

This document is classified as **Clear** in accordance with the Panel Information Policy. Recipients can distribute this information to the world, there is no limit on disclosure. Information may be shared without restriction subject to copyright.

# MP219 ‘Accessing Consumption Data on behalf of SEC Parties’

## Conclusions Report – version 1.0

### About this document

---

This document summarises the responses received to the Modification Report Consultation and the decision of the Change Board regarding approval or rejection of this modification.

### Summary of conclusions

---

#### Change Board

The Change Board voted to **approve** MP219. It believed the modification better facilitated SEC Objectives (a<sup>1</sup>) and (c<sup>2</sup>).

#### Modification Report Consultation

The Smart Energy Code Administrator and Secretariat (SECAS) received 15 responses to the Modification Report Consultation. Nine Parties, made up of two Large Suppliers, one Network Party, one Other Respondent, two Small Suppliers and three Other Smart Energy Code (SEC) Parties supported approval of the modification. SECAS notes that two of the supportive Parties are separate SEC Parties however are owned by the same organisation. Those Parties in support of approval believed MP219 better facilitates SEC Objectives (a) and (e)<sup>3</sup>.

Six Parties, made up of two Large Suppliers, one Network Party, two Other SEC Parties and an Other Respondent believed the modification should be rejected. These Parties considered that the modification did not support SEC Objective (a) and (f)<sup>4</sup>

---

<sup>1</sup> To facilitate the efficient provision, installation, and operation, as well as interoperability, of Smart Metering Systems at Energy Consumers’ premises within Great Britain.

<sup>2</sup> To facilitate Energy Consumers’ management of their use of electricity and gas through the provision to them of appropriate information by means of Smart Metering Systems

<sup>3</sup> To facilitate such innovation in the design and operation of Energy Networks (as defined in the Data Communications Company Licence) as will best contribute to the delivery of a secure and sustainable Supply of Energy.

<sup>4</sup> To ensure the protection of Data and the security of Data and Systems in the operation of this Code.

## Modification Report Consultation responses

### Summary of responses

Of the nine Parties who supported the modification many responses noted that it will make it easier for Energy Consumers to participate in National Grid's Demand Flexibility Service (DFS). This would remove the reliance on customers having to consent through various consent models, such as through their In-Home Display (IHD). Parties noted that implementation of this modification would help to assist in introducing consumer benefits of smart metering in terms of helping to reduce energy consumption and future plans to help with forecasting on the energy system.

One supportive Party also noted that MP219 will improve competition by removing the disparity and increased hurdle for those Energy Consumers whose Supplier use Other Users to collect data.

Another Party noted that they supported the modification as they believed there were appropriate controls in place to monitor the Other User as they are only permitted to collect data and pass it back to the employing Party.

Of the six Parties who rejected the approval of this modification, three noted that the existing data privacy arrangements for Suppliers and Other Users were produced after wide consultation between Government, Smart Energy GB, Citizens Advice, the legal advisers to the government department currently known as Department for Energy Security and Net Zero (DESNZ), previously Department of Energy and Climate Change (DECC), and the public. They felt that if a change to existing arrangements should take place, then wider consultation should take place rather than through merely a SEC modification. These Parties also noted that without wider consultation, this could harm public perception of the Smart Metering Implementation Programme (SMIP), which in turn could lead to less acceptance of having Smart Metering Systems (SMS) installed in their homes.

One Party noted that they believed this modification had been raised to make it easier for the Proposer to sell services to SEC Parties, rather than offering an improvement to all SEC Parties by making it easier for Other Users to work on behalf of Suppliers and Network Parties.

Three Parties noted that they believed this modification could increase traffic across the DCC network as the employing Party could continue to request the same Consumption Data which the contracted Other User is also collecting. SECAS has no information about whether this modification will lead to an increase or decrease in traffic across the DCC System.

## Change Board vote

### Change Board vote

The Change Board voted to recommend MP219 be **approved** by the Authority.

The vote breakdown is summarised below.

Change Board vote				
Party Category	Approve	Reject	Abstain	Outcome
Large Suppliers	4	0	1	<b>Approve</b>
Small Suppliers	2	0	0	<b>Approve</b>

Managed by

Change Board vote				
Party Category	Approve	Reject	Abstain	Outcome
Network Parties	1	0	1	Approve
Other SEC Parties	1	0	2	Approve
Consumer Representative	0	1	0	Reject
Overall outcome:				APPROVE

One Large Supplier and One Network Party abstained from voting without providing a rationale against the SEC objectives. The two Other SEC Parties abstained didn't believe the modification was needed as existing consent methods are acceptable and it is not time-consuming to collect the Unambiguous Consent from each Energy Consumer.

