



By email only

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Priority Services Register – Statutory Consultation

Dear Jonathan,

Please find npower's response to the above consultation. We are happy for this to be placed in the public domain.

If you wish to discuss any element of the response, please do not hesitate to contact me.

Yours sincerely

Paul Tonkinson
Regulation

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Appendix

Priority Services Register Review – statutory consultation – npower response

- 1) We welcome the clarification of when the ‘all reasonable steps’ approach to identifying vulnerability in SLC 26. 1(c) applies. As we said in our February response: *‘suppliers do not want to engender a level of contact or intrusiveness that is outwith that normally expected for a well-run company offering a requisite level of good customer service.’*
- 2) Given the uncertainty around future changes to data protection legislation (particularly in the light of Brexit) through the EU’s General Data Protection Regulation’s application, keeping the provisions in the licence non-specific is helpful.
- 3) In SLC 26.4. We suggest a change to the proposed wording, as shown: *‘The licensee must offer (and, if accepted, provide), free of charge, to any of its Domestic Customers ~~which~~ who have been added to the Priority Services Register, such of the Priority Services as the Domestic Customer may reasonably require on account of his or her Personal Characteristics or vulnerable situation.’*
- 4) In the draft licence conditions for gas transporters and electricity distributors, PSR customers with defined personal characteristics are those who are *‘...of Pensionable Age, disabled, chronically sick...’* Whereas in the supply licences, *‘Personal Characteristics’* are more widely cast to include *‘having an impairment, disability, or long term medical condition (including but not limited to a visual, auditory or mobility impairment); ...or any other characteristics identified by the licensee as being relevant due to the nature of the Priority Services.’* Why are the characteristics in the distribution etc licences, although similar to, not the same as those in the draft supply licence condition?
- 5) Regarding SLC 25.5(c), while it is helpful that the redrafted section recognises that other members of the household may be able to read a meter, we wonder whether this might be extended to other persons who don’t live with the Domestic Customer. In some cases, people do wish to live as independent a life as possible, but will have outside help, from, for example, family or carers, who don’t live on the premises. They may, however, be able to act on behalf of the customer. We wonder therefore if the provision should recognise this, viz: *‘the reading (and provision of that reading to the Domestic Customer) of the Domestic Customer’s Electricity Meter at appropriate intervals, if the Domestic Customer (or any other person ~~either~~ occupying the same Domestic Premises ~~or entitled to act on behalf of the Domestic Customer~~) is unable to do so,’*
- 6) As drafted, SLC 26(d), doesn’t appear to read properly.

‘26.5 The Priority Services are appropriate mechanisms and arrangements to enable the following:..’

‘..(d) functionality of the Domestic Customer’s Prepayment Meter which is Safe and Reasonably Practicable in all the Circumstances of the Case,’

Perhaps this should say:

‘..(d) ~~access to the~~ functionality of the Domestic Customer’s Prepayment Meter which is Safe and Reasonably Practicable in all the Circumstances of the Case,’

- 7) The definition of *“Minimum Characteristics”* in SLC 26.7 refers to the definition of *“Personal Characteristics”*, with the latter including information that would be classified as *“sensitive personal data”* under the Data Protection Act 1998 (DPA). As such this is subject to certain

safeguards, when it's being processed. Under the DPA, where personal data are processed only for purposes for which they are required by or under any other act to be processed, the person on whom the obligation to process the data is imposed by that latter act is for the purposes the data controller. Given that SLC26.2 prescribes the adding of the Minimum Details to the Priority Services Register, does this meet the requirement, above, that such processing is required by law under the DPA?

8) When it comes to reporting and performance monitoring, we agree with the proposal to remove the requirement to include suppliers' performance in each one's Treating Customers Fairly Statement.

9) We also note that Ofgem '*..will consider a range of new tools..*'. However, nothing more is said and so doesn't really provide any further clarification on due process and timings for these tools' introduction. We would welcome some indication of when and how Ofgem proposes to deliver any reporting requirements as a result of the Priority Services Register changes. Will there be a formal consultation, for example? As part of design and development for the implementation of the two-way data share and needs codes we would clearly envisage reporting will be included in our internal requirements.