

Barry Coughlan
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Ofgem
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Dear Barry

Proposed drafting for the Confidence Code to reflect January 2015 policy changes

Thank you for providing an opportunity to comment on Ofgem's proposed changes to the Confidence Code (herein 'the Code') for price comparison websites.

British Gas welcomes Ofgem's decision to reconsider the changes proposed to the Code in October 2014 and, in particular, to strengthen the provisions relating to commission transparency. These are important issues for domestic consumers, and for broader trust in the market, and Ofgem's latest proposals represent progress. Consumers should understand what tariffs they are seeing and whether the site will earn commission for a switch to that tariff.

We have noted some elements of the proposed Code which could be better expressed to achieve Ofgem's stated policy objectives. We offer alternative wording in Appendix A.

We recognise that Ofgem wants to make changes to the Code as quickly as possible and has therefore deferred some decisions until the summer. For instance, Ofgem has committed to consider whether to allow switching sites to claim Code accreditation via a third party. More broadly, we believe it is necessary to keep the Code under ongoing review in order to take account of current and future market developments, including how the role of third parties might evolve as practices, technology and consumer needs change over time. For instance, Ofgem may wish to consider extending the Code to cover the telephony sales of switching sites and any face-to-face sales activity that sites may undertake in the future.

We recognise the importance of maintaining consumer trust and protection in the price comparison sector. To this end, Ofgem may also wish to consider the relative benefits and costs and proportionality of moving from a voluntary Code to licensing.

Please let me know if you have any questions or would like to discuss further.

Yours sincerely

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Appendix A

We propose the following wording changes:

Section	Current wording	Proposed wording	Rationale for change
5(G)	(G) Where a Service Provider does not display all the results as a default, the Service Provider must, at the point of filtering: i. require consumers to actively choose whether they wish to view all the results or only tariffs they can switch to via the Service Provider's Price Comparison Service; and ii. ensure that messaging around this choice is prominent, clear and intelligible, so that consumers are aware what view of the market they will see on the results page.	(G) Where a Service Provider does not display all the results as a default, the Service Provider must, at the point of filtering: i. require consumers to make an active and informed choice whether they wish to view all the results or only tariffs they can switch to via the Service Provider's Price Comparison Service; and ii. ensure that messaging around this choice is prominent, clear and intelligible, so that consumers are aware what view of the market they will see on the results page	Consumers should be fully informed about the consequences of choosing to restrict the number of tariffs provided.
5(H)	(H) Where all the results are not shown to the consumer, the Service Provider must, on the results page: i. ensure that the consumer can quickly and easily access the page that shows all of the results without re-entering their details or going back to a previous page or link; and ii. provide a clear and intelligible statement prominently on the results page explaining that the consumer is seeing a partial market view on the results page, and that they are able to access all of the results.	(H) Where all the results are not shown to the consumer, the Service Provider must, on the results page: i. ensure that the consumer can quickly and easily access the page that shows all of the results without re-entering their details or going back to a previous page or link; and ii. provide a clear and intelligible statement prominently on the results page explaining that the consumer is seeing a partial market view on the results page, what role, if any, commission has in shaping this view , and that they are able to access all of the results.	Consumers should be aware what effect, if any, commission has on the restricted tariff view.
6(D)	(D) If a Service Provider plans to apply any supplier ratings for the first time, or if it plans to amend any existing supplier ratings methodology, it should provide Ofgem with evidence and an explanation of how its methodology meets the principles in (C).	(D) If a Service Provider plans to apply any supplier ratings for the first time , or if it plans to amend any existing supplier ratings methodology, it should provide Ofgem with evidence and an explanation of how its methodology meets the principles in (C).	All switching sites that make use of supplier ratings should provide Ofgem with evidence and an explanation of how their methodology meets the principles of the Code. The same rules should apply to new and existing sites.