



Barry Coughlan
Domestic Retail Policy
Ofgem
9 Millbank
London
SW1P 3GE

2 October 2014

Dear Barry,

**Response to Ofgem's consultation on domestic third party intermediaries:
Confidence Code and wider issues**

The Citizens Advice Service welcomes the opportunity to respond to Ofgem's consultation on domestic third party intermediaries (TPIs). Our response is not confidential and can be published on your website.

Developments in the energy market with innovations such as the Green Deal, smart meters and microgeneration as well as the development of the MiData programme mean that more sophisticated TPIs will emerge. These new TPIs will sell energy supply contracts alongside a wide range of energy management services including energy efficiency measures, demand side response services, data management and microgeneration services to consumers. These services are currently much more prevalent in the non-domestic sector however we believe that they will grow in the domestic sector as smart meters allow TPIs to engage with domestic consumers on a more sophisticated and individual level. It is also possible for TPI services to offer consumers services that would combine energy use with data from other sources, for example volunteered health data, open data on company performance or data held by other organisations and agencies, for example on entitlements to particular benefits or discounts. Alongside these developments, the Confidence Code (the Code) will need to be able to interact with other related services such as Green Button style / MiData initiatives.

We support Ofgem's vision that 'domestic consumers are empowered to engage confidently with the energy market, assisted by an innovative range of good quality, trusted intermediary services.' We agree with the regulator that TPIs should be able to innovate and provide useful services, while ensuring consumers are protected. Ofgem highlights the evolving landscape of the TPI market and notes how services, such as price comparison websites have established themselves as key source of information assisting consumers' purchasing decisions. The development of newer

offers such as power of attorney services is also of increasing significance. With all the changes that are likely to impact on the TPI landscape we share Ofgem's view that there is great potential to empower consumers and importantly there is a need to develop a coherent regulatory approach in this market.

Our work over the last few years in the domestic TPI market includes research on collective switching,¹ consumer experience of price comparison websites,² next generation intermediaries (NGIs)³ and engagement with service providers to understand the emerging issues, as well as having had responsibility for managing the Confidence Code between 2002 – 2013.

We believe Ofgem is right to focus on the principles of independence, reliability, transparency and accuracy for TPI services, not least as the Citizens Advice Service has long been concerned about the existing TPI market in both the domestic and non-domestic sector. We have carried out research examining both the detriment to consumers and options for greater regulation in this area.⁴ These principles reflect the kind of TPIs we want to see in the energy market as they can serve as the criteria against which the design of any regulatory framework is assessed.

We welcome Ofgem's proposals to strengthen the protections the Confidence Code provides. The Citizens Advice Service also shares the regulator's aim to ensure the Confidence Code reflects recent and potential future market changes so it remains fit for purpose. In our response to Third Party Intermediaries: exploration of market issues and options⁵, we stated that we would like to see an Ofgem-run accreditation scheme for TPIs accompanied by a new licence requirement on suppliers requiring them to only deal with accredited providers.

As Ofgem notes the Confidence Code only applies to online price comparisons and not to the telesales operations run by the accredited sites. As a minimum, we would like consumers to receive the same level of protection and access to redress regardless of how they engaged with a TPI. We would like to hear further about the regulator's plans for the telesales interactions of TPIs. We are especially keen to hear about Ofgem's upcoming work on how to engage the more vulnerable or harder-to-reach members of society via face-to-face sales activity by price comparison websites, and the regulator's proposals to close the current protection gap.

¹ <http://www.consumerfutures.org.uk/files/2014/01/Consumer-sentiment-towards-collective-switching-DJS-Report-for-Consumer-Futures1.pdf>

<http://www.consumerfutures.org.uk/files/2013/09/Collective-switching-04.07.13.pdf>

<http://www.consumerfocus.org.uk/files/2012/04/Consumer-Focus-Get-it-together.pdf>

² <http://www.consumerfutures.org.uk/files/2013/07/Price-Comparison-Websites-Consumer-perceptions-and-experiences.pdf>

<http://www.consumerfutures.org.uk/files/2013/05/Comparing-comparison-sites.pdf>

³ <http://www.consumerfutures.org.uk/files/2014/01/Next-Generation-Intermediaries.pdf>

⁴ Citizens Advice and our predecessor bodies energywatch, Consumer Focus and Consumer Futures ran the Confidence Code, a voluntary co-regulation scheme for domestic price comparison sites until its transfer to Ofgem in April 2013. We are also very involved in the current development of a code of practice for non-domestic TPIs

