



Consumer Protection Programme 2024 - 2029

Consultation

21 December 2023



About the Utility Regulator

The Utility Regulator is the economic regulator for electricity, gas and water in Northern Ireland. We are the only multi-sectoral economic regulator in the UK covering both energy and water.

We are an independent non-ministerial government department and our main duty is to promote and protect the short-and long-term interests of consumers.

Our role is to make sure that the energy and water utility industries in Northern Ireland are regulated, and developed within ministerial policy, as set out in our statutory duties.

We are governed by a Board of Directors and are accountable to the Northern Ireland Assembly.

We are based at Queens House in Belfast. The Chief Executive and two Executive Directors lead teams in each of the main functional areas in the organisation: CEO Office; Price Controls, Networks and Energy Futures; and Markets and Consumer Protection.



Our mission

To protect the short- and long-term interests of consumers of electricity, gas and water.



Our vision

To ensure value and sustainability in energy and water.



Our values

- Be a best practice regulator: transparent, consistent, proportionate, accountable and targeted.
- Be professional – listening, explaining and acting with integrity.
- Be a collaborative, co-operative and learning team.
- Be motivated and empowered to make a difference.



Abstract

Utility Regulator's (UR) current Consumer Protection Programme (CPP) plays a pivotal role in ensuring Northern Ireland domestic consumers are protected. The CPP is a central element of UR's Corporate Strategy and is our principal vehicle to deliver positive outcomes for domestic electricity, gas, and water consumers in Northern Ireland.

It is our intention to develop a new five-year CPP for 2024-2029, which will run alongside our new Corporate Strategy. We anticipate developing a structured plan for years one to three with a strategic direction outlined for years four and five. We intend to be sufficiently agile in the new CPP and therefore at the end of year three we plan to conduct a 'mid-term review' of the CPP to ensure that we can develop workstreams and projects for the remaining two years that are relevant to consumer needs as they emerge.

This CPP will, for the first time, outline our intended approach to enhance protection for non-domestic consumers as well as domestic, vulnerable and 'future' consumers.

UR proposes three themes for the new CPP: Research and Leadership, Enablement and Protection.

Audience

This document is likely to be of interest to a wide range of stakeholders; including domestic consumers, non-domestic consumers, consumer bodies, advice and protection agencies, business representative organisations, energy suppliers and the wider energy industry.

Consumer impact

This CPP is expected to have a positive impact on domestic and non-domestic electricity, gas and water consumers. The costs and benefits of each project will be identified during the scoping phases of the individual projects.



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1. Introduction and background

- 1.1 Protecting consumers is at the heart of the UR's role and we pursue this, where appropriate, through promoting effective competition in the Northern Ireland energy markets. UR operates to ensure consumers are adequately protected in these markets through competition, alongside regulation if that competition is not deemed effective enough to adequately protect consumers.
- 1.2 UR's current Consumer Protection Programme (CPP)¹ plays a pivotal role in ensuring Northern Ireland domestic consumers are protected. The CPP is a central element of UR's Corporate Strategy and is our principal vehicle to deliver positive outcomes for domestic electricity, gas, and water consumers in Northern Ireland. The current programme includes a suite of bespoke projects aimed at enhancing consumer protection for all domestic consumers.

Background

- 1.3 Currently, four key objectives form the pillars of the CPP:
1. Affordability: To ensure all consumers have access to affordable energy.
 2. Equal Access: To ensure equal access to utility services for all consumers.
 3. Empowerment: To empower consumers through education and transparency.
 4. Leadership and Engagement: To bring together a range of interested groups to examine key consumer, market and competition outcomes, identify research, best practice and highlight any regulatory considerations.
- 1.4 Launched in April 2019, the development and delivery of the CPP was deferred in June 2020 in order to prioritise urgent COVID-19 service delivery issues. As the CPP was designed to be a flexible programme that would adapt to fit changing circumstances and account for the changing nature of vulnerability, our Board endorsed a proposal to review and re-scope the CPP in 2021 and to extend the duration of the programme to 2024. This allowed us to incorporate lessons learned from the COVID-19 pandemic to support consumers during the cost of living crisis which closely followed the pandemic.

¹ <https://www.uregni.gov.uk/files/uregni/documents/2021-12/consumer-protection-plan-review.pdf>



- 1.5 As an indication of UR's commitment to protecting all consumers, a renewed focus has now been placed on prioritising consumer protection within UR. It is our intention that this CPP will, for the first time, outline our intended approach to enhance protection for non-domestic consumers as well as domestic, vulnerable and 'future' consumers.
- 1.6 Following engagement with stakeholders, our board, and research into the key issues facing electricity, gas and water consumers, we are now consulting on our proposed approach to our new CPP. A summary of the consultation questions can be found in Annex 2. This work aligns with UR's Corporate Strategy 2019-2004: 'Strategic Objective 1 - Promoting markets that deliver effective competition, informed choice and fair outcomes'.
- 1.7 We will also be looking to align with our new Corporate Strategy 2024-2029 which is currently being consulted on. This draft Corporate Strategy has been developed with a view to delivering for consumers at a time of fundamental change affecting the energy and water sectors.
- 1.8 It is our intention to develop a five-year CPP, which will run alongside our new Corporate Strategy. We anticipate developing a structured plan for years one to three with a strategic direction outlined for years four and five. We intend to be sufficiently agile in the new CPP and therefore at the end of year three we plan to conduct a 'mid-term review' of the CPP to ensure that we can develop workstreams and projects for the remaining two years that are relevant to consumer needs as they emerge. Given the challenges that face consumers in this ever-changing environment, we are mindful of the role that the CPP will have in protecting Northern Ireland consumers, domestic and non-domestic both now and in the future.

