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DP182 'Improving Transparency of Election Results'

Modification Report

Version 0.1

21 September 2021

Corporate member of
Plain English Campaign
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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 proposal has been raised by Eric Taylor from SMETS Design Ltd.

The Proposer believes that the results of voting for positions in Smart Energy Code (SEC) governance are needlessly kept a secret from those eligible to vote. The Proposer also believes there appears to be no regulatory reason nor satisfactory explanation that explains the merits of this arrangement, other than the process to withhold results is explicitly stated within the SEC.

The Proposer's view is that this is an unusual element of secrecy and is at odds with conventional practice in transparent elections and some other Codes. It unnecessarily erodes confidence in the SEC governance arrangements and is contradictory to General SEC Objective (g)¹.

In any election for position in or under SEC Panel governance it is proposed that for each candidate, the number of votes cast per candidate is published at the time that the results are announced. The Proposer hopes that 'this alignment to normal transparent election process will improve confidence in enduring governance and encourage more active participation'.

2. Issue

What are the current arrangements?

The elections that are conducted under the SEC are governed by SEC Section C4 'Elected Members' which defines the election process for membership to the SEC Panel. The election process within Sub-Committees, in terms of management of the election process and publication of results, follows the same administrative process as that of the SEC Panel.

Additionally, the Security Sub-Committee (SSC), the Smart Metering Key Infrastructure Policy Management Authority (SMKI PMA) and the Technical Architecture and Business Architecture Sub-Committee (TABASC) also require applicants to hold the appropriate expertise to be eligible for membership.

In a Panel or Sub-Committee election, where more nominations are received for candidates than there are seats available in that SEC Party Category, SEC Parties in that category will be invited to vote for their preferred candidate. The outcome of this vote is published, but the detailed breakdown of votes is not.

SEC Section C4.2 (n) and (o) states:

- n) the Secretariat shall not publish details of the votes cast by each Voting Group, but shall disclose such details to the Panel Chair for scrutiny;*
- o) as soon as reasonably practicable following the election of an Elected Member in accordance with this Section C4.2, the Secretariat shall publish on the Website and notify each Party of the identity of the person who has been so elected.*

The Proposer argues that SEC Section C4.2(n) is in direct contradiction to SEC Section C1.1(g) which states:

¹ Facilitate the efficient and transparent administration and implementation of this Code

- g) *the seventh General SEC Objective is to facilitate the efficient and transparent administration and implementation of this Code.*

There is precedent for the publishing of election results in other Codes.

The Balancing and Settlement Code (BSC) for example publishes results in full, following the process set out within BSC Section B: The Panel. The detailed rules surrounding the publishing of results are contained within the Annex B-2 'Election of Industry Panel Members', section 1.3 'Publication of Election Results'.

What is the issue?

The Proposer believes that the secrecy of election results is at odds with conventional transparency and normal practice in free and fair elections. It is necessary that SEC Parties have complete confidence in SEC governance in order that SEC objectives can be achieved. Keeping such information a secret and only seen by those who already hold office or position serves no constructive purpose and gives an extremely negative impression to SEC Parties who will be dissuaded from engagement and participation.

What is the impact this is having?

The Proposer believes that this unusual element of secrecy is at odds with conventional practice in transparent elections and unnecessarily erodes confidence in the SEC governance arrangements. In some areas there is widespread and very low confidence in the ability of enduring governance to efficiently deal with the matters which frustrate the efforts of SEC Parties to support the General SEC Objectives. Against such a background, the Proposer feels that this is one of many changes that could have a cumulative effect in raising confidence in the effectiveness of Enduring Governance and encouraging better participation.

Impact on consumers

This issue does not affect consumers.

Appendix 1: Progression timetable

This proposal was raised on 17 September 2021. SECAS will present it to Change Sub-Committee (CSC) on 28 September 2021 for initial comments. SECAS will engage further with SEC Parties through its regular engagement calls to seek further views on the issue and the impact it is having.

Timetable	
Event/Action	Date
Draft Proposal raised	17 Sep 2021
Presented to CSC for initial comment	28 Sep 2021
Presented to CSC for final comment and decision	26 Oct 2021

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
BSC	Balancing and Settlement Code
CSC	Change Sub-Committee
SEC	Smart Energy Code
SMKI PMA	Smart Metering Key Infrastructure Policy Management Authority
SSC	Security Sub-Committee
TABASC	Technical Architecture and Business Architecture Sub-Committee