d	The EO effectively signposts a consumer to alternative organisations or sources of advice if a dispute is outside its remit.	Where a dispute falls outside its *Terms of Reference*, the EO's process is to signpost the consumer to Citizens Advice, or to another appropriate organisation including the relevant participating company where applicable. The EO's '*Additional Support'* webpage also identifies alternative organisations that may be able to help with matters outside the scheme's remit.[6,7,13] This process was observed in the majority of relevant cases reviewed. We recommend that the EO applies it consistently to every rejected case and provides the consumer with contact details of the relevant alternative organisation or a direct link to the Additional Support information on its website.
05.	**Access to the Redress Scheme**	Ofgem must be satisfied that the EO ensures the scheme is easily accessible to consumers and for transparency

	Criteria	Assessment
		information is publicly available in a clear and easily understandable manner on its website or in a durable medium if requested. And ensures its ease of use across all groups, including those in vulnerable situations.
t	(x) any costs to be paid by a party, including rules on costs awarded at the conclusion of the ADR process.	The service is free to consumers, as stated on the 'Home' webpage, in the FAQs under '*How much does it cost'*, and in Section 4 of its Terms of Reference.[1,17,19] Information on potential awards is published on the '*What to Expect'* webpage.[28] We do however recommend updating the '*What To Expect'* webpage to better reflect typical financial awards consumers receive and link with the *Case Studies* section, so consumers have realistic expectations.
06.	**Case Handling Processes**	Ofgem must be satisfied that the EO is effective by having procedures that are prompt, cost effective, fair, impartial and allows both parties to present their views.
c	The EO informs the parties that they are not obliged to retain a legal advisor, but may seek independent advice or be represented/assisted by a third party at any stage of the ADR procedure.	Evidence was seen during the case reviews that satisfies us the EO informs parties that they can be represented/assisted by a third-party at any stage of the ADR procedure. However, the information relating to a legal advisor wasn't as clear. While the information is readily available on the website under the FAQs '*Can I ask a solicitor or other advisor to help with my dispute'* webpage, it was only proactively given in a limited number of sampled cases.[6,20] This was a recommendation in the last biennial review and whilst the EO did not make the recommended changes, during discussions they explained in more detail the support they offer consumers throughout the ADR procedure. They explained they do not proactively mention legal advice during the customer journey to avoid conflicting messages, and that consumers are only informed during a dispute investigation that legal advice is unnecessary if they ask about it. We recommend the EO inform parties that they are not obliged to obtain a legal advisor at the start of the journey for consistency, optionality, and clarity.
e	The EO informs consumers before the ADR procedure commences of their right to withdraw from the ADR procedure at any stage, including if they are dissatisfied with the performance or operation of the ADR procedure.	Although the information is available on the FAQs, we found no evidence in the sampled cases that consumers were proactively informed before the ADR procedure commenced of their right to withdraw.[6] This information should be proactively provided to consumers at the start of their dispute journey, informing them of their right to withdraw from the ADR procedure at any stage, including if they are dissatisfied with the performance or operation of the ADR procedure. We believe this approach ensures the message reaches all consumers who use the EO's service.

	Criteria	Assessment
07.	**Decision Making**	Ofgem must be satisfied that the EO ensures fairness and accountability in its decision making.
i	The EO establishes procedures to consider and resolve complaints by consumers or regulated providers about the service provided by the EO, with the final decision being made by a person not previously involved in the complaint and with sufficient authority to direct how the issue may be resolved.	Service complaints are reviewed by an appropriately authorised person not previously involved in the complaint and with sufficient authority.[40] We would however recommend; 1. Clearer identification of the reviewer of the complaint. We understand from 20 October 2026 the reviewer's name will be displayed in the case management system. 2. The '*Unhappy With Our Service'* webpage be updated to include hyperlinks to the online form for Stage 1 and Stage 2 complaints. 3. The '*Unhappy With Our Service'* webpage have further explanation of the independent assessor's role.

4.3 Link to the previous review

Although most recommendations from the previous biennial review have been satisfactorily implemented, one issue remains: consumers are still not consistently informed that they are not required to obtain legal advice. As this issue was also identified in this review, Ofgem has repeated its recommendation. The full comparison with the previous review is in Appendix 1.

4.4 Assessment criteria

The assessment criteria are structured across the following areas. The full criterion wording, evidence and assessment can be found in Appendix 2.

1. Services offered by the Energy Ombudsman

Ofgem must be satisfied that the EO has sufficient scope of complaints it can consider, a range of remedies it can require and implement, including reasonable grounds it may refuse to deal with a dispute.

2. People and Conflicts of Interest

Ofgem must be satisfied that the EO is independent and impartial and has in place procedures in the event that an official declares or is discovered to have a conflict of interest in relation to a dispute.

3. Training and Resourcing

Ofgem must be satisfied that the EO has the expertise, through training, and the resources to efficiently carry out their duty.

4. Consumer Awareness

Ofgem must be satisfied that the EO ensures awareness of the scheme.

5. Access to the Redress Scheme

Ofgem must be satisfied that the EO ensures the scheme is easily accessible to consumers and for transparency information is publicly available in a clear and easily understandable manner on its website or in a durable medium if requested. And ensures its ease of use across all groups, including those in vulnerable situations.

6. Case Handling Processes

Ofgem must be satisfied that the EO is effective by having procedures that are prompt, cost effective, fair, impartial and allows both parties to present their views.

7. Decision Making

Ofgem must be satisfied that the EO ensures fairness and accountability in its decision making.

8. Performance

Ofgem must be satisfied that the EO has in place measures to assess its own and regulated providers' performance, publishing key metrics and reporting these to Ofgem and other key stakeholders as appropriate.

9. Governance and Independence

Ofgem must be satisfied that the EO is governed by an independent body and enters into agreements with Ofgem such as a Memorandum of Understanding (MoU).[42]

10. Governance, Financial Controls and Consumer Protection

Ofgem must be satisfied the EO has appropriate governance arrangements, financial controls and assurance mechanisms in place to support the effective, efficient and independent discharge of its functions. This includes consideration of whether the EO can demonstrate that its systems, controls, and decision-making arrangements protect the interests of consumers.

11. Legality

In relation to an alternative dispute resolution procedure which aims at resolving a dispute by recommending a solution on the consumer.

