

# E-Serve Supplier Performance Report (SPR)

## Consultation response

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**Contact:** SPR team

**Team:** E-Serve

**Email:** [spr@ofgem.gov.uk](mailto:spr@ofgem.gov.uk)

### Overview:

In summer 2016 we consulted on our proposals for publishing a supplier performance report (SPR) which records and assesses incidents of non-compliance by suppliers with the environmental and social schemes we administer.

This document summarises the views we received from respondents and our responses to them. We have concluded that it would promote the interests of consumers to publish the SPR. We also describe the next steps we will take, including our plans to publish the data.

# Associated documents

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## **Electricity Act 1989**

<http://www.legislation.gov.uk/ukpga/1989/29/contents>

## **Gas Act 1986**

<http://www.legislation.gov.uk/ukpga/1986/44/contents>

## **Standard conditions of electricity supply licence**

<https://epr.ofgem.gov.uk/Content/Documents/Electricity%20Supply%20Standard%20Licence%20Conditions%20Consolidated%20-%20Current%20Version.pdf>

## **Supplier Performance Report Consultation**

<https://www.ofgem.gov.uk/publications-and-updates/e-serve-supplier-performance-report-consultation>

# Context

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On 30 June 2016 we issued a consultation on whether to publish a supplier performance report (SPR) on the environmental and social schemes we administer on behalf of the government. There are currently seven such schemes which place obligations on energy suppliers, with a collective value of over £6 billion.

The schemes promote using sustainable sources of energy, reduce carbon emissions, and provide consumers with rebates. The costs of the schemes are principally paid for by consumers through their energy bills, while our administration of them is generally borne by tax payers. To maximise the intended benefits and minimise the impact on consumers and tax payers, we have a duty to administer the schemes as efficiently as possible. We expect suppliers to do the same in fulfilling their scheme obligations.

However, we continue to experience recurring incidents of suppliers not complying, with no significant improvement in performance. To resolve these incidents requires extra resources for both us and the suppliers, which is inefficient and imposes unnecessary costs on the delivery of schemes, which may undermine the net benefits to consumers. We think holding suppliers to account for how they deliver the schemes will encourage them to improve their performance. It will also provide additional transparency and efficiency, which will benefit consumers. This is why we proposed, in our consultation, to publish the SPR.

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# 1 Consultation overview

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1.1. For the most part, energy suppliers deliver their overall obligations for the environmental and social schemes we administer. However, some have not complied with specific scheme requirements, such as by missing deadlines or submitting inaccurate data. Although these incidents are relatively minor by themselves, cumulatively they cause inefficiencies for the suppliers and us because we both have to do extra work to rectify the errors. Non-compliance can also undermine confidence in the schemes and the aims the government set out for them, as well as creating problems for the supply chains that are needed to deliver the obligations. As the schemes have a collective value of over £6 billion, it is important that they are administered efficiently to minimise the cost impacts on consumers.

1.2. We originally developed the SPR as an internal tool to record incidents of non-compliance and assess their severity. It has allowed us to identify trends in non-compliance with scheme requirements and assess where we need to give more support to suppliers (collectively or individually). It has also helped us identify improvements to our guidance and discuss potential changes in policy with the government. While the SPR has been useful as an internal tool, it hasn't made suppliers greatly improve compliance with these requirements, so we are now seeking ways to encourage them to do so.

1.3. In our consultation we proposed publishing the SPR to show the extent of suppliers' non-compliance with scheme obligations. We consider that Ofgem may publish the SPR under section 35 of the Gas Act 1986 and section 48 of the Electricity Act 1989.<sup>1</sup> By proposing to publish the SPR, we wanted to promote transparency and efficiency, and minimise costs to consumers.

1.4. Specifically, we asked for feedback on our basis for proposing to publish the SPR, our scoring methodology, and the information we proposed to publish on our website. We asked these questions:

1. Do you agree with our analysis that shows that publishing the SPR will promote the interests of consumers? Please support your answer.
2. Do you agree with this method of scoring and the definitions we are proposing? If not, what alternatives do you suggest?
3. Do you agree with the data we plan to publish?
4. Do you agree with our proposed timings of publication?
5. Do you have any comments on the SPR webpage we propose?

1.5. We received 16 responses to the consultation: 13 from energy suppliers, one from the trade association Energy UK, and two from consumer organisations. One response was confidential, but all of the other responses are on our website.<sup>2</sup> As part of our consultation activity, we ran events to discuss our proposals directly with stakeholders. We held meetings and workshops in our London and Glasgow offices, and presented to Northern Ireland suppliers at the office of the Utility Regulator in Belfast. We also presented at the Independent Suppliers' Forum,<sup>3</sup> jointly organised by Ofgem and the Department for Business, Energy and Industrial Strategy (BEIS).

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<sup>1</sup> The equivalent in Northern Ireland is Article 7 of the Energy (Northern Ireland) Order 2003

<sup>2</sup> Alongside our consultation at <https://www.ofgem.gov.uk/publications-and-updates/e-serve-supplier-performance-report-consultation>

<sup>3</sup> <https://www.ofgem.gov.uk/publications-and-updates/ofgem-beis-independent-suppliers-forum-3-august-2016>

1.6. In their responses to our consultation, consumer organisations told us the SPR could be useful for their research and advocacy work, including lobbying government and working with us and suppliers to improve the schemes. Several suppliers indicated that they would use it to assess their performance against their competitors and drive them to improve.

1.7. Some respondents stated that we shouldn't publish the SPR, or that to achieve the aims we set out for its publication, we should make changes to our proposals. The main concerns about publishing the SPR that respondents raised were about whether individual consumers would use the data, and whether it would really encourage and improve the culture of compliance in the suppliers. Suppliers raised concerns about the potential impact on their reputations, and those on the schemes and the energy market in general. Respondents also made suggestions on our scoring methodology, the data and supporting information we proposed to publish, and its timing.

1.8. We have a duty to protect the interests of consumers and we think it is important to improve transparency and efficiency. By publishing the SPR, we would be holding suppliers to account for non-compliance in delivering schemes worth more than £6 billion. There are clearly still improvements that suppliers can make to improve their compliance, and publishing the SPR would help them understand their relative performance and allow them to compare their performance against that of their competitors. In due course, we also think publishing would empower consumers' decision-making.

1.9. After considering the points made by respondents, we have decided to proceed with publishing the SPR. Based on the feedback, we have made some changes to the scoring methodology, the format of the data we will publish and its timing, and the supporting information we will include on our website. This will include an SPR information document, mainly for suppliers. We intend to publish the SPR for the first time in summer 2017.

1.10. In this document we have briefly summarised our consultation proposals for each question. We have not repeated the full detail of the background to the schemes, our basis for proposing to publish the SPR, an explanation of our scoring methodology or details of the information we proposed to publish. For any of this information, refer back to the consultation document.

## 2 Consultation responses to question 1

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### Background and context, framework for publishing

2.1. In our consultation we proposed to publish our supplier performance report (SPR). This is a tool we use to record, and assess the severity, of incidents of non-compliance by energy suppliers with the schemes we administer. We asserted that publishing the SPR was the best option of those available to fulfil our aim of improving the current level of compliance. This was based on our criteria that the solution should be inexpensive, applicable across all of the schemes, help to build a culture of compliance among the suppliers, help us to improve our administration of the schemes, and provide transparency for consumers.

2.2. As we noted in paragraphs 1.17 – 1.20 of our consultation, we consider that Ofgem may publish the SPR under section 35 of the Gas Act 1986 and section 48 of the Electricity Act 1989,<sup>4</sup> if we consider that it would promote the interests of consumers. In doing so, we must have regard to excluding information which might seriously or prejudicially affect the interests of the energy suppliers we are publishing this information about.