## Views against the General SEC Objectives

### Objective (a)

The majority of the Change Board believed that MP219 will better facilitate SEC Objective (a). They noted that allowing Other Users to collect Consumption Data on behalf of Suppliers and Network Parties facilitated the efficient operation of Smart Metering Systems.

### Objective (c)

Several Change Board members referred to SEC objective (c) in their comments, noting that this modification could be used for participation in the Demand-Flexibility Scheme. As such, they agreed that this better facilitates Consumers management of their energy usage by provision of appropriate information from their Smart Metering System.

## Change Board discussions

One Change Board member noted the potential impacts of the modification on the Smart Metering Implementation Programme (SMIP). They questioned the existing consent methods used by Other Users to collect Unambiguous Consent from Consumers and asked if there were any examples of the time this is taking Other Users to prove it is an issue. The Proposer noted that there are lots of different consent models which can be used by Other Users. They reiterated that this modification means that the Other User will be able to use the employing Parties Appropriate Permission to collect Consumption Data. As such, Other Users will not need to use any consent methods, as they will not need to collect the Unambiguous Consent of each Energy Consumer. Therefore, this modification will always enable Other Users to act more quickly on behalf of SEC Parties. The Change Board member noted these comments and asked why the Consumer could not consent to an Other User collecting their data at the same time as consenting to their Supplier collecting the data. The Proposer agreed that this could occur, but in most instances when a Consumer changes Supplier they only consent to the new Supplier collecting Consumption Data for billing purposes, rather than an extension to also allow Other Users to collect their Consumption Data in other scenarios.

Another Change Board member referenced one section in the Modification Report citing the SEC Objectives that the modification better facilitates. The sentence they noted stated that the Other User could more easily collect Consumption Data from Consumers, with the Other User then offering

further services to the Consumer. They commented that the sentence used could be mis-interpreted as Other Users being allowed to complete activities outside the scope of the modification. SECAS noted these comments and agreed that this could have been clearer. SECAS confirmed that if approved, this modification will only allow Other Users to collect the Consumption Data on behalf of the employing Party and pass it back to them.

One Change Board member agreed that this modification could be useful as many Energy Consumers do not have an In-Home Display (IHD) and therefore may find it difficult to consent to their Consumption Data being collected by an Other User. They also requested clarification on whether any individuals who are non-SEC Parties could use this modification. SECAS confirmed that Other Users are registered SEC Parties who undergo rigorous privacy assessments and security checks before they can operate. In addition, SECAS noted that this modification has been built around the definition of 'Appropriate Permission' and who can access data without collecting Unambiguous Consent. Only Suppliers and Network Parties hold Appropriate Permission and only those who choose to contract out the service to an Other User will be affected.

Another Change Board member asked what controls would be put in place as part of this modification and who would regulate them. SECAS confirmed that in addition to the changes to the SEC, three additional changes will be added to the Privacy Controls Framework (PCF) for the Independent Privacy Auditor (IPA) to ensure the Other User is not using the employing Party's Appropriate Permission for means outside of which they have been employed. The Proposer also commented that additional controls could also be inserted into contracts if the employing Party chose to.

One member noted that given there had been several questions raised during the meeting, whether SECAS should consider taking the modification away to complete further investigation. SECAS responded noting that all development of the solution to address the concerns raised had been completed. The Change Sub-Committee had agreed that the solution development and the Modification Report were complete. SECAS confirmed discussions at the meeting would be included in the Conclusions Report. In particular, issues raised such as an increase in traffic or a potential decrease in smart metering installs because of this modification being approved cannot be calculated. As such, SECAS noted that the modification had been paused twice for further questions to be answered and that it was appropriate for the modification to undergo final vote. No other Change Board members questioned progression to the vote.

One other Change Board member asked why Network Parties had been included in the drafting of this modification. SECAS noted that as part of the definition of Appropriate Permission, both Suppliers and Network Parties are included and can collect Consumption Data in accordance with their Energy Licences. As such, Network Parties have been included as part of the modification.