4.5 Assessment Approach

The EO was provided with the criteria against which they would be assessed as an ADR provider. We requested commentary to detail how they met each criterion, including supporting documentation such as processes, policies, training material and Terms of Reference.

We reviewed the information submitted. If we were not satisfied in the first instance, we engaged further with the EO to obtain additional information. Any criteria not satisfied by this additional engagement are marked as such in Appendix 2.

Appendix 1. Progress since the previous biennial review

The previous EO biennial review (2021-2023)[47] made various recommendations for improvement, listed below.

Note: The criteria numbers in the table are as per the 2021-2023 review, and do not correspond to criterion numbers in the current review.

We consider that the recommendations for all criteria except for 7.1h have been satisfactorily implemented. This is also reflected in the corresponding new assessment criteria being satisfied.

Observations for 7.1h and the equivalent criteria in the current review set out our recommendations to the EO in order for this criterion to be met.

2024 Recommendations & Updated Observations

	Criterion	Ofgem's observations on areas for improvement in 2024	Ofgem's observations 2026
2.2b	periodically analyses the profile of complainants to inform its work to raise awareness of the scheme.	The EO has shared details of work undertaken to further analyse and better understand the profile of complainants, with a view to improving and tailoring the services they offer. We recommend that the EO ensures this information, and published reports, are up to date.	Ofgem are satisfied with the proposed changes to the relevant CAM report to be used as an internal resource by the EO and shared with Ofgem.
2.2d	maintains procedures and processes for raising a complaint with the scheme that are easy to understand and use and are not overly bureaucratic.	The previous review advises of "helpful videos" available on the website, however these are no longer available to view. A visual guide to the process for raising a dispute would be helpful to consumers. The EO has advised that they will be updating the videos on the website.	Three videos are available for consumers via the '*News - Advice for Consumers*' webpage. These videos cover the topics '*How to raise a dispute via the Energy Ombudsman website'*, '*Getting started on our Dispute Resolution Platform'* and '*How to reset your password on our Dispute Resolution Platform'*. We also welcome the EO's plans to create additional 'How To' videos within the *Help and FAQs* area of the website to provide additional support and guidance to consumers.
5.3n	the legal effect of the outcome of the dispute resolution process, including whether the outcome is enforceable and the penalties for non-compliance with the outcome, if any.	In the event a remedy is not followed, the website stipulates that consumers are able to enforce the resolution in court. Case reviews noted that not all complainants were informed of these rights, nor their ability to pursue further action if they did not agree with the decision.	As outlined in Section 4.2 Recommendations requiring follow-up, this information remains available on the website. Case reviews also confirmed that consumers are informed about the impact of acceptance, court action and the legal effect of the process.

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	Criterion	Ofgem's observations on areas for improvement in 2024	Ofgem's observations 2026
		The EO should consider when and how to advise complainants of their legal rights, such as via the final decision letter.	
6.3e	ensures that its alternative dispute resolution procedure is available and easily accessible to both parties irrespective of where they are located including by electronic means and non-electronic means.	We have encouraged the EO to ensure its video tutorials are easily accessible on its website. The EO have advised that they will be updating the videos on the website.	Three videos are available for consumers via the '*News - Advice for Consumers*' webpage. These videos cover the topics '*How to raise a dispute via the Energy Ombudsman website'*, '*Getting started on our Dispute Resolution Platform'* and '*How to reset your password on our Dispute Resolution Platform'*. We also welcome the EO's plans to create additional 'How To' videos within the *Help and FAQs* area of the website to provide additional support and guidance to consumers.
6.3m	maintains procedures to identify a potential breach of regulatory requirements and systemic problems within the industry and refer these to Ofgem (to determine whether or not there has been a breach).	As per the Memorandum of Understanding between Ofgem and the EO, issues or trends are reported to Ofgem. This is shared between the EO, Ofgem, and Citizens Advice during Tripartite meetings. The EO advised they will regularly report concerns over potential regulatory breaches and systemic issues to Ofgem. Ofgem encourages EO to enhance its capability to identify and promote good practice to avoid complaints arising.	The process for identifying potential regulatory breaches and systemic industry issues has been applied in practice since the last biennial review, with relevant information reported to Ofgem as described under criterion 08.j.
7.1e	ensures that the parties may, within a reasonable period of time, comment on the information and documents provided under paragraph (d).	Within the case analysis we noted that consumers were being advised four days instead of the seven specified in the Terms of Reference Section 8.7. This has been highlighted to the EO who have advised they are amending the Terms of Reference. At the time of publication this change has been implemented.	Details within *Section 8.7 of the Terms of Reference* were updated before the publication of the last Biennial Review to reflect a four-day period for parties to comment on evidence provided by the other party. This was also evidenced within the case reviews.

	Criterion	Ofgem's observations on areas for improvement in 2024	Ofgem's observations 2026
7.1h	The Authority must be satisfied that the EO informs the parties that they are not obliged to retain a legal advisor, but that they may seek independent advice or be represented or assisted by a third party at any stage of the alternative dispute resolution procedure.	This information is available on the website. However, within the case analysis we found instances where this was not provided to the consumer on a call. We recommend the EO take steps to more consistently inform consumers in active cases.	After identifying a limited number of cases where legal advice information was proactively provided, the EO explained in more detail the support they offer consumers throughout the ADR procedure. To avoid conflicting messages, consumers are only told during a dispute investigation legal advice is unnecessary if they ask about it. The information is readily available on the website under the FAQs '*Can I ask a solicitor or other advisor to help with my dispute'*. While we are satisfied that consumers are informed they can seek independent advice or third-party support, we recommend for consistency, optionality, and clarity, that at the start of the journey the EO inform parties they are not obliged to obtain a legal advisor.
Casework review	Communication and use of language.	We noted that decision letters used language that indicated optionality. We recommend the EO use more direct language when requiring remedies from suppliers. This would aid clarity that decisions are legally binding and mitigate against the risk of misinterpretation by suppliers.	The EO have worked to improve the language used in their decision letters and reduce misinterpretation of the actions required, including standardising remedy descriptions to ensure clarity and consistency.