2.3. All 16 stakeholders responded to question 1. Not all of them answered our questions explicitly, but instead chose their own headings. In these cases, we attributed the parts of their responses that were relevant to question 1 and included them in our analysis and response. We also did this for the other consultation questions.

**Question 1: Do you agree with our analysis that shows that publishing the SPR will promote the interests of consumers? Please support your answer.**

### Summary of responses

2.4. Most respondents supported the general premise of publishing the SPR to improve transparency between Ofgem E-Serve, suppliers and consumers. The consumer organisations who responded said that if we published the SPR, it would be useful for their research and advocacy work. Some suppliers said it would provide a way for them to compare their performance against that of their competitors, and identify where they can do better.

2.5. Some suppliers said we shouldn't publish the SPR, or that if we did we should make changes to our proposals for scoring, and publishing details of, the non-compliance incidents. We describe the specific points made by respondents in the following paragraphs.

2.6. The majority of respondents said that individual consumers are unlikely to use the SPR to compare or help them switch supplier. Their view was that consumers don't engage with the market enough to use something like the SPR, and that those who do are mainly concerned with cost and customer service rather than suppliers' scheme performance. They also felt that the information in the SPR, about the schemes and our assessment of suppliers' performance with them, is too complicated to be useful for consumers.

2.7. Some suppliers (and their trade association) stated that as well as not being useful for consumers, the SPR could actually undermine consumer trust in the energy market and have

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<sup>4</sup> <http://www.legislation.gov.uk/ukpga/1989/29/contents>

negative effects on the schemes themselves. They said this was because it was difficult to interpret the data, and there was the possibility of it being taken out of context, especially by the media.

2.8. A few respondents wanted to see evidence of research that showed consumer demand for a tool like the SPR.

2.9. One respondent asked how using and publishing the SPR will relate to our regulatory approach. They noted that we are intending to move towards principles-based regulation<sup>5</sup> and away from prescriptive rules. The respondent pointed out that the SPR, which assesses suppliers' performance against scheme rules, licence conditions and Ofgem E-Serve guidance, could be at odds with the move to principles-based regulation.

2.10. This same respondent raised a point about publishing potentially sensitive commercial information. They referred to sections 35 and 48 of the Gas and Electricity Acts respectively, as we did in our consultation (see also 2.2), as well as section 105 of the Utilities Act 2000, the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR). Collectively they described these pieces of legislation as the framework defining the information which we can (and can't) release. The respondent highlighted the rights the FOIA and EIR give people to request to see information held by public bodies like Ofgem, subject to certain safeguards. In the context of the SPR, they emphasised the need for us to be sure there is a public interest in publishing the information and stated that we had not explicitly described undertaking a public interest test in our consultation. In the respondent's view, publishing the sensitive information in the SPR without proving public interest would set an unwelcome precedent.

2.11. Another point made by some of the suppliers who responded was that the SPR will not drive an improvement in their culture of compliance (one of the aims we stated for publishing it). Several suppliers asserted that a compliance culture is already a fundamental part of the way they run their businesses.

2.12. Some suppliers said that in certain cases, late or unclear guidance from us causes non-compliance, and it would be unfair for us to include these incidents in the SPR.

2.13. Some respondents pointed out that sometimes non-compliance is purely administrative rather than a failure to comply with legal requirements. In their view the latter is more serious and the SPR should reflect this.

2.14. The financial costs of compliance were raised by several respondents. Their opinion was that the SPR assessment and publication process will create extra work, and therefore costs, for both suppliers and us. A couple of respondents said that suppliers don't pass on the costs of non-compliance to their customers but write them off instead. Some also asked to see a cost/benefit analysis to justify the additional work and costs in producing the SPR.

2.15. Some suppliers made the point that non-compliance is not down to them, but to their contractors who they work with to deliver the schemes. They argued, therefore, that it would be unfair to score them on the SPR for the poor service they receive from their third party contractors.

## **Our response**

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<sup>5</sup> <https://www.ofgem.gov.uk/publications-and-updates/future-retail-market-regulation-update-way-forward>

2.16. We have considered the views of respondents and have decided that we will publish the SPR, but with some changes to our consultation proposals. We acknowledge that large numbers of individual consumers are unlikely to use the SPR and that there is a risk of them or the media misrepresenting the data. However, we believe that we can mitigate this risk by providing the appropriate commentary when publishing, and the feedback we received from the consultation shows that consumer interests will be furthered by publishing the SPR. We have a duty to promote the interests of consumers and we will provide supporting information to help all stakeholders understand the data. We think it promotes consumers' interests to improve transparency, and that we should hold suppliers to account for non-compliance on schemes worth more than £6 billion. The SPR will add to the metrics that Ofgem currently publishes to help improve market engagement, and provide a basis for consumer organisations and others to do further analysis on suppliers' scheme performance. There are still improvements that suppliers can make to achieve a greater culture of compliance, and we will use the SPR to help them do this. Similarly, suppliers can use the data to help drive improvements from their third-party contractors. We believe what we've proposed is proportionate and an extension of routine compliance activity for us and the suppliers, rather than introducing significant extra administration. Indeed if the SPR achieves its aims, it should reduce administrative effort long-term. For these reasons we consider that publishing the SPR would promote the interests of consumers, and we describe them in full over the following pages.

2.17. Most respondents said that the average energy consumer does not engage with the market enough to use the SPR directly. We acknowledge it is unlikely that large numbers of individual consumers will use the SPR to compare suppliers. However, publishing the data is part of our wider objectives of providing transparency and encouraging consumers to engage more with the market. The SPR is one of several pieces of information produced by Ofgem that aim to give consumers as much information as possible to help them make effective decisions about their energy supplier. We don't think that the low consumer engagement in today's market undermines the wider consumer interest in publishing, which we address below.

2.18. We have listened to feedback about the complexity of the SPR and used it to improve our scoring methodology, the data we propose to publish and the supporting narrative. We describe these changes in chapters 3 and 4.

2.19. Some respondents were concerned that publishing the SPR could undermine consumer trust in the energy market and have negative effects on the schemes. The SPR will be part of a number of metrics Ofgem publishes to help consumers get the best service from their suppliers and understand who the best and worst performers are. At the moment this includes performance on customer service,<sup>6</sup> consumer complaints<sup>7</sup> and social obligations.<sup>8</sup> The SPR will form part of this. In our view publishing the SPR will hold suppliers accountable to consumers to improve their performance on the schemes. It will also encourage competition by enabling them to compare their performance against one another. Indeed, several of the suppliers who responded said they would use it for exactly this purpose.

2.20. While we can't determine if and how the media and other parties will use the SPR, when publishing the data we will provide commentary that provides the appropriate context behind the results. This will show consumers that we are engaging with suppliers to address non-compliance and will build consumer confidence in the market and in suppliers. Publishing the data is part of our wider policy to help consumers engage with the market.

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<sup>6</sup> <https://www.ofgem.gov.uk/consumers/energy-supplier-comparison-data/compare-supplier-performance-customer-service>

<sup>7</sup> <https://www.ofgem.gov.uk/consumers/energy-supplier-comparison-data/compare-supplier-performance-complaints>

<sup>8</sup> <https://www.ofgem.gov.uk/consumers/energy-supplier-comparison-data/compare-supplier-performance-social-obligations>



2.21. Some respondents asked to see evidence of research to demonstrate that consumers would be interested in having this data available. As we acknowledged earlier, there is low engagement among consumers at the moment. However, the consumer organisations who responded said they would find the SPR useful in their research and advocacy work, which includes informing consumer decisions in the energy market. These organisations said they could use the SPR in their work with suppliers and Ofgem, and to lobby the government to improve the schemes to benefit consumers further. Given this feedback from organisations who work extensively with consumers, we don't think there will be any value in conducting specific consumer research ourselves.