⁵ <http://www.consumerfutures.org.uk/files/2013/05/Consumer-Futures-response-to-Ofgems-TPI-consultation.pdf>

The consultation document highlights that some TPI services are operating across sectors. We are pleased to hear that Ofgem are now considering energy sector TPIs within the broader context of wider regulatory and policy scrutiny. From a consumer perspective, it is better to have a joined up approach to consumer protection, assuming the protection framework is based on the sector that presently offers the most comprehensive level of consumer protection. Therefore we are glad that Ofgem will be working with the CMA, UKRN and government, where necessary, to ensure a joined up approach for ongoing work. We believe that the TPI work stream would benefit from a joined up approach, with Ofgem and other regulators developing solutions that can work across different markets.

Question 1: Do you agree with our summary of the current domestic TPI landscape? In light of recent developments in TPI services, are there other important factors we should be taking into account?

We broadly agree Ofgem's assessment of the current domestic TPI landscape.

One of the key areas where we believe further clarification is needed is around emerging TPIs models, and how these new services and innovative approaches will fit in with the future regulatory framework. Work carried out by Consumer Futures earlier this year on NGIs intimates that we are going to see in the near-medium term a variety of innovative services that bring a much greater convenience to consumer engagement with the energy market. As stated in our response to *Third Party Intermediaries: exploration of market issues and options*, the key challenge for Ofgem will be to develop a regulatory framework that both anticipates these developments, is flexible enough to respond to them and can ensure that the right consumer protections are in place.⁶

We are keen to hear how Ofgem will be monitoring the development of the TPI market and how they will identify when and what regulatory interventions are required.

We note that Ofgem intend to take forward the proposals to put in place a mandatory code of practice for non-domestic TPIs. We feel that this is inconsistent with Ofgem's approach to the domestic market. The Citizens Advice Service would like to see an Ofgem-run accreditation scheme for all TPIs accompanied by a new licence requirement on suppliers requiring them to only deal with accredited providers. We believe this approach offers greater consistency and will deliver the best outcome for consumers.

Thought should also be given to how this work intersects with work examining how the smart metering data communications company (DCC) will work in the future with regard to accrediting, auditing and managing DCC users, many of whom will be TPIs. A critical element of all this will be to ensure any regime remains accessible to TPIs and does not create too high a barrier to entry into the TPI market.

⁶ <http://www.consumerfutures.org.uk/files/2013/05/Consumer-Futures-response-to-Ofgems-TPI-consultation.pdf>

Question 2: Does the definition exclude services you would expect to be covered? If so, how might it be adjusted to accommodate them?

While we agree with the proposed definition for domestic TPIs we believe it would be helpful for Ofgem to further clarify what is in and out of scope of the TPI definition to ensure there is no confusion.

It is also worth highlighting that suppliers are likely to start offering their own TPI-style services. These should be treated as any other TPI services would and be distinct from the supplier relationship.

Question 3: Would this definition include services you wouldn't expect in light of our TPI vision statement? Why do you think these services should be excluded?

As stated in the previous question we are happy with Ofgem's proposed definition for domestic TPIs. We think the regulator should clarify the situation where there is a contractual agreement in place. For example, we agree that it make sense that the definition of TPIs should not include the current advice and information services provided by charitable organisations such as Citizens Advice consumer service and the Home Heat Helpline. This, however, would need to be reviewed if these types of bodies decided to enter into contractual or commercial partnerships with TPIs.

Question 4: Do you agree that domestic intermediaries should provide an independent, transparent, accurate and reliable service to their customers?

We believe it is vital that consumers are able to engage confidently in the market and make well-informed decisions, assisted by good quality, trusted TPIs. These services should adhere to the four principles outlined in the consultation document.

Question 5: Are you aware of potential challenges for particular types of TPI models in embedding any of the principles? How might these challenges be addressed?

We believe all TPI models should be able to embed Ofgem's identified principles of independence, transparency, accuracy and reliability.

Question 6: Are you aware of barriers to effective information exchange between suppliers and TPIs which impact on services to consumers? If so, how might these barriers be addressed?

The Citizens Advice Service stated in our response to the consultation *TPIs: exploration of market issues and options* last year, a key barrier to TPIs looking to

enter the energy market is acquiring access to current and historical tariff data.⁷ As part of the Confidence Code consultation exercise in 2010, we sought the industry's interest for the development of a central repository of tariff data. There was little enthusiasm for the proposal from respondents. We are aware that this lack of access to tariff data continues to be a barrier to new TPIs. We have previously made a suggestion to address the issue; for Ofgem to establish a standing information request to all suppliers requiring them to make available all tariff information along with details of any new tariff launches in a standardised proforma. Ofgem could hold this information on its website and supply it free of use to any provider or consumer looking to utilise this data.

