

Response to Smart Meter Implementation Code of Practice

8 March 2013

Smart Meter Implementation Code of Practice

Ombudsman Services' consultation response

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1 Summary

1.1 About Ombudsman Services

The Ombudsman Service Ltd (Ombudsman Services) is a company limited by guarantee that provides ombudsman services for the energy, telecommunications, property and copyright licensing sectors, by appointment or approval from the relevant regulators. It was appointed by the Department for Energy and Climate Change (DECC) to be the ombudsman and investigation service for the Green Deal. We provide dispute resolution and redress to domestic consumers and micro-businesses. Established in 2002, Ombudsman Services now has over 8,900 participating companies and last year we resolved over 18,000 complaints. The company employs around 170 people and has a turnover of just under £8 million.

Ombudsman Services complaints resolution service is free to consumers; it is paid for by the participating companies under our jurisdiction by a combination of subscription and case fee. The participating companies do not and should not exercise financial control over the company. Ombudsman Services' governance ensures that we are independent from the companies that fall under our jurisdiction. The more complaints there are about a company, the more the company pays, ensuring an incentive for the company to improve their customer service.

To help level the playing field between consumers and companies, we have a contact centre which provides information and helps those who have difficulty in making a

complaint. We achieve proportionality by providing alternative dispute resolution through different processes, from early resolution to Ombudsman Services decision.

2 Specific response to the questions

2.1 Response to consultation questions

Ombudsman Services welcomes the opportunity to respond to Ofgem's consultation on the Smart Meter Implementation Code of Practice (SMICOP). The response to the questions is below.

Question 1: What are your views on the smart metering-specific accreditation and training requirements that should be set out in the (SMICOP)?

As this relates to the training and accreditation of staff then Ombudsman Services does not wish to comment on this matter.

Question 2: Is 'greater than two working days' an appropriate and reasonable notice period in the context of clause 2.7.9?

Ombudsman Services considers that given circumstances of a consumer can change dramatically within two days; it is our view that the current requirement of two days' notice of a cancellation is appropriate and should not be extended.

Question 3: Should the SMICOP specify that suppliers must inform customers during the pre-installation period of any charges that could be applied if the customer were to cancel or reschedule an installation visit?

Yes; in order to safeguard the implementation of the smart meter programme and ensure transparency, Ombudsman Services considers that suppliers must inform customers during the pre-installation period of any charges that could be applied if the customer were to cancel or reschedule an installation visit.

Question 4: Should the SMICOP specify that suppliers must inform customers during the pre-installation period, and before any installation appointment is agreed, that they are entitled to request a timed appointment as defined by the existing requirements of the Electricity (Standards of Performance) Regulations 2010 and the Gas (Standards of Performance) Regulations 2005?

Yes; consumers, particularly those who are vulnerable, would benefit from a timed visit in line with the existing requirements of the electricity and gas regulations (ie a two hour time slot). It is Ombudsman Services' view that a requirement should therefore be placed on companies to notify consumers they are entitled to a timed appointment slot.

Question 5: Should the SMICOP require suppliers, when they are seeking prior consent from a domestic customer to engage in face-to-face marketing at the installation visit, to tell these customers explicitly that they have no obligation to receive such marketing?

Vulnerable consumers may feel pressured into making decisions. Ombudsman Services agrees that when companies are seeking prior consent from a domestic customer to engage in face-to-face marketing at the installation visit, they should tell customers explicitly that they have no obligation to receive such marketing.

Question 6: Should the SMICOP require suppliers, when obtaining prior consent from a domestic customer to engage in face-to-face marketing at the installation visit, to notify the customer of the types of products and services that may be discussed during a marketing conversation? For example, a supplier seeking to market both energy tariffs and energy efficiency products would need to specify that both types of product may be offered.

Yes; as suppliers may be dealing with vulnerable consumers, the code of practice should be required to notify the customer of the types of products and services that may be discussed during a marketing conversation.

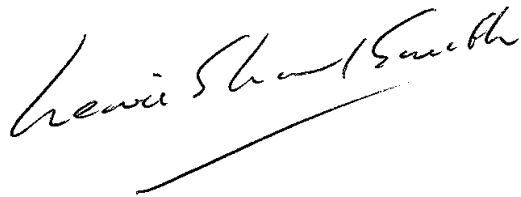
Question 7: Should the SMICOP require suppliers to maintain an auditable record of instances where a customer requests that the supplier contacts them at a future date to conduct marketing or sales activities?

Ombudsman Services believes that suppliers should be required to maintain an auditable record of instances where a customer requests that the supplier contacts them at a future date to conduct marketing or sales activities for clarity and for transparency of the implementation programme.

Chapter 3

Question 8: Do you have any views on whether it is practicable for additional information to be included in the SMICOP on the costs to suppliers of fulfilling the code requirements around monitoring and compliance?

The SMICOP may, depending on the outcome of the Retail Market Review, extend the coverage of the code of practice to small businesses rather than just micro businesses.



Lewis Shand Smith
Chief Ombudsman

8 March 2013