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MP112 'Setting the Privacy Assessment Assurance Status'

Modification Report Version 1.0

About this document

This document is a draft Modification Report. It currently sets out the background, issue, solution, impacts, costs, implementation approach and progression timetable for this modification, along with any relevant discussions, views and conclusions. This document will be updated as this modification progresses.

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This document also has one annex:

- **Annex A** contains the redlined changes to the Smart Energy Code (SEC) required to deliver the Proposed Solution.

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1. Summary

This proposal was raised by Simon Crouch of Utiligroup.

The Security Sub-Committee (SSC) has recently raised [MP091 'Updating Security Assurance Status'](#). One of the benefits of raising this modification is to align SEC Section I to SEC Section G.

Each Party must complete a Full Privacy Assessment (FPA). Upon completion the Smart Energy Code (SEC) Panel shall assign the Party with one of the four assurance statuses. It has been identified that two of these statuses are not entirely clear, and so a change to a more accurate status title has been requested.

The proposed solution will require amendments to SEC Section I 'Data Privacy'. The status 'Provisionally approved' will be changed to 'Deferred', and the status 'Deferred' will be changed to 'Rejected'. This will provide a more accurate reflection of the situation of these statuses.

Furthermore, when a Party is set the status of 'Rejected' ('Deferred' under current drafting), a second FPA will be undertaken as the SSC feel this is more appropriate.

This modification will take an estimated two days of SECAS effort to implement, costing approximately £1,200. There will be no associated implementation costs on SEC Parties or the DCC.

2. Issue

What are the current arrangements?

Section I 'Data Privacy' states that once a Party has completed its FPA the SEC Panel shall assign it an assurance status.

Section I2.32 sets out four potential assurance statuses:

1. **Approved**;
2. **Approved subject to** Party taking mitigating steps outlined in FPA;
3. **Provisionally approved** subject to Party taking mitigating steps outlined in FPA, undertaking a Follow-up Privacy Assessment and Panel approving the results of the Follow-up assessment; and
4. **Deferred** subject to Party amending its Privacy Assessment Response to resolve issues that are inadequately addressed, resubmitting Privacy Assessment Response and the Panel reconsidering that Parties assurance status.

The SEC confirms that the first two assurance statuses allow the User to complete the User Entry Process Tests (UEPT) but the second two assurance statuses do not allow the UEPT to be completed and indicate significant security deficiencies that require substantial remediation.

It is proposed to amend 'Provisionally Approved' to 'Deferred' and amend 'Deferred' to 'Rejected' as that more accurately reflects the situation and is in line with the original policy intent.

The SSC also believes it would be more appropriate that where a Party is set a status of 'Rejected' ('Deferred' under the current drafting) a second FPA is more appropriate than an updated User Privacy Assessment Response to provide assurance for all Parties and the DCC that the (significant) deficiencies have been addressed.

What is the issue?

In SEC Section I2.32, there are four potential assurance statuses a Party may receive after completing their FPA. While the first two, '1. Approved' and '2. Approved subject to', are clear to understand, '3. Provisionally approved' and '4. Deferred' are thought to be less clear, and thus could result in a level of confusion for a Party seeking to complete its UEPT.

What is the impact this is having?

The current wording in the SEC can cause confusion. This can create the wrong impression for Parties as to what the consequence of their assurance status actually is. Removing any confusion over what the assurance status means and making it clear and obvious to Parties what is expected will make the process clearer for all.

Subsequent to MP091 there is misalignment of statuses between Section I and Section G which could further cause confusion.

3. Solution

Proposed Solution

The proposed solution is to amend two of the four assurances statuses that are assigned to a SEC Party upon completing the FPA. SEC Section I2.32 will be amended so that the status 'Provisionally approved' will be changed to 'Deferred', and the status 'Deferred' will be changed to 'Rejected'. This will offer a more accurate reflection of the situation than what is currently stated in the SEC.

Furthermore, there will be a change to the current process where, when a Party is set the status of 'Rejected' ('Deferred' under current drafting), a second FPA will be undertaken as the SSC feel this is more appropriate. This will provide assurances to all Parties and the SCC that deficiencies have been identified and are under review.

4. Impacts

This section summarises the impacts that would arise from the implementation of this modification.

SEC Parties

SEC Party Categories impacted			
✓	Large Suppliers	✓	Small Suppliers
✓	Electricity Network Operators	✓	Gas Network Operators
✓	Other SEC Parties		DCC

The amendment to the current assurance statuses relating to the completion of the FPA will affect all Parties wishing to complete the UEPT.

SEC and subsidiary documents

The following parts of the SEC will be impacted:

- Section I 'Data Privacy'

The changes to the SEC required to deliver the proposed solution can be found in Annex A.

Consumers

This modification will have no impact on Consumers.

Other industry Codes

This modification will have no impact on other industry Codes.

Greenhouse gas emissions

This modification will have no impact on greenhouse gas emissions.

5. Costs

DCC costs

As there will be no impact on DCC Systems, there will be no associated implementation costs.

SECAS costs

The estimated SECAS implementation costs to implement this modification is 2 days of effort, amounting to approximately £1,200. The activities needed to be undertaken for this are:

- Updating the SEC and releasing the new version to the industry.

SEC Party costs

There are no expected implementation costs on SEC Parties.

6. Agreed Implementation approach

Recommended implementation approach

Panel agreed an implementation date of:

- **5 November 2020** (November 2020 SEC Release) if a decision to approve is received on or before 22 October 2020; or
- **25 February 2021** (February 2021 SEC Release) if a decision to approve is received after 22 October 2020 but on or before 11 February 2021.

The November 2020 SEC Release is the earliest release that this modification can be targeted for.

7. Assessment of the proposal

Observations on the issue

The proposal was taken to the Change Sub-Committee (CSC) for decision. CSC members felt that the issue was well defined and agreed with the proposed progression of the proposal. CSC members unanimously agreed that the proposal should be converted to a Modification Proposal and progress the Report Phase.

The proposal was also presented to each SEC Sub-Committee for initial comments. Each Sub-Committee was happy for the proposal to progress as they agreed with the proposed amendments. No further comments were received on the issue.

Proposer's rationale against the General SEC Objectives

Objective (g)¹

The Proposer believes that this modification will better facilitate SEC Objective (g) by ensuring the SEC accurately reflects the situation of each assurance status.

¹ g) Facilitate the efficient and transparent administration and implementation of the SEC

Appendix 1: Progression timetable

MP112 was taken to the March 2020 SEC Panel meeting where it was converted from a Draft Proposal to a Modification Proposal. As part of the Report Phase, the modification will be issued for Modification Report Consultation.

Timetable	
Action	Date
Initial comments from SEC Parties	3 Feb 2020
Taken to CSC for decision	25 Feb 2020
Take to Panel for conversion to Modification Proposal	13 Mar 2020
Modification Report Consultation	17 Mar – 7 Apr 2020

Appendix 2: Glossary

This table lists all the acronyms used in this document and the full term they are an abbreviation for.

Glossary	
Acronym	Full term
FPA	Full Privacy Assessment
DCC	Data Communications Company
SEC	Smart Energy Code
SSC	Security Sub-Committee
UEPT	User Entry Process Tests