Context

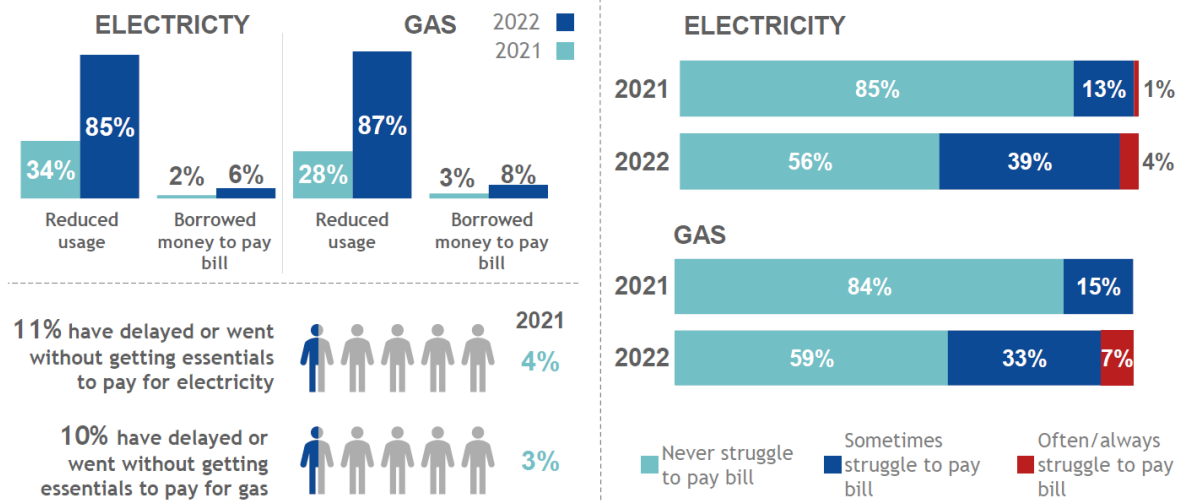
- 1.9 In identifying the direction and potential work areas for our new CPP it is essential to understand the current situation for energy and water consumers as well as considering what are likely to be the key issues, developments and trends in energy and water over the next five years.
- 1.10 As articulated in our draft Corporate Strategy consultation we are in a time of profound change and as a regulator we must be cognisant of the challenges for the energy and water sectors as they address the impact of climate change.
- 1.11 In June 2019, the UK Government passed legislation requiring the UK Government to reduce the UK's net emissions of greenhouse gases by 100% (relative to 1990 levels) by 2050. Last year, the Northern Ireland Assembly passed the Climate Change Act (Northern Ireland) 2022, which set out local statutory targets for reducing emissions.



- 1.12 Furthermore, the principle of Just Transition is a core element of Climate Change Act (Northern Ireland) 2022 and includes, among others, principles such as supporting the creation of secure green jobs, ensuring that workers and communities are supported with the transition, tackling inequality and breaking down barriers of division.
- 1.13 Our engagement with stakeholders, both through the course of developing our new draft Corporate Strategy and around exploring potential areas of work in a new CPP, has identified the need to address the key strategic issues of decarbonisation and the need for Just Transition.
- 1.14 At our corporate strategy events, stakeholders identified the importance of decarbonisation and the critical role UR must play in helping Northern Ireland meet the net zero targets. Our consumer and industry stakeholders also identified the importance of Just Transition as it is UR's statutory duty to protect both the short and long-term interests of consumers.
- 1.15 These views were also reflected in engagement with our Consumer Protection Advisory Group (CPAG). Members highlighted the importance of UR's role in delivering Just Transition in the path to Net Zero proposing that Just Transition be represented significantly and explicitly in the new CPP.
- 1.16 In addition to decarbonisation and Just Transition, affordability concerns for all consumers also remains a significant driver for our work.
- 1.17 The UR's Domestic Consumer Insight Tracker is carried out annually with energy consumers in Northern Ireland during October and November to provide a statistically robust evidence base on consumer experiences of the energy market. The most recent data was published in April 2023 and found a substantial increase in the amount that consumers in Northern Ireland were spending on their energy each month and notable increases in the proportion of consumers who were struggling to pay for their energy.
- 1.18 There were also increases in the proportion of consumers who were going without other essentials to pay for their gas or electricity bills, borrowing money to pay for their energy and reducing their use of electricity and gas. Consumers who were highly vulnerable were more likely to be struggling to pay for their energy bills as well as presenting with other indications of financial distress.



