

**Minutes of the 46th Meeting of the Supervisory Panel
Renewable Energy Consumer Code
Wednesday 13th December 2017**

Meeting held at REA office: 6 Spring House, Graphite Square, Vauxhall Walk, London SE11 5EE

Present:

David Laird – Chairman
Bryn Aldridge – Independent Trading Standards Expert
Walter Carlton – Deloitte (part)
Amanda Clark – Certsure LLP
Zoe Guijarro – Citizens Advice
Steve Lisseter – Independent Consumer Expert

In attendance:

Virginia Graham - RECC
Lorraine Haskell - RECC
Rebecca Robbins - RECC
Neil Wallis – RECC (part)

Apologies:

Carmel Golden – Ofgem
Frank Gordon – REA
Gretel Jones – Independent Consumer Expert
Michelle Kennard - BEIS
Richard Shury – MCS
Jim Thornycroft – Independent Solar PV Expert
Neal Stewart - BEIS

1. Introduction and apologies

The Chairman welcomed attendees to the 46th Supervisory Panel Meeting and noted apologies for absence received.

2. Minutes of last meeting

Panel Members agreed the Minutes of the 45th Supervisory Panel Meeting as being an accurate record of the meeting. The Executive advised that they would be posted as soon as possible now that they had been agreed.

3. Matters Arising

The Executive confirmed that most of the actions from the previous meeting would be picked up later in the agenda. The following updates concerned those that would not.

GDPR

The Executive confirmed that work was underway to update the Bye-Laws and that this would include ensuring that they contained appropriate wording to bring the scheme into line with the GDPR. The Executive further explained that a Privacy Policy Statement was being drafted for RECC, and that this would be circulated to the next meeting.

2018 Annual Report

The Executive confirmed that it had been consulting on ways to improve the presentation of the 2018 Annual Report, in order to emphasise RECC's positive achievements, and thanked Panel Members for their suggestions in this regard. They had suggested including an executive summary, possibly as a stand-alone A4 sheet with a top line, and producing a consumer-focused version as well as a member/ stakeholder-focused version. The Annual Report was due to be published in April and Panel Members would see a draft in advance.

Insurance for battery storage

The Executive confirmed that it was aware that some insurers were now offering cover for battery storage systems and that it was exploring other insurers to make sure members have a range of options.

Model heat pump documents

The Executive confirmed that the updated heat pump model documents were now available in the Members' area on the RECC website. They had been updated to take account of the revised MIS 3005 installer standard.

Marketing

The Executive confirmed the steps it had taken to implement some of the Panel's suggestions from the last meeting to improve the marketing of the Code, and set out the steps it intended to take in the next quarter. Panel Members discussed these ideas and how they could be implemented, as well as what more could be done to reach consumers and ensure Membership Benefits were clearly advertised to current and future members.

4. Highlight Report

Membership activity

The Executive confirmed that the RECC membership had remained broadly stable over the quarter with some 2,200 members. 20 applications to join were being received each month. The Executive explained that, going forward, the number of RECC members was likely to fall in 2018. The renewal process was currently underway, and there were indications that many installers were choosing to leave the sector owing to very low deployment rates, especially for solar PV. On the other hand, some installers were choosing to remain in the sector for a further year, in view of the fact that the Feed-In Tariff would come to an end in its current form in April 2019. The Executive confirmed that membership fees had remained constant for the fourth year running.

The Executive explained that a survey had been carried out to establish which Membership Benefits members found most useful. While some useful feedback had been received, the overall response rate had been very low. Nonetheless, the Executive confirmed that, in its renewal communications with members, it had been stressing Membership Benefits strongly, in line with Panel Members' previous advice. Delivery would shortly be taken of new van stickers which had been requested by many members. The Panel discussed further options for adding value to RECC membership valuable and the Executive confirmed that it would continue to look for ways to extend its Membership Benefits.

Desk-based audits

The Executive explained that desk-based audits were being rolled out following the completion of the trail, details of which had been set out in the previous report. Lessons had been incorporated into the audit check-list so as to make the process more consistent and streamlined. The desk-based audit results to date had highlighted general issues with key compliance areas CA4 (pre-contractual information), CA6 (contracts and cancellation rights) and CA9 (After sales, including guarantees).