Appendix 2. Full assessment against all 94 criteria

Review Findings

01. Services offered by the Energy Ombudsman

Ofgem must be satisfied that the EO has sufficient scope of complaints it can consider, a range of remedies it can require and implement, including reasonable grounds it may refuse to deal with a dispute.

	Criteria	Assessment
a	The EO offers a qualifying redress scheme in relation to a dispute brought by a consumer against a regulated provider.	The EO offers a qualifying redress scheme for disputes between consumers and regulated providers as detailed in *Section 1.1(a-c) of its Terms of Reference*.[1] Its annual reports also summarise the ADR services offered and the number of domestic disputes received.[2]
b	The EO is able to consider all types of complaint as indicated in the Gas and Electricity Regulated Providers Redress Scheme Order 2008.	The review confirms that the EO can consider the types of complaint within the scope of the Gas and Electricity Regulated Providers Redress Scheme Order 2008. *Section 3 of* its Terms of Reference - *Energy Sector Annex* sets out its jurisdiction and the complaints it may consider.[1,3]
c	The EO has in place membership rules which all participating regulated providers must agree to.	The *EO's Terms of Reference - Membership Rules for Participating Companies* set out the applicable requirements, and suppliers within scope of Ofgem's licence conditions must participate where they serve consumers covered by the ADR scheme.[4]
d	The EO ensures that the person responsible for the EO has the power to decide whether or not a complaint is within the EO's jurisdiction.	Responsibility for determining whether a dispute falls within the EO's jurisdiction is appropriately assigned. *Section 6.1 of its Terms of Reference* gives the Chief Ombudsman discretion to determine jurisdiction, with day-to-day assessment delegated to the Dispute Resolution Team.[1]
e	The EO may refuse a dispute if prior to submitting the complaint to the EO, the consumer has not attempted to contact the regulated provider concerned to discuss the complaint and tried to resolve the matter directly with the regulated provider.	*Section 6.2 of its Terms of Reference* allows the EO to refuse a dispute where the complainant has not attempted to first resolve the matter with the participating company. It sets out the prior contact requirements that must be met before a dispute can be accepted.[1,5]
f	The EO may refuse a dispute if the dispute is frivolous or vexatious.	The EO may refuse disputes that are frivolous or vexatious under *Section 7.1(e) of its Terms of Reference*. Further explanation and illustrative examples are available in its published *FAQs*.[1,5,6]
g	The EO may refuse a dispute if the dispute is being, or has been previously, considered by another ADR provider or by a court.	*Section 7.1(c) of its Terms of Reference* provides details for the refusal of disputes that are, or have been, considered through court proceedings, arbitration or another independent procedure.[1,5]
h	The EO may refuse a dispute if the consumer has not submitted the complaint to the EO within the time period specified by the EO, provided that time period is not less than 12 months from the date the regulated provider told the consumer they were unable to resolve the complaint. It may	A 12-month time limit for submitting disputes is set out in *Section 7.1(a) of its Terms of Reference*. *Section 7.4* allows a dispute to be accepted where exceptional circumstances justify the delay, providing appropriate flexibility.[1,5]

	Criteria	Assessment
	be appropriate to extend this time period taking into account the circumstances of the case and the consumer and not unreasonably limiting access to the EO.	
i	The EO may refuse a dispute if dealing with such a type of dispute would seriously impair the effective operation of the EO.	The EO may refuse a dispute where handling it would seriously impair the effective operation of the scheme. This is set out in *Section 7.1(f) of its Terms of Reference*.[1,5]
j	The EO ensures that its policy about refusing to deal with a dispute does not significantly impair consumers' access to its ADR procedures.	We are satisfied that the EO's refusal criteria are clearly set out in its *Terms of Reference*, are applied on a case-by-case basis and do not significantly impair consumers' access to its ADR procedures.[1] Where appropriate, consumers whose disputes are refused are signposted to alternative redress or support scheme, with further information available through its '*Additional Support'* webpage.[7]
k	Where the EO refuses to handle a dispute, within three weeks of the date it received the complaint file it must inform both parties and provide a reasoned explanation of the grounds for not considering the dispute.	Where a complaint is refused after receipt of the complaint file, the EO informs both parties of its decision and the reasons for closing the case.[1]
l	If, during the ADR process, the EO finds that a party has sought to mislead the EO through either the provision or withholding of information that would have led them to refuse to handle the dispute, the EO may immediately decline handling the dispute further.	We are satisfied that the EO may discontinue consideration of a dispute where a party has misled it through the provision or withholding of material information. This power is set out in *Section 9.9(c) of its Terms of Reference* the EO explained during the review that this power is rarely exercised.[1]
m	The EO has the power to resolve disputes by requiring that regulated providers pay compensation, give an apology and/or explanation or take some other form of action which is considered advantageous to the complainant.	The EO has the power to require appropriate remedies, with *Section 10.3 of its Terms of Reference* setting out the remedies that may be imposed on a regulated provider.[1]
n	The EO establishes a set of procedures for regulated providers to implement its decisions and the EO's rules.	Participating companies are required to implement accepted final decisions. This obligation is set out in *Section 1.1(d) of its Terms of Reference - Membership Rules for Participating Companies*.[4]
o	Where the EO determines that fault lies with a different regulated provider than the one named in the dispute, it makes provisions to redirect the consumer to raise their complaint with the alternative regulated provider.	*Section 10.7 of its Terms of Reference* provides for the EO to determine which regulated provider is responsible for the case fee and remedy.[1] Where evidence indicates that another company may be responsible, the consumer is advised accordingly without prejudging that providers position without having an opportunity to offer its views and evidence.

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02. People/Conflict of Interest

Ofgem must be satisfied that the EO is independent and impartial, and has in place procedures in the event that an official declares or is discovered to have a conflict of interest in relation to a dispute.