2.22. Ofgem is looking to rely more on principles, and less on prescriptive rules, in the way we regulate the electricity and gas supply markets. This shift in approach will:

- Promote innovation and competition that will lead to benefits for consumers
- Provide effective protection for consumers in an evolving retail energy market
- Put responsibility firmly on suppliers to deliver good consumer outcomes

Effective monitoring of supplier performance against their supply licence obligations, and managing any non-compliance we identify proportionately, is fundamental to achieving the above objectives. The SPR is one example of the proportionate methods Ofgem can use to encourage suppliers to be compliant with their obligations. We therefore do not consider the SPR initiative to be at odds with our move to rely more on principles-based regulations.

2.23. Our information disclosure role in relation to FOIA and EIR is reactive. So if we receive requests to disclose information, we consider them on a case-by-case basis. If we received such a request in relation to the SPR, we would decide how to respond by considering the relevant legal frameworks (including Codes of Practice<sup>9</sup> and guidance) and speaking to any suppliers affected by the request. We would consider, for example, the potential adverse impacts on suppliers in releasing the information requested, and whether there is a public interest in us doing so. These considerations would be in line with our approach to information disclosure requests for all aspects of our work, and there wouldn't be any unique considerations for the SPR.

2.24. Some suppliers argued that they already have a culture of compliance. The evidence we have from the SPR shows that some suppliers are regularly non-compliant across the schemes, and that some comply better with some schemes than others. This is contrary to certain suppliers' assertions about how compliance is embedded in their organisations. As above, we will use data from the SPR as a tool for working with suppliers to help improve their culture of compliance.

2.25. Some suppliers asserted that non-compliance can be caused by errors on our part. We intend that the SPR only record incidents of non-compliance caused by suppliers. If there are any incidents which are not attributable to suppliers, they should be revealed through our engagement with them and these will not appear on the SPR. We will use any incidents like this to help us improve our administration of the schemes, which was one of the aims of publishing the SPR that we described in our consultation. We're committed to being open and transparent about the schemes we administer, and one of the ways we are doing this is by publishing a range of information and statistics about the schemes. This includes scheme performance against the key performance indicators (KPIs) we committed to in the Ofgem Forward Work Programme 2016-

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<sup>9</sup> [https://ico.org.uk/media/1624/eir\\_confidentiality\\_of\\_commercial\\_or\\_industrial\\_information.pdf](https://ico.org.uk/media/1624/eir_confidentiality_of_commercial_or_industrial_information.pdf)

17.<sup>10</sup> As well as scheme performance data, we are also publishing customer satisfaction scores to provide a greater level of transparency on our own performance in administering the schemes for participants.<sup>11</sup>

2.26. We agree with the respondents who suggested that legislative and administrative non-compliance should be clearly distinguished. We have already captured this in the data and one of the new charts on our webpage will show this distinction (see chapter 4 and Appendix 2). Some respondents suggested that we should score legislative incidents more severely than administrative incidents. We don't think there are good reasons to do this, because legislative and administrative incidents can both create inefficiencies in administering the schemes. Any weighting would be arbitrary without specifically evaluating how to weight individual incidents, and to do this for every incident would require a disproportionate amount of effort. An arbitrary rating without evidence would make apportioning relative values subjective.

2.27. Some respondents suggested that SPR publication will create extra administrative work for us and the suppliers. Suppliers are required by the schemes' legal frameworks to comply with scheme requirements. Non-compliance requires additional administrative effort from us and the suppliers to rectify. This is the case regardless of how suppliers pass their scheme costs through to their customers. Reducing the need to remedy non-compliance should mean that we and the suppliers have more resources available for other activities. We expect compliance with scheme requirements to be the norm rather than something that requires extra administrative effort. The more compliant a supplier is with the schemes, the less extra work the SPR will create for them. The SPR is a proportionate way of highlighting and dealing with non-compliance efficiently.

2.28. As we described in the consultation, we are already using the SPR as an internal tool and most elements of it are now embedded using our existing resources. The next step for us will be to incorporate the review and publication cycle into our regular compliance work. This will create some additional interaction with suppliers, at least initially. For us, this will require a slight change in the emphasis of our compliance work, but again within existing resources. For suppliers, the amount of extra work this creates will depend on the number and severity of SPR incidents they accrue.

2.29. We acknowledge that incidents of non-compliance can be caused by third parties whom suppliers have contracted to deliver elements of the schemes on their behalf. However, that does not excuse suppliers from failing to comply with their scheme obligations. We think that suppliers should be held accountable for their scheme performance regardless of how they choose to deliver their obligations. If we excluded incidents of non-compliance caused by third parties, this would serve to conceal non-compliance and undermine our aim of minimising administrative inefficiency and costs to consumers. If suppliers are not aware of the level of non-compliance caused by their contracted third party partners, this could indicate inadequate contractual arrangements and inefficient administrative practices. We have seen instances where third parties have delivered services that were not adequate for the suppliers to meet their obligations, and so extra work has been required to resolve those issues. This additional resource could have been better used elsewhere, such as finding more efficient ways of meeting scheme obligations. Publishing the SPR should be useful in this respect, as suppliers could use the data as a basis for discussions with their delivery partners to help them improve their performance.

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<sup>10</sup> <https://www.ofgem.gov.uk/publications-and-updates/forward-work-programme-2016-17>

<sup>11</sup> <https://www.ofgem.gov.uk/environmental-programmes/e-serve/our-performance>

## 3 Consultation responses to question 2

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### SPR scoring methodology

3.1. In our consultation, we proposed a methodology that scores incidents across six categories and classifies them as one of six issue types. We scored every incident from 0 to 4 across the six categories, depending on the severity of the non-compliance (4 being the worst). To present the data, we proposed to use the maximum score for an incident across the categories, rather than the total. We did not propose to weight scores according to a supplier's share of the market or scheme, or by any other measure.

3.2. All 16 respondents answered question 2.

### Question 2: Do you agree with this method of scoring and the definitions we are proposing? If not, what alternatives do you suggest?

#### Summary of responses

3.3. Three of the respondents said they agreed with our proposed methodology without providing further detail.

3.4. A number of respondents said it was difficult to compare schemes of differing size and complexity in an objective way, and stated that elements of our proposed scoring were too subjective. An example used by several respondents was the wording used in our scoring matrix, such as 'high', 'low' and 'significant', which in their view we had not clearly quantified.

3.5. Other recurring points made by respondents related to specific categories in the scoring matrix:

- **Compliance with overriding scheme obligation** – the exact definition of this varies for each scheme and should be clearly explained. So for each scheme, it should be clearly defined what represents non-compliance with the overall obligation, and over what period of time. The difference in size and mechanics of the schemes should also be taken into account. An example given was that a supplier missing one payment to a customer under the Government Electricity Rebate (GER), or to a generator under the Feed-in Tariff (FIT), is not equivalent to a supplier failing to meet its overall obligation under the Renewables Obligation (RO). Therefore this should be reflected in the scoring.
- In this category, one respondent also noted that we had included the CCL (Climate Change Levy) scheme in the scoring matrix without referring to it anywhere else in our consultation.
- **Financial loss** – several respondents said it wasn't clear who the term 'scheme participants' refers to in this category, and asked for this to be clarified.