Northern Ireland domestic energy consumer landscape

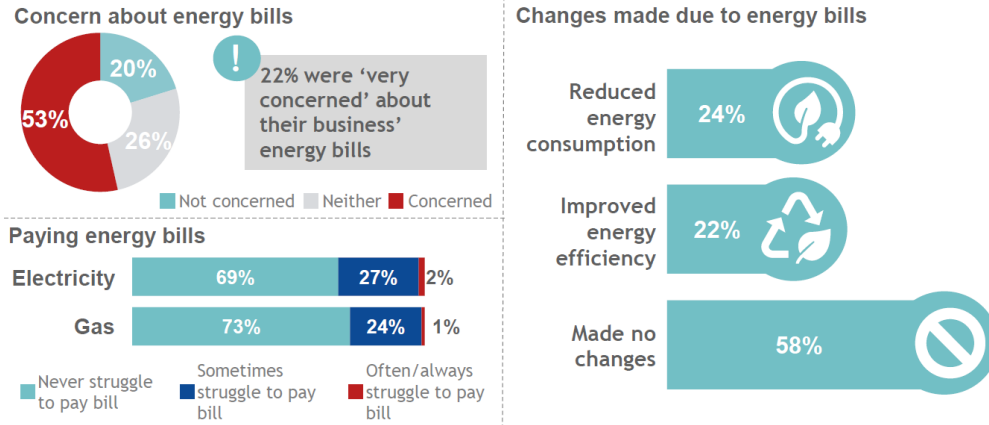


- 1.19 The UR’s Non-Domestic Consumer Insight Tracker is carried out every two years. The most recent survey was carried out between December 2022 and January 2023 and used a representative sample of non-domestic consumers in Northern Ireland and was published in May 2023.
- 1.20 Over half (53%) of non-domestic consumers were found to be concerned or very concerned over their energy bills, with the hospitality sector the most likely to be concerned. It was found that 29% of non-domestic electricity and 25% of non-domestic gas consumers said they struggle to pay bills².
- 1.21 However, most non-domestic consumers said they had made no changes due to energy prices and a high proportion were unaware of how much they spend on both (33% electricity and 41% gas).

² These are new questions to this survey, so we cannot make a comparison to prior surveys



Northern Ireland non-domestic energy consumer landscape



1.22 While international wholesale prices movements are outside our control, stakeholders have been clear that we must continue to use our regulatory powers to ensure that energy markets are working in the best interests of all consumers to protect them from undue costs.



2. Proposed Consumer Protection Programme (2024 – 2029)

- 2.1 In defining the direction for the new CPP we wanted to highlight that our new programme will continue to ensure high quality projects and workstreams to protect domestic consumers and those in vulnerable circumstances, and we will explicitly identify how we will seek to protect non-domestic consumers.
- 2.2 We have also considered the objectives of the current CPP i.e. Affordability, Equal Access, Empowerment through education and transparency, and Leadership and Engagement, to ascertain if they are still fit for purpose or if this would be a good opportunity to review or modify these objectives.
- 2.3 Feedback from stakeholders indicated support for a CPP that covers domestic, non-domestic and ‘future’ consumers. Stakeholders also indicated that the CPP objectives are still relevant, but some stakeholders asked that we consider the merit of including a theme related to Just Transition in the context of what this means for consumers, and to ensure that Just Transition is represented significantly and explicitly in the new programme.
- 2.4 Stakeholders also suggested the inclusion of work exploring climate change, the impact of Artificial Intelligence on utility consumers and the need to be agile to respond to emerging challenges.
- 2.5 Therefore, below we outline three core themes which represent our proposed approach to the new CPP. These new themes incorporate the aims of the previous CPPs (four) objectives. They also give consideration to the feedback received from our stakeholder engagement as well as the overall strategic direction of UR and the Northern Ireland Government work on the Climate Change Act (Northern Ireland) 2022³. Measurable objectives will be developed for each of the projects agreed upon within the CPP.

Proposed CPP approach

- 2.6 UR proposes the following themes:
1. **Research and Leadership** – Providing evidence-based thought leadership in delivering the consumer protection policy agenda.
 2. **Enablement** – Creating the frameworks and environment for domestic and non-domestic consumers to engage in a meaningful way with electricity, gas and water services.

³ The Climate Change Act (Northern Ireland) 2022 set out local statutory targets for reducing emissions and the principle of Just Transition.



3. **Protection** – Providing appropriate protection for domestic and non-domestic consumers who may need additional support to ensure they avail of the best-in-class electricity, gas and water services in Northern Ireland, both now and in the future.

2.7 In proposing these updated themes, we have considered areas of work and projects that might support their delivery which we have outlined below.

Consultation questions

1. Do you agree with the three themes that have been identified for CPP 2024 - 2029? Please provide any additional information to support your view.
2. Do you agree that a five-year CPP with a mid-term review after three years is a suitable duration and approach? Please provide your rationale.

