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DP112

‘Setting the Privacy Assessment Assurance Status’

Modification Report

Version 0.2

About this document

This document is a draft Modification Report. It currently sets out the background, issue, 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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1. Summary

This draft proposal was raised by Simon Crouch of Utiligroup.

The Security Sub-Committee (SSC) have 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.

Furthermore, when a Party has been 'Rejected' ('Deferred' under current drafting), they receive an updated User Privacy Assessment Response. This provides assurance for all Parties and the Data Communications Company (DCC) that deficiencies have been addressed. The SSC have proposed that the 'Rejected' Party should undertake a second FPA instead.

2. Issue

What are the current arrangements?

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

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 believe 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 their 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.

Appendix 1: Progression timetable

The suggested timetable for DP112 is for the Draft Proposal to receive comments from SEC Parties to gauge initial reactions to the issue. Following this, it will be presented at the next Change Sub-Committee (CSC) for initial viewing, and if well received will be asked for decision. If recommended for approval, it will be taken to the next Panel meeting for conversion to a Modification Proposal on 13 February 2020.

Timetable	
Action	Date
Initial comments from SEC Parties	W/B 3 Feb 2020
Taken to CSC for decision	25 Feb 2020
Taken to Panel for conversion to Modification Proposal	13 Mar 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