- **Deadlines** – a few suppliers stated that on some of the schemes it is not always possible to meet deadlines, for reasons beyond a supplier’s control. For example, arranging a GER payment for a customer that the supplier has been unable to contact. This would mean the supplier is non-compliant with its overall obligation for reasons beyond its control. In addition, the scoring matrix should not assess the ‘chance’ that a supplier misses a scheme deadline, as this is not something that can be objectively measured.
- **Effect on industry/government/public confidence** – several respondents said that this category was particularly subjective and that it wasn’t fair to include this as a measure of non-compliance. Their reasoning was that this concerns three different stakeholder groups and that the likelihood of the media reporting on the SPR would depend on a number of other external factors, rather than just the results it shows. This would undermine our scoring objectivity as we would score some incidents in this category and not others, based only on whether the media had reported it, when the incidents are otherwise identical.

3.6. A few respondents raised questions and made suggestions about the numerical scale of our scoring:

- There were some suggestions to expand the range of possible scores for a given incident from our proposed 0 - 4, to provide greater weighting to more severe incidents. One suggestion was that incidents could score 0, 5, 20 or 50, depending on severity.
- Some respondents said that our scoring should recognise suppliers’ efforts to improve their compliance and avoid repeated incidents. Conversely, others proposed that we treat repeated offences differently by giving incidents a ‘recurrence’ score.

3.7. Some respondents argued that GER should not be included in the SPR, as the scheme has now ended.

3.8. Some smaller suppliers said that they felt disadvantaged by the scoring as larger suppliers have more experience in the schemes and more resources to comply with them, or indeed handle non-compliance. Some smaller suppliers have become obligated on the schemes recently, when they passed the customer number threshold, whereas larger suppliers have been obligated since the schemes began. The smaller suppliers argued that their operational processes are not as advanced as those of the larger suppliers, for this reason. The SPR scoring does not reflect these differences in size or experience implementing the schemes, which in some respondents’ opinion is unfair.

3.9. Several respondents said that we should publish guidance to explain the scoring methodology, alongside the SPR, for transparency and clarity. This should contain timelines for recording incidents on the SPR and reviewing them, as well as guidance on what actions a supplier can take when we place an incident on the SPR.

## **Our response**

3.10. We have used the comments from respondents to modify the scoring matrix we proposed in Appendix 1 of the consultation. We think the changes provide more clarity and make the data

easier for consumers and other stakeholders to understand. The revised scoring matrix is in Appendix 1 of this document.

3.11. We agree with the points made by respondents that the labels like 'High/Low' and 'Serious/Very Serious' used in the scoring matrix don't accurately reflect the specific descriptions of the severity ratings. These labels appeared in the Deadlines, Governance, Accuracy of data and Financial implication categories (we have now renamed the latter category from 'Financial loss', since a loss does not always follow from these incidents). To avoid misunderstanding about the labels and the ratings, we have now removed labels like 'High/Low' and 'Serious/Very Serious' from the rating descriptions. We think the existing descriptions of the ratings, based on the severity of the incidents according to their size and impact, remain appropriate scoring definitions. As we haven't changed those descriptions, there has been no knock-on effect from this clarification on the incidents we have scored to date.

3.12. We have addressed the comments about specific categories in the scoring matrix as follows:

#### Compliance with overriding scheme obligation

- It is necessary to have bespoke definitions for non-compliance with the overriding obligation for each scheme, because they are all designed in a different way. In the scoring matrix, the definitions need to succinctly reflect the primary obligation imposed by each scheme. For clarity, we will provide full explanations in the information document that we will publish alongside the SPR.
- Some respondents said that the differences in size and mechanics between the schemes should be taken into account in our scoring. The purpose of this category is to highlight any failure by a supplier to comply with the primary obligation under a scheme. However, we recognise that the financial impacts of not meeting the primary obligation can vary between the schemes. We assess the impacts of such non-compliance in other categories like Financial implication, which will provide more detail about the non-compliance with the overriding obligation. The scores in the other categories will indicate the relative severity of that failure to comply, and will be visible in the SPR raw data. This provides additional context for the impacts of overriding non-compliance, and so we haven't changed our methodology for scoring this category.
- To weight the schemes differently would be difficult given their differing requirements (which also change over time) and constantly-changing value. The example given by a respondent was that a single GER payment of £12, as a reason for overall non-compliance, cannot be compared to a multi-million pound RO obligation and shouldn't receive the same score. Our response to this is that failure to meet an overriding scheme obligation is still non-compliance, regardless of the magnitude of that failure or the scheme on which it occurred. For example, a supplier could fail to meet its GER obligation by missing hundreds of payments, or fail to meet its RO obligation by a very small amount. These would also represent non-compliance under both schemes, and score a 4 in this category.
- As one respondent pointed out, in our consultation we incorrectly listed the CCL scheme in the scoring matrix. This was an oversight on our part as we had not intended to include it in the SPR. However in future we will include the FMD (Fuel Mix Disclosure) scheme on the SPR. Under FMD, suppliers are obligated to publish data on the sources of energy they supply to their customers. Suppliers present evidence of the renewable portion of this energy to us before reporting their fuel mix. We have included the

definition of overriding non-compliance under FMD in the updated scoring matrix in Appendix 1. We will score FMD incidents from the date of publication of this document, and the scheme will appear in our SPR website publication from the next data update onwards. We may also add other schemes to the SPR in future.

#### Other categories

- As described in 3.11, we have removed wording in various categories that was subjective. Under Financial implication, this includes where we mentioned scheme participants. This makes this term less ambiguous, which was pointed out by some respondents.
- Under Deadlines, we have removed the references to 'High/Low chance', as described in 3.11. We agree that these labels used in the previous descriptions did not objectively describe those scores. However, we are satisfied that the specific definitions – previously listed under 'Impact' – are sufficiently clear. We will discuss the scores with suppliers at the time of the incident and this will be the opportunity for suppliers to make representations about the reason for non-compliance, which we may take into account. If we agree that there was no reasonable way for the supplier to comply, then we will consider not adding the incident to the SPR. This will apply across all scoring categories.
- Following the feedback we received, we have removed the Effect on industry/government/public confidence category. The intention behind this category was for it to capture non-compliance incidents which could damage the reputation of the schemes, but which did not fit into any other category. We agree that there are many factors in this category that make it difficult to assess objectively, as some respondents pointed out. When looking at the data, we have seen that there were a negligible number of incidents in this category and that the other categories adequately capture the relative impacts of non-compliance. Removing this category has made no difference to the overall scores we have been recording since October 2015.
- Under Deadlines, Governance and Accuracy of data we have removed the references to issuing an enforcement notice. There are circumstances where we do not publicise the opening of an enforcement investigation, or where we may deal with compliance concerns through alternative action rather than by opening an enforcement investigation. For further information, see our enforcement guidelines.<sup>12</sup>

#### 3.13. Concerning the comments on the numerical scale of our scores:

- A respondent suggested using severity ratings of 0, 5, 20 and 50 to give additional weighting to more severe incidents. Our proposed scale of 0, 1, 2, 3, 4 was intended to measure severity and we acknowledge that any numerical analysis cannot wholly reflect the range of non-compliance issues we find. This would also be true of any alternative scale. Using the scale suggested by the respondent would exaggerate this compared with our scale. The potential risk of this is that suppliers would over-emphasise the need to address the highest scoring incidents to reduce their SPR score, even if they have numerous low-scoring incidents that they should also address. If this happens, there is a risk that there would still be a lot of minor non-compliance, which

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<sup>12</sup> <https://www.ofgem.gov.uk/publications-and-updates/enforcement-guidelines>

would be contrary to our reasons for publishing the SPR. For these reasons we will continue to use our original scale.