Theme 1: Research and Leadership

- 2.8 A key tenet of our new CPP is to provide a sound evidence base. This will support the development of policy within government and will also provide leadership and direction in developing appropriate consumer protection for both domestic and non-domestic consumers via our existing legislative and statutory framework. We are proposing to continue our robust research programme during the CPP period.
- 2.9 Continuation of our three core quantitative research vehicles: the Domestic Insight Tracker, the Non-Domestic Insight Tracker and a further iteration of the research on consumer attitudes and behaviours around the energy transition. This Northern Ireland-specific research will continue to be used to provide evidence-based planning and decision-making for domestic and non-domestic consumers and will also enable comparisons over time.
- 2.10 Following on from our qualitative research on consumers struggling to pay their energy bills, we will continue to lead in building a usable evidence base around consumer experience of debt and affordability. We are proposing to conduct qualitative research with consumers to develop an in-depth understanding of energy literacy issues and how these can be addressed in relation to both the current energy market (understanding of bills, energy usage, comparing deals, consumer protections, etc) and the future market and Just Transition (decarbonisation, new technologies, barriers, concerns, etc).
- 2.11 We also note that domestic consumers who live in private rented accommodation have been identified by many organisations as a group of consumers who could experience detriment, both currently and throughout



the move to net zero. We propose undertaking a separate research project to identify the potential issues that this specific consumer group experiences (or could experience) to help develop approaches to protect them now and in the future.

- 2.12 Throughout 2023, we have undertaken a program of research in order to enhance our understanding of the Northern Ireland non-domestic market. The purpose of this work was to help identify any areas where the existing regulations are inadequate or need strengthened to provide appropriate protections to non-domestic consumers. We have issued a Call for Input (CfI) designed to identify these areas to provide sufficient protections to non-domestic consumers. This evidence will also be used to support projects on enablement for non-domestic consumers.
- 2.13 We will also continue to work in partnership with other Government bodies in support of evidence building for areas such as Climate Action Plans and other Government strategies such as the Energy Strategy – Path to Net Zero, and the upcoming Fuel Poverty Strategy.

Consultation questions

3. In relation to 'Theme 1: Research and Leadership':
- a. Do you agree with the proposed areas of work and projects identified under this theme? Please provide any additional information to support your view, including any additional areas or projects that you feel should be of focus.
 - b. Are there any projects that require prioritising within years one to three of the CPP? Please provide your rationale as to why.

Theme 2: Enablement

- 2.14 Enabling consumers to make informed choices is encouraging them to engage in the current and future energy market and empowering them to act on those choices. This will help foster a better consumer experience and increase trust in the energy market. By providing consumers with the tools and support they need to make informed decisions, we can create a more trusted and sustainable environment for them, be that a domestic or non-domestic consumer. Helping consumers make the best choice about their gas or electricity supplier or tariff, or enabling them to interact with new net zero focused technologies will provide them with better outcomes.
- 2.15 In this context, we are proposing a project on improving energy literacy, which encompasses a consumer's ability to access energy related information, to understand this information and to use this information to



make decisions in their best interests. Improving energy literacy is fundamental to empowering the consumer to engage effectively with the energy market and with Just Transition. In addition, ensuring that information is more accessible, less complex and taking a pro-active approach in both reaching out and supporting consumers will help them understand this information.

- 2.16 As noted above we are proposing to conduct research to assess the levels of energy literacy across all consumer groups. From this research, we will design a programme to help develop energy literacy and work to implement this in partnership with stakeholders. This workstream will cut across all our work areas and UR will work closely with industry and consumer representative bodies to achieve enhanced energy literacy.
- 2.17 The Department for Economy (DfE) have committed to developing a plan for the implementation of electricity Smart Meters and systems in Northern Ireland. For Smart Meter implementation to be successful, it is essential we understand how consumers themselves will be able to benefit from Smart Metering services. Consumer needs must be core to the development of Smart Metering and to support this UR is currently working with DfE on performing cross-jurisdictional research on the consumer experience and lessons learnt to help provide an essential focus on the consumer experience on the high-level design of Smart Meters in Northern Ireland. The outcomes of the research will enhance our understanding of the impacts Smart Metering will have on consumers and will also identify what actions need taken so Smart Meters can be introduced with the consumer as the focus, maximise the benefits, and avoid any potential harms in advance of the introduction of Smart Meters in Northern Ireland.
- 2.18 This work will feed into the Smart Metering High Level Implementation Plan being developed by DfE to ensure consumer centricity throughout the entirety of the Smart Metering roll-out in Northern Ireland.
- 2.19 Working in partnership with DfE on the plan for the implementation of Smart Meters and systems will be a core work stream for UR over the next five years.
- 2.20 Given our ability to provide an enhanced focus on the experience of non-domestic energy consumers in Northern Ireland and based on the outcomes of our Cfl, we anticipate that we will develop a range of measures which could be implemented. We envisage this will include measures to strengthen the opportunities for non-domestic consumers to engage in the energy market. Some of these measures could be implemented promptly, or alternatively the Cfl could identify issues that may require further investigation leading to longer-term projects to implement. Outcomes and



proposals coming from the Cfl around enabling non-domestic consumers will be included in the final CPP but may include areas such as transparency and information which will link into our energy literacy workstream, or measures in relation to energy brokers / third party intermediaries.