	Criteria	Assessment
a	The EO pays an official in a way that does not depend on the outcome of the dispute resolution process, ensuring the outcome is not target driven.	Employment contracts provide for a fixed annual salary, paid monthly and not linked to case outcomes.
b	The EO does not offer ADR services in relation to a dispute in circumstances where an official responsible for the dispute is either employed or remunerated directly by a trader who is a party to the dispute.	Employment contracts prohibit staff from undertaking work that could impair their ability to perform their EO duties.
c	The EO ensures that no official goes about their duties in a way that is biased towards a party or their representative in the dispute. Ensures that an official, throughout the dispute process, and without delay, discloses to EO a circumstance that may, or may be seen to— (i) affect the official's independence or impartiality; or (ii) give rise to a conflict of interest with a party to the dispute which the official is asked to resolve.	The *Trust Alliance Group Code of Conduct* includes arrangements to protect independence and impartiality; conflicts must be declared in writing and cases are reallocated. Former employees of a participating company cannot investigate complaints about that company for 12 months. Training and quality checks provide further assurance.
d	Where there is a conflict of interest the official must refrain from conducting the ADR procedure, and where possible, (i) the official is replaced by another official to handle the particular dispute (ii) If no alternative official is available, the EO must propose to the parties that they submit the dispute to another ADR entity which is competent to deal with it.	We are satisfied that a conflicted Dispute Resolution Executive (DRE) must declare the conflict and the case is then reallocated. The number of DREs available has enabled the EO to reallocate all affected cases to date, and they do not anticipate the situation detailed in this criterion arising and have provided supporting reassurance of this.
e	If the dispute cannot be transferred to another ADR provider, the EO — (i) must inform the parties to the dispute of the circumstances of the conflict of interest, (ii) must inform the parties to the dispute that they have the right to object to the conflicted official continuing to handle the dispute, and (iii) can only continue to deal with the dispute if no party to the dispute objects.	As per 02.d, the circumstances addressed by this criterion have not arisen because an alternative DRE has always been available. We are satisfied that current resourcing makes the need for a conflicted official to continue handling a case unlikely.

03. Training/Resourcing

Ofgem must be satisfied that the EO has the expertise, through training, and the resources to efficiently carry out their duty.

	Criteria	Assessment
a	The EO is adequately staffed and funded so disputes and complaints can be investigated and resolved effectively and promptly, while allowing the EO to function impartially, efficiently, and	The EO uses a planning model to forecast staffing and funding needs. The model considers expected dispute volumes, seasonal peaks, sector developments and other relevant factors.[8]

	appropriately. To support this, amongst other actions, policies, processes and best-practice forecasting methods must be used to estimate staffing and funding needs.	
b	The EO ensures that officials possess a general understanding of the law and energy regulation, and the necessary knowledge and skills relating to the out-of-court or judicial resolution of energy disputes, to be able to carry out their functions competently.	DREs complete a structured four-week induction programme covering the *Terms of Reference*, relevant legislation, key energy issues and dispute-resolution skills. The programme combines theoretical learning with interactive workshops, case studies, simulations and supervised practice. DREs then follow a structured transition into live case handling, supported by regular quality assurance checks to confirm that legal and regulatory requirements are applied effectively. Ongoing resources are also available to help DREs maintain and develop their knowledge as the sector evolves.

04. Consumer Awareness

Ofgem must be satisfied that the EO ensures awareness of the scheme.

	Criteria	Assessment
a	The EO takes appropriate steps to ensure consumer awareness of the EO, working with third parties as appropriate and accommodating consumers' varying circumstances.	We are satisfied that the EO takes appropriate steps to promote awareness of the scheme. This includes work with regulated providers, annual brand tracking and engagement to improve awareness among Members of Parliament who may support constituents.[9]
b	The EO periodically analyses the profile of complainants to inform its work to raise awareness of the EO.	We are satisfied that the EO analyses complainant demographics compared to national population benchmarks to inform awareness activity. The relevant CAM report is now maintained internally, and we recommend it is shared with Ofgem for information.[10]
c	The EO maintains procedures to identify poor signposting rates in regulated providers and makes recommendations to Ofgem and regulated providers to improve signposting.	The EO has undertaken extensive work with regulated providers to identify poor signposting rates, investigate underlying causes and agree recommendations and next steps for improvement. It shares performance data, sector-wide trends, areas of concern, interventions and progress with Ofgem and Citizens Advice through established forums. Evidence of signposting was assessed during the case handling review, and rates were consistent with the wider sector analysis shared with Ofgem. We noted that failures to signpost are attributable to regulated providers rather than the EO. The EO also presented root-cause analysis, examples of good practice and targeted recommendations to regulated providers through established Ofgem forums.

		Since 2025, the EO has published larger suppliers' signposting performance in its quarterly data to incentivise better performance, and implemented enhancements to their case management system that automatically alert suppliers when signposting evidence has not been provided.[11,12]
d	The EO effectively signposts a consumer to alternative organisations or sources of advice if a dispute is outside its remit.	Where a dispute falls outside its *Terms of Reference*, the EO's process is to signpost the consumer to Citizens Advice, or to another appropriate organisation including the relevant participating company where applicable. The EO's '*Additional Support'* webpage also identifies alternative organisations that may be able to help with matters outside the scheme's remit.[6,7,13] This process was observed in the majority of relevant cases reviewed. We recommend that the EO applies it consistently to every rejected case and provides the consumer with contact details of the relevant alternative organisation or a direct link to the Additional Support information on its website.

05. Access to the Redress Scheme

Ofgem must be satisfied that the EO ensures the scheme is easily accessible to consumers and for transparency information is publicly available in a clear and easily understandable manner on its website or in a durable medium if requested. And ensures its ease of use across all groups, including those in vulnerable situations.

	Criteria	Assessment
a	The EO maintains procedures and processes for raising a dispute with the EO that are easy to understand and use and are not overly bureaucratic.	We are satisfied that consumers can raise disputes through accessible channels, including telephone, email, post and an online portal. Throughout the case, a named DRE acts as a single point of contact and can provide consumer's support.[14,15,16]
b	The EO ensures that there is no fee for consumers to access the EO, while minimising contact costs e.g. making a call.	The service is free to consumers, as set out in *Section 4 of its Terms of Reference*, and contact costs are minimised. Online submissions are free, while calls to the 03 number cost no more than calls to 01 or 02 numbers.[1,17]
c	The EO maintains a user-friendly process for consumers that includes; (i) convenient submission processes; (ii) clear timelines of the process; (iii) timely status updates e.g. when a complete complaint file has been received.	We are satisfied that consumers can submit disputes through several channels and can access published information on each stage of the process on the '*Our Process'* webpage.[18,19] Consumers also receive regular updates when a case moves forward, action is required or a deadline applies.
d	The EO maintains a user-friendly process for regulated providers that includes; (i) convenient submission processes; (ii) clear timelines of the process;	Regulated providers have access to a case-management system and dashboard that supports evidence submission, comments, status updates and action tracking.[18]