- As suggested by some respondents, we have considered giving a higher score for repeated incidents by the same supplier and reducing a score if a supplier has taken remedial actions. We have had to weigh these considerations against our desire to score incidents fairly and objectively. Repeated incidents already get separate scores on the SPR, giving a supplier a higher overall score. We don't think that including a multiplier for repeated incidents makes this any fairer or more objective. However, if we observe that a given supplier is repeatedly getting scores on the SPR for the same type of incident, we will use the data to inform our discussions with the supplier to help them improve their performance. Meanwhile, we expect suppliers to take remedial actions following non-compliance to ensure they comply in future: this should be standard practice and we will not reward suppliers for doing this by reducing their scores.
- For the reasons above, and to treat all suppliers and incidents objectively, we have concluded that we will give identical incidents the same score. This is irrespective of the size of the supplier, its past behaviour or any other circumstances. In the raw data file we will record any remedial actions in the 'Supplier actions taken' column, and this data will contain all occurrences of a certain type of incident for a particular supplier. This will mean people can do their own analysis in this area if they wish.

3.14. In response to the comments we received which suggested that GER should not be included, we have decided to keep it as one of the schemes on the SPR at this stage. Suppliers had obligations under GER during the period we will publish SPR chart data for, which starts in January 2016 (with raw data including incidents we've added since October 2015). This means that for consumers to get a full view of suppliers' compliance across the schemes, GER should be included. We explain our revised data publishing proposals in section 4.

3.15. Some smaller suppliers were concerned that they would be disadvantaged by the SPR because larger suppliers have more resources to comply with the schemes and address non-compliance. All suppliers have the same requirement to comply with their scheme obligations, and the SPR is an objective way of recording non-compliance across all obligated suppliers. In addition, the scale of scheme obligations on suppliers is already in proportion to their size. As described in 3.13, we will score equivalent incidents the same regardless of the size of the supplier.

3.16. A number of respondents highlighted the complexity of the SPR and asked to see more explanation to go with it, including a guidance document. We acknowledge that the SPR scoring methodology, and indeed the schemes themselves, are complicated. However, the fact that they are complicated doesn't mean the information isn't useful to consumers. To help people understand the schemes and suppliers' performance in delivering them, we will produce an information document to go alongside the SPR. This will primarily be for suppliers and will explain the scoring matrix, describe the timelines for placing incidents on the SPR and reviewing them, and provide background information on the schemes. We will publish this document when we publish the SPR for the first time (as well as sending it to suppliers before this for comment).

3.17. We will keep our scoring methodology under review and may consider future adjustments as our use of the SPR develops. If we do propose to change our scoring at any stage, we will seek views from stakeholders.

## 4 Consultation responses to questions 3-5

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4.1. In our consultation document we grouped questions 3, 4 and 5 into the same chapter, as they were related, and we will do the same here. However, we will still summarise the responses to each question separately.

### Proposed data

4.2. We proposed two chart types in Appendix 2 of our consultation: first, for each supplier obligated under all of the schemes, the number of incidents and total score per quarter and overall. Second, for all suppliers, the number of incidents and total score per quarter for each scheme. Alongside this, we proposed to publish the raw SPR data in an Excel file.

4.3. All 16 respondents answered question 3.

### Question 3: Do you agree with the data we plan to publish?

#### Summary of responses

4.4. Four of the respondents said they agreed with the data we proposed to publish. This included the two consumer organisations, who said the data would be useful to support their work.

4.5. Some of the suppliers who responded were sceptical that the data would be useful for consumers, stating that few would be interested in the low-level non-compliance incidents the SPR includes. In keeping with the points they made in response to question 1 about the lack of consumer engagement, some respondents also stated that the format of the data would make it difficult for consumers to use it for comparing suppliers.

4.6. In our stakeholder workshops, some suppliers said that we should avoid focusing only on the larger suppliers in our charts, that is, those obligated under all of the schemes. They believed that non-compliance is just as prevalent among smaller suppliers – who aren't necessarily obligated under all of the schemes – and that omitting these suppliers from our charts was not a fair representation.

4.7. A recurring point the suppliers made was that publishing the data quarterly, when most of the schemes have annual reporting cycles, didn't make sense and could be misleading. Suppliers argued that this could lead to a spike in the number of incidents in a particular quarter because of when scheme deadlines occur. Respondents said that as a result, quarterly reporting could be misinterpreted as an increase in non-compliance, rather than a reflection of a higher level of activity associated with a deadline.

4.8. A few respondents also wanted to see scheme-specific charts rather than, or alongside, our proposal to show each of the schemes next to each other on the same chart. They explained this on the basis that not all suppliers participate in the same schemes and that scheme-specific charts would allow fairer comparison between suppliers.



4.9. Some respondents wanted greater context to explain the data and make it easier to interpret. Examples they gave were that there was no scale on the charts to understand the data, and that we should represent the scores per 100,000 customers to enable comparison between suppliers of different size, rather than using absolute values.

### **Our response**

4.10. Our proposal in the consultation was to use the simplest charts we thought were possible to summarise the SPR data. Respondents, however, have told us that they want to see greater detail in the charts to give a more comprehensive picture. We have used this feedback to make changes to the data we will publish. We think these changes make the information easier to engage with, while we have described in general terms why we think publishing the SPR promotes the interests of consumers in chapter 2 (in particular in 2.16 to 2.21). At the same time, we don't want to publish too many charts as this might confuse and disengage people. Because of this we have kept the number of charts we will publish to four, as in our consultation. Our revised charts are in Appendix 2.

4.11. Some respondents felt that our charts shouldn't only show suppliers who are obligated under all of the schemes, but should include a wider group. We have looked at the data and found that it supports this view, in other words, that it isn't just larger suppliers obligated under all of the schemes who have high non-compliance scores. In fact some smaller suppliers, obligated under fewer schemes, can have higher scores than larger suppliers. To address this, our supplier charts will now show the 20 suppliers with the highest scores, regardless of their size or which scheme obligations they have.<sup>13</sup> In arriving at this decision, we considered the balance between making the information comprehensive and making it easy to understand. From looking at different options for displaying the data, we have concluded that 20 suppliers is the best number to provide this balance. We also think our new charts are better for suppliers, as any of them can drop off the charts over time if they improve their performance. Under our previous proposals, suppliers obligated under all of the schemes would appear in these charts regardless of any performance improvement. We will monitor these charts and review them based on user feedback, to keep them as transparent and useful for consumers as possible.

4.12. We agree with the comments which said that charts showing quarterly data could distort the picture of performance trends, given the differences in reporting cycles across the schemes. As some of the schemes recorded in the SPR have a reporting cycle of a year or longer, we have decided to change our charts to reflect this. In the first set of data we will publish, the charts will show the period from January to December 2016. Showing 12 months of activity will smooth out misleading spikes that may arise from specific reporting deadlines. The raw data we publish alongside the charts will include all incidents we have added to the SPR after 1 October 2015. We assessed these incidents using the scoring methodology that we established in October 2015. This includes incidents that we detected during, or since, the last complete compliance period for each scheme before this date.<sup>14</sup> We intend to update the SPR twice a year, in the autumn and spring. With each update we will also publish a document which compares data from previous periods and provides commentary on the scores. We considered publishing only once a year, but in our view this leaves too long between reports to allow suppliers to show that they have improved. We have therefore decided to publish every six months, but again we will keep this under review.

4.13. Respondents particularly requested to see charts to enable comparison between suppliers within the same scheme. We acknowledge that in the charts we originally proposed, comparison

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<sup>13</sup> If any suppliers (among those with the highest scores) have the same score for a given period, then for fairness we will show each of them in our charts. This would bring the number of suppliers shown in the charts to more than 20.

