

**Minutes of the 51st Meeting of the Supervisory Panel  
Renewable Energy Consumer Code  
Wednesday 19 March 2019**

**Meeting held at REAL office: 80 Strand, London, WC2R 0DT**

**Present**

- David Laird- Chairman
- Bryn Aldridge - Independent Trading Standards Expert
- Nikki Andrews - BEIS
- Chris Avgherinos – BEIS
- Walter Carlton – Deloitte
- Amanda Clark – Certsure LLP
- Frank Gordon – REA
- Gretel Jones – Independent Consumer Expert
- Gemma Stanley – Solar Trade Association

**In attendance**

- Virginia Graham - RECC
- Lorraine Haskell - RECC
- Aida Razganaite - RECC
- Rebecca Robbins – RECC
- Abena Simpey - RECC

**Apologies**

- Carmel Golden - Ofgem
- Steve Lissiter - Independent Consumer Expert
- Damien Morris – Citizens Advice

**1. Introduction and apologies**

The Chairman welcomed attendees to the 51st Supervisory Panel Meeting and noted apologies for absence received.

**2. Minutes of last meeting**

The Members present agreed the minutes of the 50<sup>th</sup> Supervisory Panel Meeting as being an accurate record of the meeting.

**3. Matters Arising**

The Executive confirmed that all the actions in the summary were in train, had been completed or would be covered later in the agenda other than the preparation of guidance on public liability

insurance which had been held over. The Executive confirmed that it was working closely with MCS to develop a battery storage installer standard, and that this would build on the work carried out at Loughborough University to understand battery storage self-consumption patterns better, with and without solar PV. The Executive confirmed that, once the research outputs were finalised, it would be working with BRE National Solar Centre to update the consumer guidance.

The Executive confirmed that the agenda items on Membership, Assignment of Rights and Dispute Resolution would be taken within the context of discussions on the Highlight Report.

#### **4. Highlight Report**

The Panel considered the content of the Highlight Report.

##### *Membership*

The Executive reported that some 1,500 members had renewed their membership for 2019, and that the process was now almost complete. This had been a very positive renewal rate, given the impending closure of the Feed-In Tariff Scheme. Applications to join RECC remained buoyant, including from companies intending to install solar PV. Panel Members enquired once again whether the Executive was fully recovering the cost of the due diligence it carried out on all new applications. The Executive explained that it was seeking an amendment to the Bye-Laws to allow RECC to charge an applicant whose application was referred to the Applications Panel. Panel Members were supportive of this change.

There followed a discussion about RECC affiliations as member benefits. (RECC is currently has a mutually supportive arrangement with Which? Trust Trader Scheme and is in discussions with the Trading Standards approved Buy With Confidence Scheme. RECC is also a TrustMark Scheme Operator.) The Executive asked Panel Members whether they considered that the scheme should show an individual RECC member's affiliations with one of these schemes on the RECC website. Some Panel Members voiced concerns about whether this could lead to consumer confusion. They suggested, rather, that the information could be shown on a separate page dedicated to each affiliated scheme.

The REA representative explained that Government had announced plans to introduce an obligation on larger licensed suppliers to offer domestic consumers a Smart Export Guarantee (SEG). To be eligible this would require evidence that the system had been installed by an MCS-certified installer. Government intended to lay the Regulations before Parliament in the summer, although it was expected that they would come into force during 2019. Electricity suppliers would need time to put systems in place, although some were moving ahead voluntarily. Panel Members raised questions about whether SMETS1 smart meters would be capable of underpinning the SEG, and whether the SMETS2 technology was satisfactory. They asked to be kept up-to-date about developments with the SEG.

### *Assignment of Rights*

The BEIS representative provided an update on the Assignment of Rights (AOR) within the Domestic Renewable Heat Incentive. The Executive reported that, to date, 20 companies had expressed interest in becoming an AOR investor. Of these, RECC had approved 8 on the basis of their business model and model contract, and referred them to Ofgem, while 10 were in the application process. The Executive confirmed that it was seeking an amendment to the Bye Laws to allow RECC to charge AOR investors on a 'per installation' basis. Panel Members were very supportive of this change.

The BEIS representative explained that it was expected that installations under AOR would be 100% comprised of air source heat pumps since this was where DRHI tariff is best. Panel Members raised questions about what would happen at the end of the AOR contract, i.e. after 7 years. In particular, they asked what the cost implications would be for consumers, and what would happen if the investor was no longer around.

Finally, Panel Members discussed the pre-AOR third party heat model. They asked whether lessons had been learnt as a result of the fact that over 1,000 biomass systems were currently ineligible for the DRHI payments. The Executive confirmed that it was working closely with Ofgem and BEIS to resolve these issues, and that it was expected that Ofgem would check future applications more rigorously.

### *Monitoring*

The Executive reported that, during the membership renewal process, there had been a lull in desk-based audits. Now that the renewal process was at an end, this would be restarted. However, the time had been spent in ensuring that the desk-based audit questionnaires were completely up-to-date and took account of learning from the process so far.

### *Compliance*

The Executive reported that it was seeking to recover its costs awarded by the Appeals Panel in respect of appeal brought by ESE Services Ltd. Panel Members asked to be kept up-to-date with developments.

### *Complaints*

Panel Members had some comments on the way the data had been presented in the report. They asked:

- if it would be possible to show the total number of complaints received compared with the total number of installations during the period (Figure 5);
- whether recent changes to the Dispute Resolution Process had resulted in an increase in the total number of complaints registered and, if so, asked that we monitor by how many (Figure 6);

- what percentage of complaints about ex-members (shown in Figure 7) related to contracts signed whilst the company was a RECC Member;
- for clarification of the relationship between the data shown in Figure 8 and the data shown in Figure 6, specifically in this case the 37 'domestic disputes for RECC' registered in the period, shown in Figure 6; and
- that Figure 9 also show percentage changes compared with the previous period.

The Executive agreed to consider these requests and to make the requisite changes for the next report. Panel Members also asked that EV charge point be added as a category in the Dispute Resolution Database.

Panel Members discussed the pros and cons of offering access to the Dispute Resolution Process for consumers who signed a contract with a RECC member even if the company was no longer a member of a CTSI-approved Code (though still trading). Panel Members asked about the costs and the likelihood of success of mediation between a consumer and a company that was no longer a member. They also asked about whether consumers in this category could have access to arbitration. The Executive agreed to update the Panel.

Panel Members asked about what RECC does once a consumer has been offered access to independent arbitration. They suggested that consumers should be reminded if they did not take up the offer and that, should they decide not to take up the offer, they should be asked why not. The Executive agreed to consider how to introduce this into the process.

## **5. Consumer guidance on the installation of EV charge points in the home**

The Executive reported that RECC's consumer guidance on EV charge points had been completed and published on the website. A recent comparison had shown that over 200 RECC members were also on The Office of Low Emission Vehicles (OLEV)'s approved installer list. These members could be identified using the website search tool. Panel Members asked what further crossover there could be between the two sectors. REA provided gave an update on EVs and outlined the questions consumers were asking. REA confirmed that research showed the main barrier to take-up as cost.

## **6. AOB and date of next meeting**

*Next meeting*

It was agreed that the future 2019 meetings of the Supervisory Panel would take place on **Wednesday, 19 June, Wednesday, 18 September and Thursday, 12 December, all at 10.30 a.m.**

*AOB*

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