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MP219 ‘Accessing Consumption Data on behalf of SEC Parties’

April 2023 Working Group – meeting summary

Attendees

Attendee	Organisation
Kev Duddy (KD)	SECAS
Rachel Black (RB)	SECAS
Elizabeth Woods (EW)	SECAS
Mike Fenn (MF)	SECAS
Rainer Lischetzki (RL)	SECAS
Mohammedanwar Sumro (MS)	SECAS
Ben Giblin (BG)	SECAS
David Walsh (DW)	DCC
Robin Seaby (RS)	DCC
Patricia Massey (PM)	BEAMA
Julie Brown (JB)	British Gas
Beth Davey (BD)	Calvin Capital
Amy Cox (AC)	EDF
Alex Hurcombe (AH)	EDF
Daniel Davies (DD)	ESG
Martin Bell (MB)	EUA
Kelly Kinsman (KK)	National Grid Electricity Distribution
Stuart Blair (SB)	Northern Powergrid Metering
Matt Roderick (MR)	N3rgy
Ralph Baxter (RBa)	Octopus Energy
Jamie Flaherty (JF)	Ofgem
Audrey Smith-Keary (ASK)	OVO Energy
Stephen Mclaughlin (SM)	Scottish Power
Gordon Hextall (GH)	Security Sub-Committee
Jeff Studholme (JS)	Smart Meter Assets
Shuba Khatun (SK)	SSE Networks
Kevin Clark (KC)	Utilita

Overview

Occasionally, Suppliers and Network Parties may employ a third-party Other User to collect Consumption Data on their behalf.

Issue

The Smart Energy Code (SEC) does not allow Other Users to collect Smart Metering Consumption Data without first obtaining Unambiguous Consent from each Energy Consumer. This is extremely time consuming and limits Other Users in their ability to offer their services to SEC Parties.

Working Group Discussion

SECAS (BG) provided an overview of the identified issue, solution and responses to the Refinement Consultation.

A Working Group member (JB) noted that their concerns about this modification relate to traffic management across the DCC System. They highlighted that Suppliers do not request large volumes of data throughout the day due to the impact on their systems. They raised concern regarding how Other Users could request data without being impacted in the same way. Furthermore, they noted that there might be an impact on other processes such as Install and Commission. They added that many of their concerns were linked to [DP218 'Review of the SEC Charging Methodology'](#).

The Proposer (MR) noted that this modification does not change existing data privacy rules as the Other User will be acting as the Data Processor, rather than the Data Controller. The Working Group member (RBa) questioned what controls would be in place to restrict the Other User from conducting their own activities, outside of passing the data to the employing Party. The Proposer (MR) noted that if the employing party requested the Other User to conduct work more than just passing the data back to them then that would be a contractual arrangement and is outside the scope of this modification. The Working Group member (RBa) noted that if the Other User was to conduct any activities outside of just passing the information back to the employing party then this would make the Other User more than a Data Processor – and at this point they would need Appropriate Permission. The Proposer (MR) agreed that if the Other User wants to do more than just provide the information to the employing Party then they would require Unambiguous Consent from the consumer.

Another Working Group member (RBa) questioned whether all data privacy questions had been answered relating to this modification, highlighting how Suppliers are constrained in what they can do with consumer data. SECAS (BG) explained the information provided to the Working Group was highlighting the main themes of the Refinement Consultation responses, rather than issues which still need to be investigated.

The Working Group member (RBa) suggested that the discussions for this modification needed to be examined by General Data Protection Regulations (GDPR) experts for clarification. SECAS (BG) explained that GDPR experts within SECAS have examined this modification and agreed it is compliant with GDPR and Data Privacy rules.

Another Working Group member (KC) queried whether many of the concerns raised by Parties during the Refinement Consultation were not valid. SECAS (BG) explained that GDPR experts had read through the responses and did not believe any issues raised would be outside the rules allowed by GDPR.

Next Steps

The following actions were recorded from the meeting:

- SECAS to provide written answers to the Refinement Consultation responses concerning GDPR.
- SECAS to present MP219 to the Change Sub-Committee to enter the Report Phase.