<sup>14</sup> For example, we detected GER incidents throughout 2015 for scheme year 1, but we may not have determined that these incidents were non-compliance, or therefore scored them on the SPR, until after 1 October 2015.

between suppliers was only possible across the schemes and not within them. We agree that consumers and suppliers will more easily be able to compare suppliers' performance if they can do this for each scheme. Therefore, Chart 1 in Appendix 2 now shows suppliers' overall scores broken down by scheme. We should note the possibility that the highest scoring suppliers on a particular scheme might not be among the top 20 overall, and so this chart is simply an indicator of the suppliers with the highest non-compliance scores per scheme. The definitive record will be in the raw data.

4.14. We stated in our consultation that the cumulative effect of numerous minor incidents of non-compliance is an inefficient use of resources, which we want to reduce by publishing the SPR. Suppliers also told us they wanted to see more detail in the charts to enable comparison and provide more useful information for consumers. Having considered the range of feedback we've received about ensuring that the SPR provides this sort of information, we have decided to improve our charts, from those we proposed in the consultation, so that they better visually represent the data that we have collected. In addition to Chart 1, showing a breakdown of non-compliance by scheme, the other charts we will publish will show:

- The total score per supplier broken down by the severity rating (1-4), in Chart 2.
- The split, per supplier, of administrative and legislative incidents. Suppliers explained (as described in 2.13) that most incidents are administrative rather than legislative in nature and requested to see data to reflect this. We have shown this in Chart 3.
- The reasons for non-compliance, highlighting the split between our scoring categories. This is shown in Chart 4. This shows the total scores across each of the categories for all suppliers.

4.15. Some respondents wanted us to scale the data in the charts we publish, such as by normalising the data per 100,000 customers. Ofgem publishes the number of complaints received by suppliers per 100,000 customers, but this is for domestic customers only.<sup>15</sup> For the SPR, presenting the data per customer in the same way wouldn't provide a useful means of assessing a supplier's performance. Suppliers face the same set of scheme obligations, but have different customer bases (ie the split between domestic and non-domestic), and the relationship between obligations and customer base is different for each scheme. For some schemes, the level of obligation is based directly on customer numbers. On other schemes, the number of customers triggers an obligation, but the obligations themselves depend on how much electricity or gas they supply. The following examples highlight these differences between the schemes:

- Under FIT, we only use the number of domestic electricity customers to determine whether or not a supplier is a mandatory licensee. After that, the level of a supplier's obligation is based on the number of generators it makes FIT payments to. For example, a supplier with 40,000 customers may make payments to 100,000 generators.
- Under ECO, the number of combined gas and electricity customers will determine whether or not a supplier is mandated. However it is their volume of supply that we use to set their savings targets, and suppliers don't have to deliver measures to all of their customers to meet their overriding obligation.

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<sup>15</sup> <https://www.ofgem.gov.uk/consumers/energy-supplier-comparison-data/compare-supplier-performance-complaints>

- For GER, the obligation for suppliers was to deliver rebates to all of their domestic electricity customers. There were also differences in how to deliver the overriding obligation, depending on whether customers had pre-payment meters or not.

Because of these differences and the lack of a direct correlation between customer numbers and obligations, we will present the SPR data purely as total scores, rather than normalising for customer numbers.

## Timing of publication

4.16. In our consultation we explained that when a supplier non-compliance incident occurred, we would let them know we were recording the details in the SPR, as part of our ongoing engagement with suppliers. We proposed to publish quarterly updates to the SPR on our website. We outlined a governance structure and a procedure for checking and signing off the scores, which would take a month after the end of each quarter. Each supplier would then get a final two-week window to review their dataset before publication.

4.17. All 16 respondents answered question 4.

### Question 4: Do you agree with our proposed timings of publication?

#### Summary of responses

4.18. Seven of the respondents agreed with our proposed timings for compiling and publishing the SPR. Of these, one acknowledged that no reporting schedule would suit all of the schemes (similar to the point in 4.7) and accepted our proposals. Another respondent preferred to see monthly updates, but believed that neither we nor the suppliers would have the resources to make this practical, and so accepted publishing quarterly.

4.19. Several respondents expressed the view that a two-week period of engagement each quarter, between us signing off the SPR internally and publishing the update, was not long enough to review and potentially contest their scores. They asked for greater flexibility, especially for resolving more complex incidents, than a two-week window would allow.

#### Our response

4.20. We note suppliers' concerns about their capacity to review and potentially contest scores for all incidents on the SPR. However, as we described in paragraphs 1.18 and 3.3 of the consultation, this two-week period is simply to give suppliers a final opportunity to see their SPR dataset before we publish it, and confirm the scores we have previously assigned to their incidents. As we outlined in our consultation, we will inform the supplier as soon as we intend to record an incident on the SPR, including its score, as part of our routine engagement with them on scheme compliance.

## SPR webpage

4.21. In Appendix 2 of our consultation we included a mock-up of our proposed SPR webpage. This listed the schemes included on the SPR, described how it works, explained why we are publishing it, and displayed the summary charts and raw data described in 4.2.

### Question 5: Do you have any comments on the SPR webpage we propose?

#### Summary of responses

4.22. Five of the respondents did not respond to question 5 specifically. However some of the points they made in their responses to the other questions (in particular 3 and 4) were relevant to our proposed webpage and we have considered them in our overall response.

4.23. Of the remaining respondents, most stressed their view that we should provide context for the data to ensure it is comparable and as easy to understand as possible. This included:

- Clarity on what the scores show
- A narrative which makes clear the extent of suppliers' compliance with the schemes, as well as the non-compliance shown in the data
- Highlighting when scheme regulations have changed, to explain data patterns like sudden spikes in the scores
- An explanation for why some suppliers are absent from the SPR charts

4.24. Some respondents questioned whether including an Excel file of the SPR raw data alongside the charts was useful for consumers.

4.25. Another view from some suppliers was that we should provide evidence of non-compliance to justify our scoring.

#### Our response

4.26. We have modified our charts, as we described in our response under question 3 and which you can see in Appendix 2. We will support this with an information document, described in 3.16. These will clarify the SPR and its data, as some respondents requested.

4.27. This additional information will include a summary of scheme compliance (taken from our regular reporting including scheme annual reports), to sit alongside the non-compliance shown in the SPR.

4.28. With the changes we have made to our charts we are no longer proposing to display time on the horizontal axis. Therefore it will not be necessary to highlight legislative changes to the schemes as requested by some respondents, as any spikes in the data caused by these changes will no longer appear. When we make time-based comparisons in future SPR publications, we will clearly explain any notable variation in the scores from one period to the next, which may have been caused by changes in legislation, or other factors.

4.29. Some respondents asked us to explain why some suppliers didn't appear in the charts we proposed. In our charts which show data per supplier, we will now publish the 20<sup>13</sup> highest-scoring overall, as we described in 4.11. If suppliers don't appear in our SPR charts, it is because they weren't one of the highest scoring overall. Their scores will be in the raw data we publish. If a supplier doesn't appear in the raw data either, this means it has fully complied with its obligations, or isn't yet obligated under any of the schemes.

4.30. Some respondents asked us to provide evidence for non-compliance incidents as part of the SPR publication. In the raw data we will provide an explanation for every individual incident, explaining why we have given it a particular score. We don't think there is any value to consumers in providing all the detailed evidence underpinning each specific incident, as it would add complexity and potentially raise additional problems for publishing, like confidentiality of personal and commercially sensitive information.