As Ofgem highlights, a solution needs to be found. Otherwise this barrier will restrict the development of new intermediary services, and therefore will impact on consumers' ability to engage and choice. While we recognise that some TPIs view the historical tariff databases they hold as commercial products, it is more important that we can be assured that consumers are able to obtain accurate quotes. A central database would help achieve this.

We are therefore pleased that this issue is being explored further with suppliers and service providers, as it has been an ongoing concern.

Question 7: What are the specific challenges which you think exist in providing face-to-face services? What are the causes of these challenges and what is their impact on consumers?

Ofgem will be aware of the Citizen Advice Service's longstanding concerns with doorstep sales in particular. We published the End of the Road report⁸ in July 2011, which called on all suppliers to end unsolicited doorstep sales. All of the major suppliers ceased doorstep sales between 2011-2012. Our report was based on consumer research which found that only 4% of consumers had a positive view of doorstep selling by energy suppliers. The research also stated that 79% of consumers wanted booked appointments before a doorstep sales visit. We suspect that consumer interest in unsolicited doorstep sales is unlikely to have increased since the report was published.

If TPIs are interested in engaging in the face to face sales channel, then the Citizens Advice Service believes it is appropriate to expand the Confidence Code to cover these types of interactions. Extending accreditation to encompass face-to-face activity will protect consumers and provide reassurance that it is safe to engage with this sales channel.

There are risks involved when TPIs become involved in interactions with consumers which are not easily controlled, such as face-to-face activity. Historically consumers who have acquired their energy supply via face-to-face sales, particularly unsolicited doorstep sales, have been disproportionately affected by poor sales techniques and mis-selling, additionally these consumers are more likely to have a low income

⁷ <http://www.consumerfutures.org.uk/files/2013/05/Consumer-Futures-response-to-Ofgems-TPI-consultation.pdf>

⁸ <http://www.consumerfocus.org.uk/files/2011/07/The-end-of-the-road.pdf>

and/or lack access to the internet. Therefore it is vital that face to face activities (and telephone interactions) are covered by consumer protection safeguards.

Face-to-face engagement can be an important factor to help increase consumer engagement levels. It is a successful way of connecting with potential consumers, in particular in communicating with vulnerable and disengaged consumers. For example, schemes like the Citizens Advice Service run Energy Best Deal events are essential to give consumers the right information and skills to enable them to participate in the market; especially older more vulnerable consumers who want to check their energy deal but do not have the skills and confidence to do this alone.

There is emerging evidence that face-to-face interaction works well with encouraging non traditional switchers to engage with collective switching schemes.⁹

Many consumers will continue to need additional assistance, either by face-to-face communications or by telephone interactions, in order to help them effectively navigate the market. It is essential that these consumers receive accurate and transparent information otherwise their confidence in this process could be irreparably harmed.

Question 8: We have identified information exchange and face-to-face services as priority areas for our consideration. Are there other areas you think we should be focusing on in the near future?

We agree that these two areas should be considered as a priority by Ofgem. As we outlined in our response to Question 6 we think that Ofgem should hold supplier tariff information on its website and supply it free of use to any provider or consumer looking to utilise this data. As previously mentioned we would also like to hear further about the regulator's plans for the telesales interactions of TPIs as these are not currently covered by the Confidence Code.

Question 9: What are your views on our proposal to increase the transparency of sites' commission arrangements with suppliers and the impact this has on the results a consumer will see?

The Confidence Code already states¹⁰ that 'the service provider must clearly identify on its website each supplier with whom the service provider has a commission agreement' and that a 'single list must be displayed on, or be accessible from, the price comparison pages.'¹¹ We note that Ofgem states that the reason for the new proposal for the list to be within two clicks of the energy homepage is to be in line with wider industry practice, so as to allow information to be appropriately tiered when displayed to consumers.

⁹ Many schemes have been promoted to vulnerable and disengaged consumers and figures from the service provider iChoosr show that in their auction carried out in February 2014, 34.8% of the vulnerable group of consumers made the switch to the winning supplier

¹⁰ Requirement one (B)

¹¹ Requirement one, guidance note 5

We support the proposal that service providers should clearly explain how their commission arrangements influence the results a consumer will see, encompassing any default or optional filtering sites have in place. We agree with Ofgem that giving consumers' information about the amount of commission that sites receive from suppliers would not be beneficial at this stage.