Consultation questions

4. In relation to 'Theme 2: Enablement':

- a. Do you agree with the proposed areas of work and projects identified under this theme? Please provide any additional information to support your view, including any additional areas or projects that you feel should be of focus.
- b. Are there any projects that require prioritising within years one to three of the CPP? Please provide your rationale as to why.

Theme 3: Protection

2.21 As well as enabling and empowering consumers, we need to ensure that the frameworks to protect consumers are in place and are fit for purpose. Appropriate consumer protection ensures the fair and responsible treatment of consumers, especially those who, due to specific circumstances, are not able to navigate energy and water services easily themselves. We have considered this area in terms of price and non-price protection.

Price protection

- 2.22 Affordability of gas and electricity continues to be a core issue for all consumers in Northern Ireland and one of the strategic drivers of our draft Corporate Strategy.
- 2.23 In Northern Ireland, the monopoly position of our major networks for electricity, gas and water means that NIE Networks, Phoenix Energy, Evolve, firmus and NI Water are all subject to economic regulation via price controls. These price controls provide protection for consumers ensuring quality of service at an appropriate cost. Working on these price controls will continue to be a priority for UR for the next five years.
- 2.24 During this next period of the CPP, we will continue our work on debt and affordability. We will use the outcomes of the qualitative research on energy debt and affordability to help us explore how to identify self-disconnection and how to best measure this. In addition, we hope to establish a Working Group with relevant stakeholders to facilitate discussion on (i) how to improve supplier approach and response to debt and (ii) how to best support



and educate consumers.

- 2.25 In our role as member of the Fuel Poverty and Just Transition Programme Board, we will continue to help, support and direct the development of a Fuel Poverty Strategy for Northern Ireland.
- 2.26 Ensuring fair and transparent retail tariffs for consumers is a key goal of UR policy and of consumer empowerment and protection. The continued regulation of dominant energy suppliers' tariffs remains a crucial aspect of our policy approach; and the reintroduction of supply price regulation (via 'tariff caps') in GB highlights how other regulators are also currently following a similar approach to domestic price regulation. This approach means that, for domestic consumers (and small businesses in gas), there are three price regulated energy supply companies in Northern Ireland:
- Power NI Ltd (Power NI) in the electricity supply market;
 - SSE Airtricity Gas Supply (NI) Ltd (SSE Airtricity) in the gas supply market in Greater Belfast and the West of NI; and
 - Firmus Energy (supply) Ltd (Firmus) in the gas supply market in the Ten Towns area.
- 2.27 This price regulation ensures there is a regulated and transparently set price that consumers can avail of should they remain with the incumbent supplier and/or should the competitive market not provide reasonable offerings. It has also acted to set a 'benchmark' tariff at which the market can price above and below across tariff offerings and even time periods. This regulatory model allows UR to meet its' primary statutory duty to deliver consumer protection whilst also promoting effective competition where possible.

Non-price protection

- 2.28 The final decisions on the implementation of the Best Practice Framework final decisions are expected to be published by end March 2024. The overall aim of the Best Practice Framework is to establish best practice principles and measures which energy and water companies in Northern Ireland must implement to better identify, support and protect consumers in vulnerable circumstances. This will include the implementation of a new Code of Practice (CoP) for Consumers in Vulnerable Circumstances (including a new definition for customers in vulnerable circumstances) and the longer-term development of a single Northern Ireland Utility Customer Care Register across electricity, gas and water industries.
- 2.29 Based on engagement with stakeholders throughout the Best Practice Framework process, we are proposing to set a requirement for electricity,



gas and water companies to develop and report on a Vulnerability Strategy for their organisation. This approach would ensure that consumer protection is given primary consideration at Board level within company decision making, embedding of such considerations within the company culture and providing accountability at a strategic level.

- 2.30 The Consumer Energy Charter was first developed in collaboration with CCNI, Government Departments and gas and electricity suppliers in 2022 in response to the cost of living crisis. The Consumer Energy Charter is a voluntary arrangement and is designed to help consumers in need and protections extend to all households. However, in practice it is expected that consumers in debt or who are in a vulnerable circumstance are more likely to avail of the protections it offers. We enhanced the protections for the Consumer Energy Charter for this winter and we are proposing that the Charter will be put in place annually to provide additional support and enhanced protections to households during the Winter. Charter commitments will be reviewed each year and sign up by domestic electricity and gas suppliers will be on a voluntary basis.
- 2.31 We will continue to work across the regulated network companies throughout their price control periods to help ensure positive consumer outcomes in terms of the service provided and engagement undertaken by the companies. We will continue to chair and run working groups across the network companies, which will include membership from companies, CCNI and the relevant government departments. As part of the delivery of the network Price Controls the DNOs will collect actionable data and in conjunction with them we will establish performance targets specifically linked to consumer outcomes. Through this work we can help improve the consumer experience and service delivered. We will provide support to and work collaboratively with the teams delivering the Supply Price Controls where there is overlap or interaction with the CPP.
- 2.32 We will continue to work on enhancing protection and service standards for consumers through the implementation of the review of Electricity Guaranteed Standards of Service (GSS) and Overall Standards of Performance (OSP). A consultation on the review of electricity GSS/OSP was published in August 2023 and closed in November 2023. This review will apply these consumer service standards to electricity supply companies and also update the existing GSS/OSP for the distribution company. Following the implementation of the final revised electricity GSS, UR has committed to commence a further review of both gas and electricity GSS towards the end of this CPP period to bring the standards in line with the protections being afforded to consumers in other jurisdictions. We will also explore the potential of introducing GSS for water consumers at this stage.