	(iii) timely status updates e.g. when a complete complaint file has been received.	
e	The EO enables a consumer to file an initial dispute submission, including supporting documents where appropriate, (i) online via its website; (ii) by post; or (iii) alternative methods.	Consumers can submit an initial dispute and supporting documents by telephone, email, post or through the online portal.[14]
f	The EO enables the consumer to progress their dispute or exchange information between parties, or seek application support, via a range of methods (i) online via its website; (ii) by post; (iii) by email; or (iv) by telephone.	Consumers can progress their case, exchange information and seek support through telephone, email, post or the online portal.[14]
g	The EO ensures that the parties to a dispute are not obliged, but may choose to, obtain independent advice or be represented/assisted by a third party.	We are satisfied that consumers are not required to obtain independent advice, but may choose to receive advice or be assisted or represented by a third-party.[20,21]
h	The EO adopts processes that allow for additional help in accessing the ADR scheme to be given to those that need it including (i) allowing persons to act on behalf of the relevant consumer (ii) offers to complete any forms that are necessary in order for the EO to investigate the dispute (excluding any signatures that are required to give staff the authority to proceed with the investigation).	*Section 4(e) of its Terms of Reference - Energy Sector Annex* details how another person can act for the consumer where consent has been granted, or how EO staff can help complete forms where required.[3,18,21,22]
i	The EO provides a wide range of translation services for those consumers that do not speak English as their first language, including a Welsh Language Service and additional services for those that are hearing or visually impaired.	Telephone interpretation is delivered through an external provider and supports access in more than 200 languages, while the ReciteMe toolbar provides translation of the EO's website.[23] Additional accessibility support is also available through sign language, Braille and preferred communication methods.
j	The EO maintains an up-to-date and easy to understand website, including a step-by-step guide, which provides the parties of a dispute with information regarding the ADR procedure operated by the EO including (i) what the consumer needs to do to raise a dispute with the EO (ii) what the EO's processes are for investigating a dispute, and (iii) if requested, should be available in alternative and durable medium.	The EO's '*Our Process'* webpage explains the principal stages of the dispute journey, including steps required before submission, registering a dispute, evidence gathering, case review and remedy delivery.[18]
k	The EO has included and readily accessible on its website: (i) contact details, including postal address, telephone number and e-mail address.	The EO's postal address, telephone number and email address are readily available on its '*Contact Us'* webpage.[24]

l	(ii) a statement that it has been approved as an ADR provider by Ofgem once this approval has been granted.	The EO's *'About Us - Company Information'* webpage details that it is approved by Ofgem as the energy-sector ADR provider.[25]
m	(iii) its jurisdiction, powers, the method of the boards appointment, the duration of the boards appointment and the board members.	*Section 3 of its Terms of Reference* explains the scheme's jurisdiction.[1] Information on the Board is available through the '*About Us - Company Information'* webpage and '*The Board'* webpage on the Trust Alliance Group's website.[25,26]
n	(iv) the type of disputes it is competent to deal with, including any financial thresholds which apply.	The '*How We Can Help' and 'What to Expect'* webpages explain the types of dispute the EO can consider and the remedies available.[27,28,29] *Sections 1 and 3 of its Terms of Reference - Energy Sector Annex* set out its jurisdiction.[3]
o	(v) the procedural rules of the dispute resolution service it operates and the grounds on which it can refuse to deal with a dispute in accordance with its refusal policies.	*Section 3 of its Terms of Reference - Energy Sector Annex* defines the services within scope.[3] The '*What to Expect'* webpage and *Sections 6 and 7 of its Terms of Reference* explain the procedural rules and grounds for refusing a dispute.[1,28]
p	(vi) the languages in which it is prepared to receive an initial submission and in which the ADR procedure can be conducted, must include English and Welsh as a minimum.	Information on translation services is available online via the '*Translation Services'* webpage.[30] Telephone interpretation is delivered through an external provider and supports access in more than 200 languages, while the ReciteMe toolbar provides translation of the EO's website.
q	(vii) the principles the EO applies, and the main considerations the EO takes into account, when seeking to resolve a dispute.	The '*Our Process'* webpage and *Section 9.9 of its Terms of Reference* explain the approach and considerations applied when reviewing and resolving disputes.[1,18]
r	(viii) Any preliminary requirements a party to a dispute needs to meet before the ADR procedure can commence.	The '*Our Process'* webpage explains the steps consumers must complete before submitting a dispute.[1,3,18]
s	(ix) a statement as to whether or not a party to the dispute can withdraw from the ADR procedure once it has commenced.	The EO's published FAQs, under '*Am I allowed to withdraw my dispute'* states that consumers may withdraw their dispute at any stage.[31]
t	(x) any costs to be paid by a party, including rules on costs awarded at the conclusion of the ADR process.	The service is free to consumers, as stated on the 'Home' webpage, in the FAQs under '*How much does it cost'*, and in Section 4 of its Terms of Reference.[1,17,19] Information on potential awards is published on the '*What to Expect'* webpage.[28] We do however recommend updating the '*What To Expect'* webpage to better reflect typical financial awards consumers receive and link with the *Case Studies* section, so consumers have realistic expectations.
u	(xi) the average length of each ADR procedure handled by the EO.	The *Annual ADR report* publishes the average length of the dispute-resolution process.