Question 10: Do you agree that sites should direct consumers to the sources of independent advice identified? Are there other sources you would suggest?

Yes. We agree with Ofgem's proposal for sites to provide clearly identified links to the websites of the Energy Saving Trust, Energy Company Obligation, and the government's energy grants calculator. It is important that consumers, particularly the vulnerable, are aware of and get the help that they are entitled to regarding bills and energy efficiency. We also believe it would be beneficial if sites could direct consumers via a link to our company performance statistics (see response to Question 15) so they have access to comprehensive, independent information about service quality.

Question 11: Do current requirements (within the Code or more widely) or supplier practices put unnecessary restrictions on sites' business models? If so, what changes could be made to allow greater flexibility?

Independence is one of the key principles of the Confidence Code. We share Ofgem's concern that if sites were to promote particular tariffs or energy products this may devalue consumers' understanding of, and trust in, the independence of the results the accredited sites currently provide.

Question 12: Should there be a central repository of information for prepayment customers? Who should fill this role? And in what way could sites facilitate the provision of this information to consumers?

First of all, ensuring that there is consistent prepayment (PPM) tariff information on accredited sites is key. This has been an issue of longstanding concern of the Citizens Advice Service. When we have previously raised this with sites, we have been told the reason was supplier unwillingness to acquire new PPM customers via this channel. Whilst we would ideally like to see all suppliers willing to acquire new PPM users via this channel, it would represent an improvement if all sites provided more comprehensive information about PPM tariffs on their websites. This would help consumers carry out an accurate price comparison and they could contact suppliers directly.

The Citizens Advice Service has launched a new campaign, fair play for prepay, which is about ensuring prepayment meter users are able to benefit from the same level of service, choice and control as other energy consumers.¹²

We would be keen to provide additional information to help assist prepayment meter customers on adviceguide.org.uk and would be happy to work with Ofgem on this matter.

Question 13: What timeframe would you propose for implementing our proposals in relation to site independence?

Site development timeframes differ from one site to another. In order to allow sites the necessary time to implement the proposals for site independence we would suggest a six week timeframe.

Question 14: Do you agree with our proposal to increase consumer awareness of the availability of whole of market comparisons? Are there better alternatives?

It is crucial that consumers are aware that a whole of the market comparison can be made as this will instil confidence that the sites are acting in an unbiased way. We support Ofgem's proposal to increase consumer awareness of the availability of the whole of market comparisons and think it needs to be clear to consumers what they are looking at in regards to the results pages. Our research on comparing comparison sites has shown that performance standards of comparison sites varied with regards to the reliability and transparency of the information provided.¹³ Additionally we believe it would be helpful to a consumer if there was an explanation that you are able to get a 'whole of the market' comparison at the point before you are presented with the results pages for those sites who default to show only those tariffs from suppliers with whom the site has commission agreement. As Ofgem points out the way that some of sites explain their default option is confusing and in some cases somewhat ambiguous. We agree that this is not in the spirit of the Confidence Code requirements and suggest that any default option is clearly explained and the wording used by sites should be signed off by Ofgem.

Question 15: Do you agree with our proposal to allow sites to compile their own supplier ratings? Are there factors other than those set out that sites should consider when formulating their ratings methodology?

The Citizens Advice Service is pleased that Ofgem recognises that supplier ratings can be an engaging way of presenting information to consumers. Whilst price

¹² http://www.citizensadvice.org.uk/index/campaigns/current_campaigns/fairprepay.htm

¹³ <http://www.consumerfutures.org.uk/files/2013/05/Comparing-comparison-sites.pdf>

continues to be the key driver for consumers' switching decisions¹⁴, independent rankings of supplier performance can help consumers make an informed switching decision. It is for this reason that the Citizens Advice Service is currently consulting on plans to extend the current company performance league table to cover the independent suppliers. Our league table has been influential in highlighting the performance of the big six suppliers since 2009, with suppliers competing to improve their performance in our rankings.

Our league table is based on a basket of measures from independent sources. Once we have completed the consultation, we would be interested in engaging with Ofgem and switching sites on the possibility of using our company performance league table on all accredited sites to provide a consistent picture of energy supplier complaint handling performance.

Whilst we recognise that some switching sites may wish to publish their own ranking system, we are concerned that different methodologies will mean varying results across the sites publishing supplier ratings. Evidence from our work suggests that inconsistent data can have a severe negative impact on consumer understanding and engagement with the energy market and the switching process. Our preference would be for all sites to use the same methodology to provide uniformity across all sites.