- 2.33 We are also proposing a strengthening of protections for consumers who have been recently bereaved. This will include the implementation of requirements in relation to closing accounts with their suppliers, returning of any credit, switching tariffs if a plan no longer meets the household needs following a bereavement, training of staff and dedicated call lines and email addresses.
- 2.34 Currently domestic consumers benefit from a wide range of CoPs which are designed to ensure that gas and electricity consumers, and in particular those that may be in vulnerable circumstances, are protected in their dealings with their supplier. Although the CoPs have been providing consumers with high levels of protection, in our commitment to be a proactive regulator, we consider it appropriate to start a review cycle for these CoPs to ensure that they are still fit for purpose. Reviewing CoPs will enhance standards of service and protections for consumers. Furthermore, to ensure that the CoPs have the appropriate impact for consumers we will ensure an inclusive approach to promoting each CoP and the protections it provides.
- 2.35 NI Water currently have a set of CoPs which cover areas such as billing and metering for non-domestic consumers, dealing with leaks, complaints, sewerage services and water supply services. Currently there is no monitoring regime in place which would require NI Water to report on their performance against the requirements of the CoPs. Further to stakeholder engagement, we are proposing to review the CoPs as a whole to determine if they are fit for current purposes and to establish a performance and monitoring regime. This could be carried out collaboratively as part of the ongoing Consumer Measures and Satisfaction (CM/SAT) group.
- 2.36 As we progress through the transition to net zero, we will explore the potential requirements for new CoPs as new developments and technologies emerge as part of the transition to a net zero.
- 2.37 For non-domestic consumers, the outcomes of the Cfl will help identify if a range of measures should be implemented to strengthen the protections for non-domestic consumers.



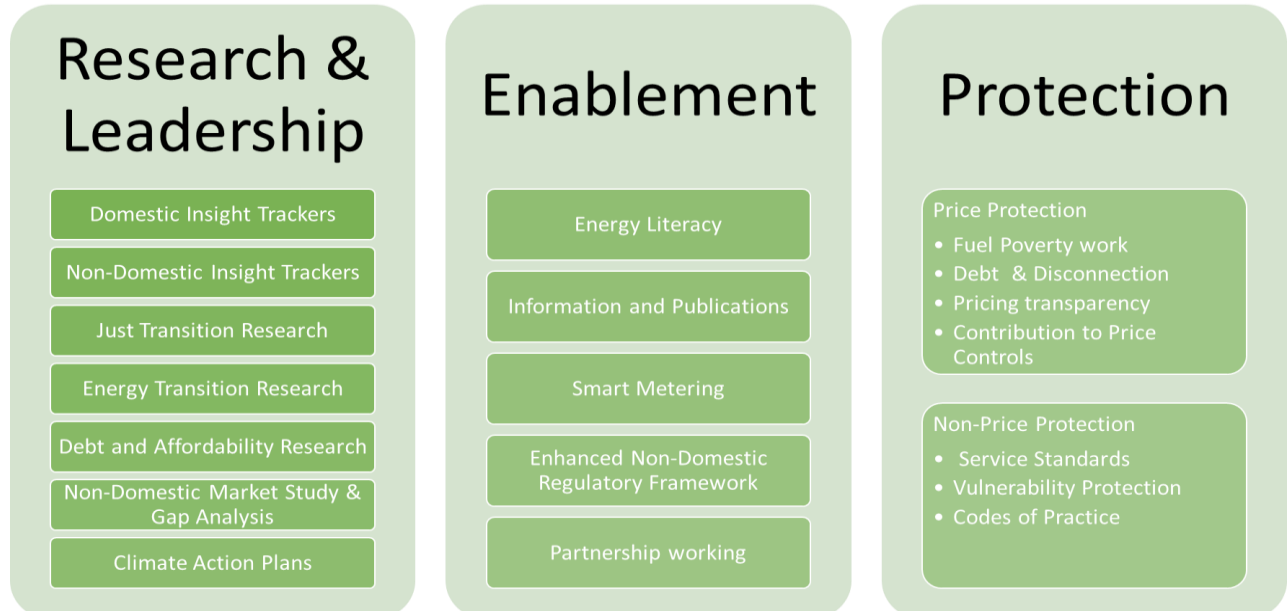
Consultation questions

5. In relation to 'Theme 3: Protection':

- a. Do you agree with the proposed areas of work and projects identified under this theme? Please provide any additional information to support your view, including any additional areas or projects that you feel should be of focus.
- b. Are there any projects that require prioritising within years one to three of the CPP? Please provide your rationale as to why.