		The most recent report states that domestic disputes were resolved in an average of 25 days from receipt of the complete complaint file.[5]
v	(xii) the legal effect of the outcome of the dispute resolution process, including whether the outcome is enforceable and the penalties for non-compliance with the outcome, if any.	Under the FAQs '*Do I Have to Accept Your Decision*' Consumers are informed of their right to reject a decision and possible alternative routes.[32] While under the FAQs '*How Do I Make Sure Suppliers Carry Out Your Resolution*' and '*When Will I Receive the Remedy*' details participating companies' obligations to implement accepted decision and the processes followed where this does not happen.[33,34] Further details are set out in *Section 10.13 of its Terms of Reference* and *Section 1.1(d) of Terms of Reference - Membership Rules for Participating Companies*.[1,4]
w	(xiii) a statement as to whether or not ADR procedures operated by it can be conducted by oral or written means (or both).	Details of the different methods in which a consumer can raise a dispute can be found on the '*Additional Support - Creating a case with Energy Ombudsman*' webpage.[14]
x	(xiv) the EO's annual activity report which should include information about- (i) the EO's decisions, including the nature of the dispute and the outcome; and (ii) consumers' satisfaction with the scheme.	The *Annual ADR Report* and *Corporate Annual Report* publish information on dispute types, outcomes and consumer satisfaction.[2,35] This information is also made available via the '*Complaints Data*' webpage.[36]
y	(xv) the EO's activity report required to be prepared every two years.	We are satisfied that the required biennial report is published on the EO's website through its '*Reports & Data - Alternative Dispute Resolution (ADR)*' webpage.[2,38]

06. Case Handling Processes

Ofgem must be satisfied that the EO is effective by having procedures that are prompt, cost effective, fair, impartial and allows both parties to present their views.

	Criteria	Assessment
a	The EO allows a regulated provider a reasonable period of time to attempt to resolve the complaint. We consider that 8 weeks is an appropriate maximum for regulated providers to resolve complaints.	The EO has controls in place to ensure that cases are not accepted without first verifying that the complaint has been outstanding for at least eight weeks, or a deadlock letter has been issued by the regulated provider allowing the EO to accept the dispute earlier. [1,12]
b	The EO ensures that any deadlines for bringing a dispute to the EO must be reasonable and allow for flexibility, taking into account the circumstances of the case and the consumer, and does not unnecessarily limit access to the EO.	We found evidence that reasonable and flexible deadlines are applied, taking account of the circumstances of the case and the consumer without unnecessarily restricting access to the scheme.[1]

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c	The EO informs the parties that they are not obliged to retain a legal advisor, but may seek independent advice or be represented/assisted by a third party at any stage of the ADR procedure.	Evidence was seen during the case reviews that satisfies us the EO informs parties that they can be represented/assisted by a third-party at any stage of the ADR procedure. However, the information relating to a legal advisor wasn't as clear. While the information is readily available on the website under the FAQs '*Can I ask a solicitor or other advisor to help with my dispute'* webpage, it was only proactively given in a limited number of sampled cases.[6,20] This was a recommendation in the last biennial review and whilst the EO did not make the recommended changes, during discussions they explained in more detail the support they offer consumers throughout the ADR procedure. They explained they do not proactively mention legal advice during the customer journey to avoid conflicting messages, and that consumers are only informed during a dispute investigation that legal advice is unnecessary if they ask about it. We recommend the EO inform parties that they are not obliged to obtain a legal advisor at the start of the journey for consistency, optionality, and clarity.
d	Ensure additional support for consumers with complex needs, particularly those with vulnerabilities.	We are satisfied that consumers with complex needs are offered additional support as part of the complaint-registration process.[23,38]
e	The EO informs consumers before the ADR procedure commences of their right to withdraw from the ADR procedure at any stage, including if they are dissatisfied with the performance or operation of the ADR procedure.	Although the information is available on the FAQs, we found no evidence in the sampled cases that consumers were proactively informed before the ADR procedure commenced of their right to withdraw.[6] This information should be proactively provided to consumers at the start of their dispute journey, informing them of their right to withdraw from the ADR procedure at any stage, including if they are dissatisfied with the performance or operation of the ADR procedure. We believe this approach ensures the message reaches all consumers who use the EO's service.
f	The EO ensures that during the ADR procedure the parties may, within a reasonable period of time, express their points of view.	All applicable sampled cases showed that parties were given a reasonable period of time, 14 days, to provide evidence. This timeframe is also reflected in its *Terms of Reference* and '*Our Process'* webpage.[1,18]
g	The EO provides a party to a dispute, within a reasonable period of time and upon request, the arguments, evidence, documents and facts put forward by the other party to the dispute.	All applicable sampled cases showed that evidence submitted by one party was made available to the other party within a reasonable period of time, 4 days. [1,18]
h	The EO ensures that the parties may, within a reasonable period of time, comment on the information and documents provided under paragraph 06.g.	All applicable sampled cases showed that parties were given a reasonable opportunity, 4 days, to comment on evidence provided by the other party. [1,18]
i	The EO notifies the parties of the ADR procedure outcome within 90 days of receiving the complete complaint file. Except, in the case of a highly complex dispute where the EO may extend this period, but must inform the parties of the	All applicable sampled cases showed that the EO had notified the parties of its decision within 90 days of receiving a complete complaint file. We have asked the EO to review how it records the case-

	extension and the expected time needed to conclude the ADR procedure.	opening date so that reporting more closely reflects the consumer journey. This may increase reported handling times, but these are still expected to remain within agreed timeframes.[1]
j	The EO notifies the parties of the outcome of the ADR procedure on a durable medium and gives the parties a statement of the grounds on which the outcome is based.	All applicable sampled cases showed that parties received the outcome in a durable medium together with the reasons on which it was based.[1]

07. Decision Making

Ofgem must be satisfied that the EO ensures fairness and accountability in its decision making.

	Criteria	Assessment
a	The EO makes decisions that - (i) are based on what is fair in the circumstances, having regard to principles of law, good practice, and any unfair conduct or maladministration, while considering relevant regulatory requirements and codes of practice. (ii) are based on all evidence being documented and analysed by the EO. (iii) follow natural justice and fair procedure, giving parties proper opportunity to comment on facts, conclusions, or outcomes. (iv) must be concluded based on evidence that flows clearly from the analysis.	All applicable sampled cases showed decisions based on fairness, documented evidence and natural justice.[1]
b	The EO makes decisions that reflect the nature of the issue and its impact on the complainant. Any redress should take into account any maladministration and the resulting hardship or injustice. The process and outcome must be proportionate to the dispute.	All applicable sampled cases showed proportionate decisions and redress reflecting the issue, its impact and any resulting hardship or injustice. We welcome the improved Time and Trouble framework guidance for DREs and encourage its imminent implementation to support greater consistency in redress decisions.[1,39]
c	The EO informs a consumer, before agreeing to or following the proposed solution, that they are allowed a reasonable period of time to reflect before making their decision, and; (i) they can choose whether or not to accept the proposed solution, the solution is binding on the regulated provider but not the consumer; (ii) by taking part in the ADR procedure does not stop them from taking their case to court; (iii) the proposed solution may be different from an outcome determined by a court; (iv) the legal effect of agreeing to, or following the proposed solution.	All applicable sampled cases showed that consumers were given a reasonable period of time, 7 days, to consider the proposed solution. Evidence also showed that the required information about acceptance, court action and legal effect was provided.[1]
d	The EO maintains procedures to extend the remedy implementation time given to regulated providers for highly complex remedies.	We found that procedures are in place to extend remedy implementation times for regulated providers for highly complex remedies.
e	Where the EO determines to extend the remedy implementation time, they must within a	All applicable sampled cases showed that the parties received written notice when an extension to remedy implementation was granted.