4.31. Some respondents asked what the purpose of publishing the raw data was. The details of every non-compliance incident will be in the raw data file, including an explanation for the non-compliance. The raw data will provide context for the SPR and allow interested parties (like consumer organisations) to do their own analysis if they wish. We think it is important to provide this for transparency, and because the charts can only provide a selective analysis of the data.

## 5 Next steps

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- 5.1. We have considered the feedback from the consultation. We have decided to proceed with publishing the SPR and the data it shows on suppliers' performance against the environmental and social schemes we administer.
- 5.2. We expect the SPR to evolve over time, and we will keep our processes and methodology under review to ensure that it remains a useful tool for driving improvements in supplier performance and promoting the interests of consumers. We will continue to engage with suppliers and other stakeholders to seek their feedback.
- 5.3. We will publish an SPR information document for the reasons we have described in 3.16. This will provide information on how we score incidents as well as background information on the schemes.
- 5.4. We will also share every supplier's complete scores with them before we publish the SPR for the first time. Following this, we will share the scores with suppliers two weeks before we publish an update.
- 5.5. We're aiming to publish the SPR for the first time in summer 2017. We will promote this by email and on social media.

## Appendix 1 – updated scoring matrix

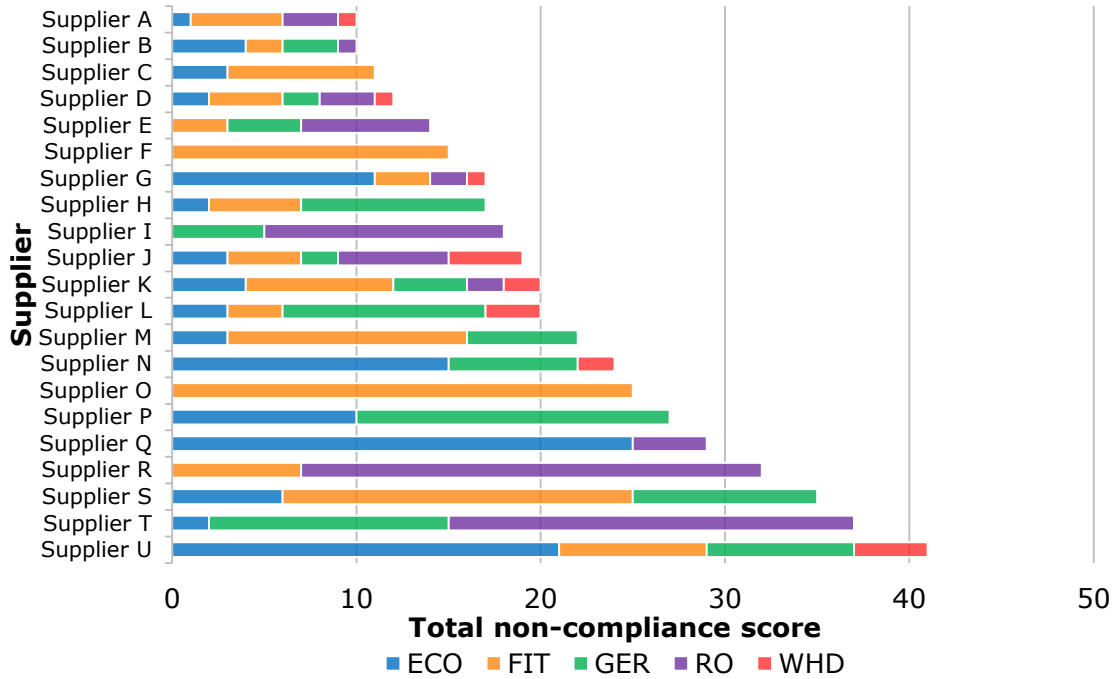
Severity Category → ↓	Severity Rating - 4	Severity Rating - 3	Severity Rating - 2	Severity Rating - 1	Severity - 0
<i>Compliance with overriding scheme obligation</i>	ECO – Has not met its set obligation WHD – Has not met its set obligation GER – Has failed to make payments to one or more customer where it is within the supplier’s ability to make the payment FIT – Fails to offer FIT payments when obliged to do so RO – Has not met its obligation for an obligation period OLR – Has not participated in a BPPA auction if mandated to do so and/or has not fulfilled contractual obligations FMD – Has not published approved data				Has met their obligation
<i>Deadlines</i>	Supplier’s action means we have to make special arrangements to complete compliance, for example extend a deadline.	Leads to a future monthly monitoring requirement <i>or</i> Leads to delays/time constraints for Ofgem in completing compliance	Leads to a future quarterly monitoring requirement/ a site audit/ a required change in supplier’s controls and procedures <i>or</i> Corporate strategy objectives moved or discarded	Leads to details published in annual report <i>or</i> Notification of minor non-compliance <i>or</i> Reprioritising of delivery required	No / low reprioritising of delivery required
<i>Governance</i>	Ofgem requires supplier to significantly overhaul its governance structure	Leads to an investigation by scheme compliance team <i>or</i> Leads to a future monthly monitoring requirement <i>or</i> Leads to a change in Ofgem’s external guidance <i>or</i> Ofgem requires supplier to make some changes to governance structure	Leads to a future quarterly monitoring requirement/ a site audit/ a required change in supplier’s controls and procedures <i>or</i> Ofgem makes suggestions to change governance structure	Details published in annual report <i>or</i> Leads to communication with individual supplier clarifying compliance processes <i>or</i> Ofgem reviews governance structure	No concerns over governance
<i>Accuracy of data</i>	Volume of incidents ≥ 5% of supplier’s total obligation/number of measures claimed <i>or</i> Affects scheme obligation setting/calculation	Volume of incidents ≥3% to <5% of supplier’s total obligation/number of measures claimed <i>or</i> Leads to an investigation by scheme compliance team <i>or</i> Leads to a future monthly	Volume of incidents ≥1% to <3% of supplier’s total obligation/number of measures claimed <i>or</i> Leads to a future quarterly monitoring requirement/ a site audit/ a required change in supplier’s controls and procedures	Volume of incidents <1% of supplier’s total obligation/number of measures claimed <i>or</i> Details published in annual report <i>or</i> Leads to communication with individual supplier clarifying compliance processes	No concerns over data accuracy

<b>Severity Category</b> →	<b>Severity Rating - 4</b>	<b>Severity Rating - 3</b>	<b>Severity Rating - 2</b>	<b>Severity Rating - 1</b>	<b>Severity - 0</b>
		monitoring requirement <i>or</i> Leads to a change in Ofgem's external guidance <i>or</i> Ofgem unable to process/accept data due to poor quality	<i>or</i> Leads to a change in Ofgem's internal processes/procedures <i>or</i> Leads reconciliation in future compliance periods		
<i>Financial Implication</i>	≥ 10% of the supplier's obligation to the scheme	≥5% to <10% of the supplier's obligation to the scheme	≥1% to <5% of the supplier's obligation to the scheme	>1% of the supplier's obligation to the scheme	No / low financial loss to scheme participants
<i>Level of Escalation (internal use only)</i>	Highest level of staff involved: senior employee (associate director, managing director or CEO)	Highest level of staff involved: head of scheme	Highest level of staff involved: senior manager	Highest level of staff involved: manager	Highest level of staff involved: assistant manager
<i>Time required to resolve (internal use only)</i>	Over 4 months	3 - 4 months	2 - 3 months	1 - 2 months	Under 1 month