2.38 The diagram below summarises the proposed projects against each of the three themes.

Consumer Protection Programme 2024 – 2029 approach





3. Equality considerations

3.1 Section 75 of the Northern Ireland Act 1998 places a number of obligations on public authorities concerning the promotion of equality of opportunity and regard to the desirability of promoting good relations between different categories. We aim to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

3.2 In the consultation paper we requested that respondents commented on the overall equality impact of the proposals. Those who provided a response to this agreed that foreseeable impacts of the proposals would be positive for equality considerations.

3.3 We have undertaken a Section 75 screening of the original proposals as set out in the 'Approach' document and reviewed all of consultation responses as part of the development of this consultation paper. We consider that our CoP helps all consumers and we do not anticipate any negative impacts on any groups.

Consultation questions

6. Do you agree that where this document has an impact on the groups listed, those impacts are likely to be positive in relation to equality of opportunity for utility consumers?
7. Do you consider that the proposals need to be refined in any way to meet the equality provisions? If so, why and how? Please provide supporting information and evidence
8. In relation to developing and implementing CPP 2024-2029, is there anything else not covered by questions 1-7 that UR should consider?



4. Responding to this consultation

- 4.1 In this section we provide information on how to respond to the Consultation as well as next steps.

How to respond

- 4.2 UR is keen to hear all stakeholder views on the questions posed within this paper and would welcome your views on anything else that you consider relevant to this project. Responses to this consultation should be forwarded to reach UR on or before 4pm on 31 January 2024 to:

Samantha Young
The Utility Regulator
Queens House
14 Queen Street
Belfast
BT1 6ED
Email: samantha.young@uregni.gov.uk

- 4.3 As a public body and non-ministerial government department, UR is required to comply with the Freedom of Information Act (FOIA). The effect of FOIA may be that certain recorded information contained in consultation responses is required to be put into the public domain. Hence it is now possible that all responses made to consultations will be discoverable under FOIA, even if respondents ask us to treat responses as confidential. It is therefore important that respondents take account of this, in particular, if asking the Authority to treat responses as confidential, should specify why they consider the information in question should be treated as such.
- 4.4 This paper is available in alternative formats such as audio, Braille etc. If an alternative format is required, please contact the UR's office, which will be happy to assist.

Next steps

- 4.5 Once all responses to this consultation have been received, we will analyse these and based on that information we will then finalise CPP which will then be published in advance of the work commencing 1 April 2024.



5. Annex

Annex 1 – Report on progress against 2019 – 2024 Consumer Protection Programme

CPP Project	Status	Outcomes
Back-billing arrangements (Affordability)	Complete	Where consumers are not at fault, they are now afforded some protection from long-term back-bills due to the implementation of a 13-month limit on energy back-bills. This alleviates the stress and financial burden from consumers who have fallen into arrears through no fault of their own.
Review Quick Check 101 (Equal Access)	Complete	Quick Check 101 now includes all electricity and gas suppliers alongside Network companies, and provides enhanced protection for consumers against bogus callers.
Consumer Insights Trackers (Domestic and Non-domestic) (Leadership and Engagement)	Complete/Ongoing	We now have up-to-date, NI-specific research to provide evidence-based planning and decision-making for domestic and non-domestic consumers. These baseline surveys will continue to be repeated to ensure the evidence is updated and to enable comparisons over time.
UR to take part in stakeholder and consumer engagement and also in working groups with external bodies (Leadership and Engagement)	Complete/Ongoing	The ongoing engagement via the Consumer Protection Advisory Group (CPAG), UK Regulators Network (UKRN), the Collaboration Network and one to one meetings with stakeholders has enhanced our reputation with consumer groups and UK wide bodies. In addition, this engagement has enabled knowledge sharing and our stakeholders have more information on our activities and an opportunity to contribute to projects and challenge ourselves and the industry.
Establish and adopt a definition of vulnerability for NI domestic consumers (Leadership and Engagement)	Complete/Ongoing	The Best Practice Framework (BPF) decision paper established and confirmed the new definition of vulnerability for NI consumers. The definition has been widely circulated among key stakeholders. Suppliers and network operators have begun work to operationalise the new definition. The BPF Project will formalise and embed the definition into the electricity and gas licences
Establish consumer/industry/UR group for consumer issues	Complete/Ongoing	The Consumer Protection Advisory Group (CPAG) has been established. This group serves as a link between UR, consumer groups and the industry. It has been vital in identifying and addressing issues for consumers, for