We strongly agree with Ofgem's requirement to have a switching site's proposed methodology for compiling rankings to be formally 'signed off'. Sites should also clearly explain how the ratings have been compiled and ensure consumers fully understand the information.

Question 16: Do you think there is benefit in exploring further the criteria for filtering or categorising green and environmental tariffs on comparison sites? Do you have suggestions for the best way to define these criteria?

Due to there currently being no tariffs accredited under the Green Supply Certification Scheme we agree it is sensible to remove the Code requirements relating to the scheme.

We think it would be beneficial to explore further criteria for filtering or categorising green and environmental tariffs. Consumers wishing to choose a greener tariff should be able to specify this choice when using a TPI to find a new tariff or new supplier. However it should be made clear to the consumer that they may pay a premium for a green or environmental tariff.

¹⁴ <https://www.ofgem.gov.uk/ofgem-publications/88375/customerengagementwiththeenergymarket-trackingsurvey2014finalpublished2662014.pdf>

Question 17: What timeframe would you propose for implementing our proposals in relation to site transparency?

We propose a six week timeframe would be sufficient in order to make the changes regarding site transparency.

Question 18: Do you agree with our proposal for sites to use the Personal Projection methodology when calculating the cost of a tariff?

We support Ofgem's proposal for sites to use the Personal Projection methodology when calculating the annual cost of both current and new tariffs. It seems sensible that the Personal Projection methodology should be used by sites, not just suppliers, as the figure will be on bills and other communications, therefore consumers will become familiar with it and in turn make it easier to compare tariffs.

Question 19: Do you agree with our proposal to require sites to display a Tariff Information Label for each of the tariffs on their site?

Yes. We believe that all sites should include the Tariff information Label for each tariff they display as this approach will ensure tariff information is shown across sites in a consistent way. The Tariff Information Label should also assist with addressing previously poor coverage of PPM information on sites. The promotion of PPM tariffs by suppliers via Price Comparison Websites (PCWs) has been limited as suppliers have not been interested in acquiring additional customers this way.

Question 20: Should we seek to ensure consistency of tariff cost results across the industry? Or should we allow room for suppliers and TPIs to differentiate by adopting their own methodologies?

As Ofgem notes in the consultation document, research has shown that consumers are concerned about the inconsistency of results across sites and across industry. They are primarily interested in accuracy and reliability of results. Consumers often cross reference price comparison sites when comparing prices so they do value seeing the consistency of tariff costs results.

The Citizens Advice Service stated in our response to Ofgem's consultation on protecting consumers in collective switching schemes that we had recently become aware that there is a problem with PCWs and the Personal Projection when a consumer comes off a fixed term tariff. There is no industry standard for how the seasonality factor should be treated, which is resulting in inconsistent results being displayed on PCWs.¹⁵ We believe that this issue needs to be addressed urgently and a mandated solution delivered by the regulator. Our key concern is that it could risk undermining consumer confidence in PCWs and collective switching schemes.

15

http://www.citizensadvice.org.uk/index/policy/policy_publications/er_fuel_water_post_digital_telecoms/cr_fuel_water_post_digital_telecoms/response_ofgem_consumers_collective_switching_scheme.htm

Therefore we believe it would be beneficial to ensure consistency of tariff cost results across industry. We recognise that there is the issue of how to allow for innovation; however our experience is that innovation equals inconsistent results. If Ofgem can find a way to allow for innovation and consistent results then this is something we would support.

Question 21: What timeframe would you propose for implementing our proposals in relation to site accuracy?

We would suggest a three month timeframe in order to make the changes regarding site accuracy.

Question 22: Do you agree that we should introduce principles from the complaints handling standards into the Code? Are these the right principles to introduce?

We believe that all sites should operate an effective complaint handling process. We share Ofgem's concerns that some sites' current complaints handling may be inadequate and think introducing principles from the energy industry's existing Consumer Complaints Handling Standards is the best approach.

Question 23: Do you support our proposal to introduce messaging and links to Warm Home Discount information as a requirement of the Code? Do you have specific views regarding where and how this information should be presented to consumers?

We agree that sites should provide a reliable service to all types of consumers. Introducing messaging and links to Warm Home Discount (WHD) information as a Code requirement seems to be a sensible suggestion.

