



Priority Services Register Review – Final Proposals

Response from E.ON

1.1 **Question 1: Do you agree with our final proposals for enhancing eligibility and customer identification and the associated proposed licence conditions?**

- 1.2 The main purpose of the Priority Services Register (PSR) is to ensure basic protection for customers who require a consistent supply based on their circumstances. We agree that there should be a minimum level of protection afforded to these groups of customers according to their needs. We agree that consideration and support should be given to customers in vulnerable situations with specific needs.
- 1.3 The draft Standard Licence Condition (SLC) 26.1 (a) makes reference to ‘a vulnerable situation’. The register should be for customers who meet the personal characteristics definition. Including this term leaves room for the definition becoming too wide, slightly vague and there may not be an appropriate PSR category under which to record the specific vulnerable situation. This will result in poor data quality and suppliers including a large percentage of customers as having a priority need; possibly leading to:
- a) Increased costs on suppliers in trying to manage and support these customers,
 - b) Customers who are most at risk may not be afforded the care and support they require and;
 - c) DPA challenges may arise in determining which customers it is and is not appropriate to share data on and what information is appropriate to share.
- 1.4 SLC 26.1 (b) refers to ‘all reasonable steps’. Energy companies should take reasonable and proportionate steps to identify customers and offer appropriate services, however in taking ‘all reasonable steps’ there is a fine line between asking further question in response to a trigger and being intrusive. Suppliers should not ask questions just because a customer is on phone but rather ask when there are triggers to believe customers are in a vulnerable situation.
- 1.5 We believe that ‘all reasonable steps’ is broad and subjective. The requirements for suppliers to implement are also not clear. Ofgem’s proposal suggests that suppliers should take ‘reasonable steps’ to identify eligible customers; however the draft SLC requires ‘all reasonable steps.’ Keeping it as ‘reasonable steps’ is enough to achieve the desired objective.
- 1.6 When the term ‘all reasonable steps’ is combined with ‘maintain’ in SLC 26.1 (a), all reasonable steps is disproportionate.

2.1 **Question 2: Do you agree with our final proposals for amending the PSR services and the associated proposed licence conditions?**

- 2.2 We support changes to the PSR services to ensure equal outcomes for safety, access and communication needs.
- 2.3 SLC 26.5 (a) refers to ‘relevant distributor’. In emergencies third party support will be drafted in and we have no control over who goes out to the customer’s property and whether the Distribution Network Operator and/or the Gas Distribution Network have given them the password and they use it. Our suggestion is to remove the reference to ‘relevant distributor’ and



implement changes to the Distribution Licence Conditions to reflect that the password scheme should be used to enable customers to identify representatives of the distributor.

- 2.4 SLC 26.5 (b) refers to 'their consent'. It is not clear whether 'their' is referring to the customer or nominated person that needs to give consent. If it is the nominated person the customer should obtain the consent of the third party. The onus should not be on the supplier to chase this up and check for consent. In the event we can't get hold of the other party it is unclear how we would be expected to manage the request to send communications to the other party.
- 2.5 SLC 26.5 (c) Should be amended to make reference to any other members of the customer's household.
- 2.6 SLC 26.5 (e) needs to make reference to the nominated person mentioned in SLC 26.5 (b). Also the wording needs to be specific to those who meet the personal characteristic definition i.e. visual and audio impairment. There needs to be more clarity on how far 'accessible format' will stretch to and whether this will include different languages. If so how many will be considered practical for suppliers will need to be explored as this may have cost implications.
- 2.7 SLC 26.5 (f) does not need to be included as this is covered by Standards of Conduct (SoC) 25C.4 (c) (iii) where it is a requirement to have customer service arrangements that are fit for purpose to meet the objective of SoC. The equality act will pick up some of this too.
- 3.1 **Question 3: Do you agree with our final proposals for recording and sharing information about customers in vulnerable situations and the associated proposed licence conditions?**
- 3.2 We are supportive of the proposal for gas networks to maintain a PSR. A more consistent process for recording and sharing data across the industry should improve the overall customer experience.
- 3.3 The introduction of two way data sharing will require significant IT changes for the industry; therefore we welcome a phased process for introducing this change. Changes to the relevant industry codes will determine implementation timescales.
- 3.4 SLC 26.2 refers to taking 'all reasonable steps' when obtaining customer consent however, consent must be given freely. Taking all reasonable steps suggests we may need to be more forceful or persuasive. We believe that the Information Commissioner's Office would need to have input and take a view on this part of the drafting.
- 3.5 SLC 26.2 also refers to 'informed consent'. We would urge Ofgem to consider making the sharing of data of certain needs codes where a safety need arises permissible without consent. This ensures our highest risk customers are considered during a supply outage. For consent to be informed we need to be absolutely clear on how the data will be processed and onwards processed. Once this is established processing must not deviate from this.
- 3.6 It is unclear on how suppliers would be expected to manage data where a customer is happy for some of their vulnerability indicators to be shared but not others. Where the need is not safety related, being able to articulate how other energy companies will use the data may encourage consent to be given.



4.1 **Question 4: Do you agree with our final proposals for raising awareness of the priority services, including any specific suggestions for energy companies to improve awareness?**

- 4.2 We welcome the idea of third parties working with Ofgem to help provide information as educating consumers should not be the sole responsibility of suppliers.
- 4.3 Using the term 'Priority Services' across the industry will keep consistency in the customer experience. Terms should be kept simple and easy to understand. By keeping the PSR tightly defined to help limit subjectivity and eligibility of associated service offerings would make it simpler to promote to customers and advice organisations.
- 4.4 Customer needs already have to be considered as per SOC LC 25C.4 c (iii). This should drive suppliers to use innovative ways to increase customer awareness and promoting take-up of PSR services.
- 4.5 With regards to SLC 26.6 we do not feel that it is relevant or appropriate to include information on compliance in the Treating Customers Fairly statement (SLC 25C.7) as this is aimed at all customers and the PSR info only aimed at vulnerable customers.

5.1 **Question 5: Do you agree with our final proposals for the approach to monitoring energy company performance in this area?**

- 5.2 We support proposals for monitoring compliance through panel reporting as this will help promote best practice.
- 5.3 The SOR requirements are currently very tightly defined and leave little to no room for interpretation on who should or should not be included for the purposes on each data item. Qualification to be added to the PSR is likely to be subjective, especially for additional communication services, and there may be customers who don't take up any of the minimum services but take up services unique to individual suppliers to meet a safety, access or communication need. SOR data will need to be used in conjunction with the SoC panel to get a complete view of performance against these obligations.