CPP Project	Status	Outcomes
(Leadership and engagement)		example, pre-payment meter accessibility issues.
Best Practice framework programme (Affordability) (Leadership and Engagement)	Ongoing	<p>The Best Practice Framework (BPF) consultation on proposals for a mandatory CoP for Consumers in Vulnerable Circumstances has been completed and the decision paper on the CoP is due to be published in March 2024. The implementation of this mandatory CoP will ensure that consumers in vulnerable circumstances are better identified, protected and supported by electricity, gas and water suppliers and DNOs.</p> <p>Under the Best Practice Framework we are currently progressing work on the longer-term development of a single joint Customer Care Register for electricity, gas and water.</p>
Review electricity Guaranteed Standards of Service (GSS) and Overall Standards of Performance (OSP) (Empowerment through education and transparency)	Ongoing	<p>We have reviewed the current Electricity Guaranteed Standards of Service (GSS) and Overall Standards of Performance (OSP) and have consulted on our proposals to update the GSS/OSP for the electricity distribution company and on the introduction of a GSS/OSP regime for electricity suppliers. The final decision paper and new regulations will be published under the next CPP. We will continue to engage with DfE on the development of the new regulations.</p> <p>The introduction of a reviewed regime will enhance standards and protections for all consumers.</p>
Deliver new published content to help educate/ empower consumers and stakeholders about energy market and consumer outcomes (Empowerment through education and transparency)	Complete/Ongoing	<p>We now have a 'Consumer Information' section on our website for both domestic and business consumers. This includes information on comparing energy deals, switching, help and support, and consumer protections.</p> <p>We will continue to develop our published content to improve energy literacy and to empower consumers to engage effectively with the energy market and with just transition.</p>
Accessibility issues for consumers e.g. relocation of prepayment meters (Equal Access)	Ongoing	<p>We continue to work with the gas industry on the delivery of a new gas meter with enhanced functionality.</p> <p>UR is currently procuring a piece of research on the consumer experience of the roll-out of Smart Meters in other jurisdictions. The output of this will feed into the High-Level Design for Smart Meters with a view to ensuring a consumer centric solution in NI.</p>
Supplier audit and debt communication	Ongoing/Complete	The supplier audit of debt communications has been completed. Follow up work to develop new processes for debt communications will be progressed when the



CPP Project	Status	Outcomes
follow-up (Affordability)		findings from the research on consumer experiences of debt are available.
Research on experience of debt (both credit and PPM) (Affordability)	Ongoing	Qualitative research is currently being completed with electricity and gas consumers to understand their lived experiences of energy debt or with energy rationing/self-disconnecting because of being unable to afford to pay for their energy. Evidence from this research will be used, along with the findings from the supplier audits, to develop new processes for debt communications.
Scope development and introduction of affordability tariff (Affordability)	Ongoing	We are a member of the Fuel Poverty Just Transition working group chaired by the Department for Communities through which this work will be developed.
Digital exclusion (Equal Access)	Ongoing	We are actively aware of the impacts of digital exclusion on equal access and this is given due consideration in all of our decision making. Through our annual domestic insight tracker survey, we gather data in relation to digital exclusion to enable analysis of the impacts of this on consumer experiences of the energy market including, for example, in relation to switching, consumer complaints and contacts with their suppliers.
Seminar series (Leadership and engagement)	Ongoing	Under the current programme we held several seminars with suppliers and with our CPAG. Examples of speakers include the Information Commissioner's Office, the British Standards Institution and Bryson.
Exploration of the use of Inclusive Design (Leadership and engagement)	Ongoing	We are aware of the Fair by Design approach and we prioritise engagement with service user representatives in our decision making and research projects. Through our annual domestic consumer insight tracker survey, we gather data to identify and form an evidence base regarding any inequalities in consumer experiences of the energy market across different groups.



Annex 2 – Summary of questions

1. Do you agree with the three themes that have been identified for CPP 2024 - 2029? Please provide any additional information to support your view.
2. Do you agree that a 5-year CPP with a mid-term review after 3 years is a suitable duration and approach? Please provide your rationale.
3. In relation to 'Theme 1: Research and Leadership':
 - a. Do you agree with the proposed areas of work and projects identified under this theme? Please provide any additional information to support your view, including any additional areas or projects that you feel should be of focus.
 - b. Are there any projects that require prioritising within years one to three of the CPP? Please provide your rationale as to why.
4. In relation to 'Theme 2: Enablement':
 - a. Do you agree with the proposed areas of work and projects identified under this theme? Please provide any additional information to support your view, including any additional areas or projects that you feel should be of focus.
 - b. Are there any projects that require prioritising within years one to three of the CPP? Please provide your rationale as to why.
5. In relation to 'Theme 3: Protection':
 - a. Do you agree with the proposed areas of work and projects identified under this theme? Please provide any additional information to support your view, including any additional areas or projects that you feel should be of focus.
 - b. Are there any projects that require prioritising within years one to three of the CPP? Please provide your rationale as to why.
6. Do you agree that where this document has an impact on the groups listed, those impacts are likely to be positive in relation to equality of opportunity for utility consumers?
7. Do you consider that the proposals need to be refined in any way to meet the equality provisions? If so, why and how? Please provide supporting information and evidence
8. In relation to developing and implementing CPP 2024-2029, is there anything else not covered by questions 1-7 that UR should consider?



Annex 3 - Glossary

CCNI	Consumer Council for Northern Ireland
Cfi	Call for Input
CM/SAT	Consumer Measures and Satisfaction group
CoP	Code of Practice
CPAG	Consumer Protection Advisory Group
CPP	Consumer Protection Programme
CVWG	Consumer Vulnerability Working Group
GB	Great Britain
GSS	Guaranteed Standards of Service
OSP	Overall Standards of Performance
UK	United Kingdom
UR	Utility Regulator