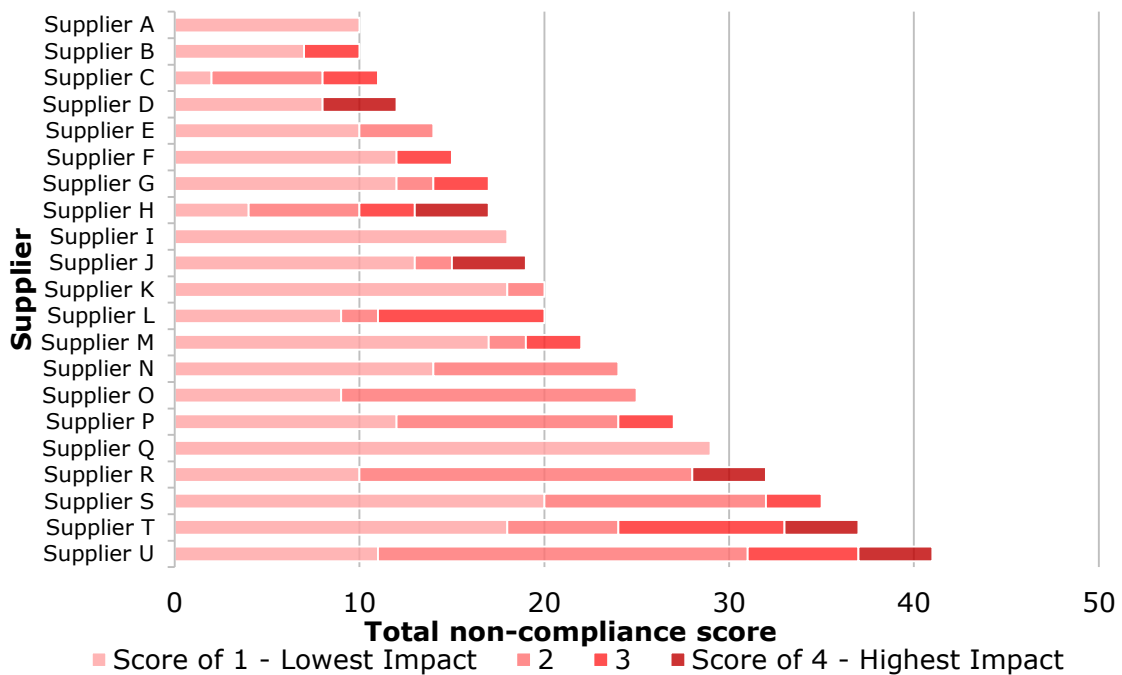


# Appendix 2 – updated charts

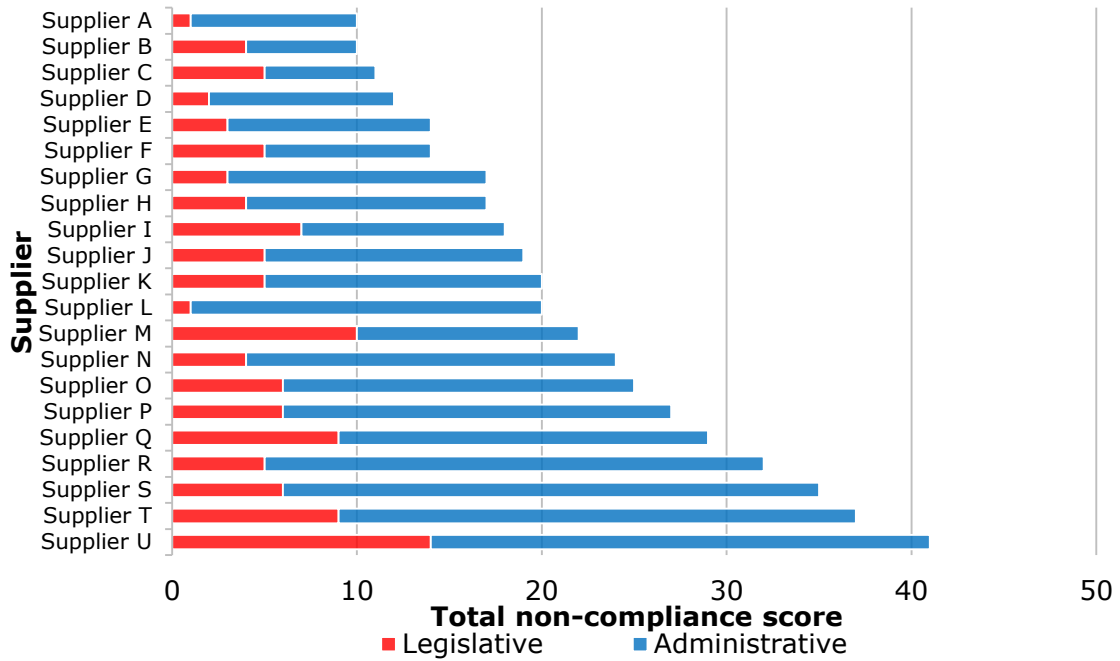
**Chart 1: Total non-compliance score by supplier (by scheme)**



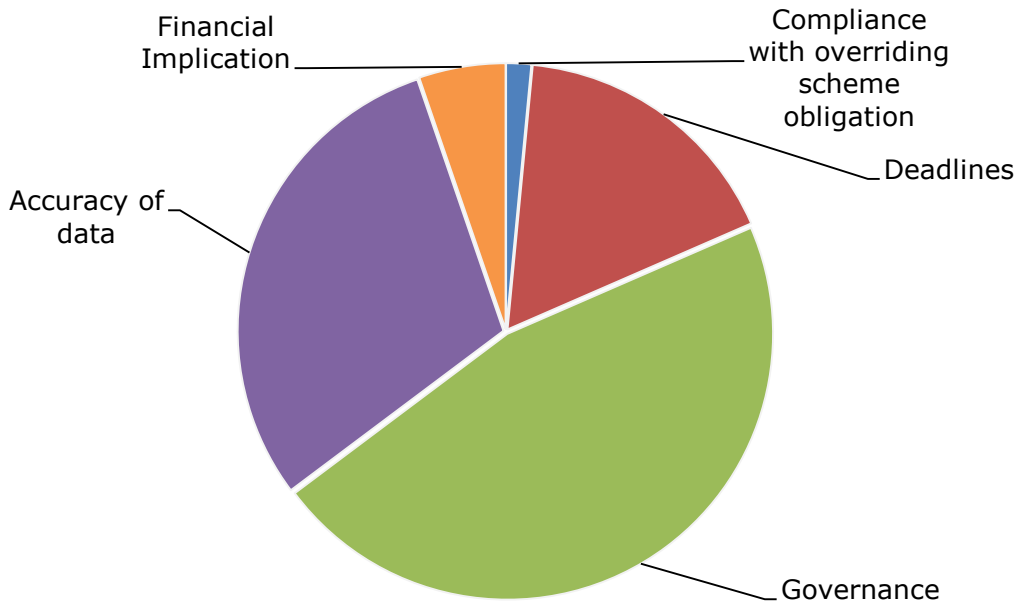
**Chart 2: Total non-compliance score by supplier (by incident severity)**



**Chart 3: Total non-compliance score by supplier (by incident type)**



**Chart 4: Total non-compliance score by category**



## Appendix 3 – consultation responses

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We received 16 responses to the consultation, one of which was confidential. We've published the remaining 15 responses on our website, alongside our consultation, [here](#). These came from the following stakeholders:

1. British Gas
2. Citizens Advice
3. E.ON
4. Ecotricity
5. EDF
6. Energy UK
7. Energy Saving Trust
8. F & S Energy
9. First Utility
10. RWE npower
11. Ovo Energy
12. Scottish Power
13. SmartestEnergy
14. SSE
15. Utilita Energy