	reasonable time period, give the parties a written statement of this determination.	
f	The EO maintains procedures to consider and resolve appeals by consumers or regulated providers about the EO decision.	A functioning appeals process is in place, and we welcome the continual improvement work ongoing in this area to support transparency and reporting. The most recent data indicates approximately 11% of cases receive an appeal, with both parties receiving communication throughout the appeals process. [1]
g	Makes decisions regarding appeals that - (i) are based on what is fair in the circumstances, having regard to principles of law, good practice, and any unfair conduct or maladministration, while considering relevant regulatory requirements and codes of practice. (ii) are based on all evidence being documented and analysed by the EO. (iii) follow natural justice and fair procedure, giving parties proper opportunity to comment on facts, conclusions, or outcomes. (iv) must be concluded based on evidence that flows clearly from the analysis.	All applicable sampled appeals showed decisions based on fairness, documented evidence and natural justice. [1]
h	Within a reasonable time period, the EO gives the parties a statement of the grounds on which the outcome of the appeal is based.	Some of the applicable sampled appeals did not have a decision communicated within the EO's internal target timeline. However, the wider 12-week regulatory target of completing a case from the date it was determined as ITOR has consistently been met, with current performance at 8.5 weeks. We therefore consider the criterion met.[1]
i	The EO establishes procedures to consider and resolve complaints by consumers or regulated providers about the service provided by the EO, with the final decision being made by a person not previously involved in the complaint and with sufficient authority to direct how the issue may be resolved.	Service complaints are reviewed by an appropriately authorised person not previously involved in the complaint and with sufficient authority.[40] We would however recommend; 1. Clearer identification of the reviewer of the complaint. We understand from 20 October 2026 the reviewer's name will be displayed in the case management system. 2. The '*Unhappy With Our Service'* webpage be updated to include hyperlinks to the online form for Stage 1 and Stage 2 complaints. 3. The '*Unhappy With Our Service'* webpage have further explanation of the independent assessor's role.

08. Performance

Ofgem must be satisfied that the EO has in place measures to assess its own and regulated providers performance, publishing key metrics and reporting these to Ofgem and other key stakeholders as appropriate.

	Criteria	**Assessment**
a	The EO establishes objective targets for handling enquiries, reaching decisions, resolving disputes and ensures processes are in place to enable the EO and others to assess its performance against these targets.	Objective operational KPIs are reported to Ofgem monthly and reviewed through bilateral meetings, they have remained within target throughout the review period. The measures cover timeliness and service effectiveness

		and include; call answer times, correspondence response times, the percentage of initial decisions issued within 6 or 8 weeks of receipt of the case file, the percentage of cases completed within 6 or 8 weeks of the initial decision, and the average number of calendar weeks taken to complete a case from the date it is determined to be within *Terms of Reference*.
b	The EO carries out periodic quality assurance monitoring regarding; (i) dispute handling; (ii) appeals handling; and (iii) complaints handling.	Coaches, experienced case handlers, carry out regular QA checks to review DRE case investigations to assess whether decisions are consistent, fair and impartial, and whether GDPR and information governance requirements have been met. Feedback and, where appropriate, improvement plans are recorded and tracked. Coaches are also subject to quality checks to support consistent standards across the service, and their quality performance reflects the performance of the DREs they manage.
c	The EO publishes information about consumers' satisfaction with the EO.	Consumer satisfaction is published in the *Trust Alliance Group Annual Report*.[35] The 2025 report recorded satisfaction of 84% across Trust Alliance Group services.
d	The EO maintains procedures to use data and insight to drive improvements in consumer experiences and outcomes and look to the future of the energy market.	Consumer experience data, research and emerging-market insight is used to inform continuous service improvements and future service design. Feedback collected at key stages of the consumer journey has informed clearer decision communications and changes to reduce consumer effort during case submission, while monitoring developments in energy markets and technologies helps identify potential gaps in consumer protection.
e	The EO provides information requested by Ofgem or Citizens Advice where the information is required to assess the performance of the EO, its ongoing compliance with the criteria it has been approved against or the performance of regulated providers.	*Section 8.5 of the Memorandum of Understanding* and the recently published *Escalation Framework* enable Ofgem to request additional information needed to assess scheme compliance or regulated-provider performance, with delivery times agreed as appropriate.[41,42]
f	The EO maintains procedures to: (i) identify issues and makes recommendations on improving complaints handling in regulated providers.	The process for identifying issues and making recommendations on improving complaints handling in regulated providers has been applied in practice since the last biennial review, with relevant information reported to Ofgem as described under criterion 08.j.
g	(ii) recommend changes to regulated providers' processes and/or policies where systemic failures are identified in order to promote improved service.	The process for recommending changes where systemic failures are identified has been applied in practice since the last biennial review, with relevant information reported to Ofgem as described under criterion 08.j.
h	(iii)identify a potential breach of regulatory requirements in regulated providers or systemic problems within the industry.	The process for identifying potential regulatory breaches and systemic industry issues has been applied in practice since the last biennial review, with relevant information reported to Ofgem as described under criterion 08.j.

i	(iv) identify overdue remedies in regulated providers and makes recommendations to improve remedy implementation.	The process for identifying overdue remedies and making recommendations for improvements in remedy implementation has been applied in practice since the last biennial review, with relevant information reported to Ofgem as described under criterion 08.j.[43]
j	The EO regularly collects information regarding regulated providers performance and trends in: (i) complaint handling; (ii) issues or systemic failures; (iii) remedy implementation; and reports this information to Ofgem and other key stakeholders where required or agreed, and publishes this information on its website.	*Sections 5.6, 7.2 and 7.3 of the Memorandum of Understanding*, reinforced by the *Escalation Framework*, sets out the requirements for regular reporting of regulated providers performance, trends and emerging issues to Ofgem. These arrangements have been applied in practice since the last biennial review.[11,41]
k	The EO regularly collects information regarding EO's performance, and trends in: (i) dispute handling; (ii) appeals; (iii) complaint handling; (iv) issues or systemic failures; and reports this information to Ofgem and other key stakeholders where required or agreed, and publishes this information on its website.	*Section 8.5 of the Memorandum of Understanding* and the *Escalation Framework* enable Ofgem to obtain additional information on the EO's performance where required. These arrangements have been applied in practice since the last biennial review.[11,35,44]

09. Governance and Independence

Ofgem must be satisfied that the EO is governed by an independent body and enters into agreements with Ofgem such as a MoU.