There is a risk that asking the consumer up front during the switching process whether they are in receipt of the WHD may cause confusion or introduce an element of doubt, and therefore may potentially put some consumers off switching. Bearing in mind that it is likely that only a small amount of consumers will be affected. We agree with the proposal that sites should flag the potential loss of the WHD where they recommend to a consumer a supplier who is not involved in the scheme. The failure to do so may wipe out any savings the consumer would make and result in misinformed switching decisions.

The longer-term solution to this would of course be to create uniformity across all suppliers in the operation and distribution of WHD. Especially given the recipient target group and the potential confusion and loss the current arrangements create.

Question 24: Do you agree that we should set up a working group to discuss site accessibility guidelines?

Setting up a working group to discuss exploring guidelines for measuring sites' accessibility seems to be a reasonable idea. We agree it is important for sites to be perceivable, operable, understandable and robust.

Question 25: What timeframe would you propose for implementing our proposals in relation to site reliability?

We suggest a timeframe of three months in order to implement the proposal relating to site reliability.

Question 26: Do you agree with our proposals to allow a broader range of comparison sites to become accredited under the Code?

Consumers will benefit from an expanded Code as long as unaccredited sites sign up to become members of the Code. It should then lead to increased consumer engagement and confidence in the market and therefore more consumers being protected under the framework the Code provides.

We would like to see an Ofgem-run accreditation scheme for TPIs accompanied by a new licence requirement on suppliers requiring them to only deal with accredited providers. We consider that this approach will deliver the best outcomes for consumers. Currently, three of the big four price comparison sites¹⁶ are not members of the Code. Citizens Advice research indicates that consumer awareness of accreditation schemes run by regulators is low, with only 16 per cent of consumers declaring knowledge of these. However, the same research also shows that consumers would see the value in adding an extra level of trust and assurance in these services as 38 per cent of consumers that were unaware of the accreditation scheme.¹⁷ This evidence shows clearly that if accreditation is to have its desired effect in increasing consumer participation then it is crucial that the regulator makes accreditation mandatory for all PCWs. Additionally, Ofgem must also promote the scheme and ensure consumers are aware that services they are dealing with are reputable.

Question 27: What challenges and benefits do you envisage if we were to expand the Code to cover mobile apps? And follow-up prompt services?

If Ofgem were to expand the Code to cover mobile apps one of the challenges would be regarding space and how the results are presented on the screen. We note

¹⁶ Confused, Gocompare and Comparethemarket

¹⁷ <http://www.consumerfutures.org.uk/files/2013/07/Price-Comparison-Websites-Consumer-perceptions-and-experiences.pdf>,

Ofgem's concerns on the issue of how to allow for innovation and the development of new services.

The benefits of expanding the Code to cover mobile apps would be that more consumers would be covered by the protections the Code offers.

We are of the view that follow-up prompt services should be brought within the scope of the Code. We are in agreement with the requirements proposed by Ofgem in the consultation document.

Question 28: Do you have suggestions as to how best to increase awareness of the Code among consumers?

This question was asked during the consultation exercise carried out by Consumer Focus in 2009/2010. Suggestions then included trying to raise the profile of the Code and accredited sites through various media channels including press, television and radio. We note that Ofgem is attempting to increase awareness of the Code with its Go Energy Shopping initiative.

Take up of Ofgem's accreditation scheme is low amongst the so called Big Four PCWs, which have around 85 per cent share of consumer take up. Presently only one of the Big Four – Moneysupermarket – is approved by Ofgem's accreditation scheme. There needs to be effective promotion of the accreditation scheme so consumers are aware of the benefits of using an accredited provider.

Question 29: Do you agree that we should appoint a single auditor and pass through the costs to sites? Are there better alternatives for achieving this?

We agree with the regulator that the approach of selecting a single auditor and filtering the costs through to sites seems to be the most sensible option. When Consumer Focus had responsibility for managing the code, the audit of sites was self-funding. At the time, sites were happy with this approach and found it to offer value for money.

Question 30: Do you agree with the proposed changes to the Code audit, enforcement and compliance, and change processes?

There should be a clear process in place for determining what represents poor performance, or the changes that sites should take to rectify errors or risk losing their accreditation. We are in agreement with Ofgem's proposal to develop a robust marking system against all Code requirements to enable sites to be provided with an overall audit rating.

The proposals regarding compliance and enforcement seem like a sensible approach to take. We agree that there should be a clear process for escalating and

resolving compliance issues. We support the proposed Code change process and the establishment a regular forum to discuss potential changes and other issues.

Yours

Jenni Lucas-Williams
Policy Manager