The Executive explained further that the non-compliances found had highlighted a general issue with comprehension of key areas such as cancellation rights, and a failure on the part of small members to undertake necessary updates to consumer-facing documentation to bring it into line with changes to the Code, MCS standards and relevant legislation.

The Executive confirmed that the desk-based process did appear to be picking up issues effectively and that it would be looking to increase the number of audits being carried out in 2018. The Executive noted that it would need to look at Monitoring Strategy to decide whether it would need to be updated.

Disciplinary and non-compliance activity

The Executive explained that, between September and November 2017, RECC had:

- invoked non-compliance action against one member;
- required one member to sign a Consent Order (which member later left the sector);

- brought to an end disciplinary action against one member on evidence of compliance;
- issued compliance notices to two members; and
- terminated one member's membership for non-compliance in accordance with clause 14 of the Bye-Laws.

In addition, the Executive explained that one member had had its membership terminated following a Hearing of the Non-Compliance Panel. The details are set out on the RECC website:

https://www.recc.org.uk/images/upload/noncompliancepanel_32.pdf .

The Executive confirmed that the Bye-Laws would shortly be updated with a view to introducing more streamlined procedures which had been discussed at a recent meeting called to review the effectiveness of RECC's non-compliance procedures. It was expected that the updated Bye-Laws would come into force in April 2018. The Panel discussed whether this information could be shared on the website to ensure consumers and RECC members were aware of RECC's work to promote compliance.

Dispute resolution

The Executive confirmed that 180 disputes had been received by RECC during the quarter, compared with 260 in the same quarter in 2016. 35 of these disputes had been referred onwards (in most cases to the MCS Certification Body if they were at least partly technical in nature). 102 of these disputes were categorised as 'feedback' or 'potential' disputes, while 39 disputes were being handled by a RECC caseworker, were awaiting allocation to a RECC caseworker, had already been resolved or were being considered for arbitration.

The Executive explained that over 50 per cent of disputes registered in the quarter were about solar PV. Of the disputes which had been resolved in the quarter, 70 per cent had been resolved by means of independent arbitration. The Panel noted that there seemed to be a high number of consumers making use of the independent arbitration and asked that this be monitored.

5. Sector developments and outlook for 2018

Panel Members discussed likely future developments in the sector, bearing in mind that the end date for new registrations for Feed-In Tariffs was the end of March 2019, and that the end date for new registrations for the Domestic Renewable Heat Incentive was the end of March 2021. They also discussed the introduction of Assignment of Rights into the Domestic Renewable Heat Incentive from the end of June 2018 and the implications of this for consumer protection.

Further, Panel Members considered the development of Each Home Counts Quality Mark, and the growth of new, smart technologies including battery storage, electric vehicle charging points, demand-side reduction, distributed generation, and other forms of grid management. Panel Members discussed opportunities for RECC from these developments and suggested initiatives which RECC might take over the coming months.

6. Role of Supervisory Panel

Panel Members discussed the paper which had been circulated setting out the role of the Supervisory Panel. This was based on existing sources which summarise the terms of reference for Panel Members and set out the way Supervisory Panel meetings operate. The Executive requested views from Panel Members as to amendments that needed to be made before letters of appointment were re-issued to Panel Members. In particular the Executive was seeking views as to how Panel Members could be more closely involved in RECC's work.

The Panel discussed the importance of confirming the regular attendance of Panel Members to ensure the full scope of expertise is available to the Executive. The Panel suggested that the Executive should undertake an assessment of whether the current Panel Members offered all the necessary expertise and whether there was room for new Panel Members. The Executive agreed that it would consider how the Panel could be involved in smaller, expert group meetings in the future based on the current terms of this appointment.

The Executive undertook to re-issue appointment letters to Panel Members to take effect from 1 April 2018.

7. Update on GDPR

Panel members noted the updated paper tabled by the Executive, which followed on from the discussion at the previous meeting. They noted that the draft Privacy Policy would be made available at the March meeting of the Supervisory Panel. They provided guidance from their own organisations' experience with the GDPR regulations which was very helpful.

8. A.O.B and date of next meetings

A.O.B.

There was no further business raised.

Date of next meetings

It was agreed that the next meeting of the Supervisory Panel would take place at 10:30 a.m. on 14 March 2018. Subsequent meetings had been scheduled for: 13 June, 12 September and 12 December at 10.30 a.m.

There being no further business, the Chairman thanked those who had attended and closed the meeting.