	Criteria	Assessment
a	The EO reports to a body or person independent of those subject to investigation (this does not exclude their minority representation on that body). The body or person must also be responsible for safeguarding the independence of the person responsible for the EO.	The Trust Alliance Group provides independent oversight of the EO and safeguards the independence of the Chief Ombudsman through the governance arrangements set by the Nominations Committee.[26]
b	The EO maintains a majority of independent members on any Body or Council which appoints the person responsible for the scheme.	The Board is independent of the EO and the regulated providers that are subject to investigation, and appointments are governed by the Nominations Committee.
c	The EO is governed such that those appointing or terminating the appointment of the person responsible for the EO must be- (i) independent of regulated providers that are subject to investigation (this does not exclude their minority representation on the body which is authorised to appoint or terminate); and (ii) employed for a limited tenure.	We are satisfied that the Nominations Committee's governance arrangements set out the selection, independence, experience and tenure requirements applying to those responsible for appointment decisions.
d	The EO ensures that the governance arrangements and fee structure of the EO shall not have a disproportionate effect on any regulated provider.	The EO is funded by regulated providers whose complaints it handles, through a combination of a subscription and case fees. The annual subscription fee is based on the expected fixed costs of the EO, and apportioned based on the size of the

		regulated provider and on case volumes handled over the previous year. The case fee covers the cost of considering a complaint and only differs depending on whether the case is resolved via Facilitated Complaint Resolution[48] or through a full investigation, it is not dependent on the final decision. The fee structure is supported by documented rationale and proportionate safeguards to prevent a disproportionate effect on regulated providers. It also encourages providers to improve in-house customer service and reduce the costs due to the ADR process.
e	The EO ensures that any terms of reference for a scheme, or changes to the terms of reference, are agreed by a body or person independent of those subject to investigation (this does not exclude their minority representation on that body).	Any changes to the Terms of Reference require approval by the independent Board and the Chief Ombudsman.
f	The EO enters into agreements such as a Memorandum of Understanding or similar with other organisations, such as Ofgem, as appropriate.	Established agreements are in place with Ofgem via the *Memorandum of Understanding*, and other relevant partners, including Citizens Advice.[41,42]
g	The EO notifies Ofgem about any changes to the EO, including changes to its rules or procedures, terms of reference or governance arrangements, within 14 days of the change being made. Citizens Advice must also be informed of the changes.	The *Memorandum of Understanding* and established tripartite arrangements support timely notification to Ofgem and Citizens Advice of relevant changes to the scheme.[42]

10. Governance, financial controls and consumer protection

Ofgem must be satisfied the EO have appropriate governance arrangements, financial controls and assurance mechanisms in place to support the effective, efficient and independent discharge of its functions. This includes consideration of whether the EO can demonstrate that its systems, controls and decision-making arrangements protect the interests of consumers.

	Criteria	Assessment
a	The EO has governance arrangements and financial controls in place that support the effective, efficient and independent discharge of its functions on behalf of consumers/	Documented governance arrangements and financial controls support the effective, efficient and independent delivery of the EO's functions.
b	The EO has mechanisms in place to oversee financial performance, expenditure and the management of financial risks.	The EO has documented controls for monitoring financial performance and risks, expenditure, and sustainability.
c	The EO are satisfied that resources are being used efficiently, represent value for money and are directed towards protecting the interests of consumers and delivering positive consumer outcomes/	The documented financial controls and proportionality reviews provide assurance that resources are directed efficiently and support consumer protection and positive outcomes.

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11. Legality

In relation to an alternative dispute resolution procedure which aims at resolving a dispute by recommending a solution on the consumer, the EO ensures that:

	Criteria	Assessment
a	In resolving disputes, the EO ensures that outcomes are consistent with applicable law and do not override or diminish consumer protections that cannot lawfully be excluded or limited.	The EO takes care to protect customers by following and making proper use of consumer protection laws.[45]
b	In resolving disputes, the EO ensures that outcomes are consistent with applicable law and do not deprive consumers of protections afforded by mandatory provisions of consumer protection legislation.	The EO does not put unnecessary barriers or processes in place that make it harder for customers to use their rights.[45]

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Appendix 3. Definitions

“ADR” means Alternative Dispute Resolution.

“Body” means any organisation involved in the ADR accreditation process.

“Chief Ombudsman” means the Chief Ombudsman and Chief Executive of the Energy Ombudsman.

“Complainant” means a customer who has brought a complaint to the Energy Ombudsman for resolution.

The “Complete complaint file” will comprise information provided by the Complainant and the Regulated Provider about the complaint. It will typically consist of

i) the parties’ summary of the facts and issues in dispute;

ii) their opinions as to the merits of the complaint;

iii) any evidence that the parties would like The Energy Ombudsman to consider.

“Dispute” means a dispute concerning contractual obligations arising from a sales contract or service contract where both parties to the complaint are resident in, or established in, the United Kingdom.

“DRE” means Dispute Resolution Executive, is the person who handles and investigates an individual consumer dispute.

“Durable medium” means a letter or an email delivered either by post or electronic medium.

“EO” means The Energy Ombudsman, who is the provider of the ADR Scheme.

“ITOR” means Inside Terms of Reference.

“Person responsible for the EO” means the Chief Ombudsman.

“Regulated Provider” means a company that participates in the Energy Ombudsman ADR scheme.

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