

## Minutes of Code Change Committee

### Meeting 09

23 November 2022

MS Teams

Status of the Minutes: FINAL

Anthony Pygram	AP	Independent Chair	Ulrike Hotopp	UH	Independent Member
Mike O'Connor	MO	Independent Member	Trevor Nelson (Alternate)	TN	Retailer Member
Mike Rathbone	MR	Wholesaler Member	Matthew Glover	MG	Retailer Member
Paul Stelfox	PS	Wholesaler Member	Christina Blackwell	CB	Customer Representative
Jessie Wright (Alternate)	JW	Wholesaler Member	Steve Creighton	SC	Alternative Customer Representative

#### AFFILIATE MEMBERS PRESENT

Dan Mason	DM	Ofwat Affiliate Member
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#### SECRETARIAT

Adam Richardson	AR	Panel Secretary	Nichola Vincendeau	NV	Secretariat
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#### OTHER ATTENDEES

Darren Hayes	DH	Ofwat	Sasha Pearce	SP	Ofwat
Stuart Boyle	SB	MOSL Presenter (item 3)	Huw Comerford	HC	MOSL Presenter (item 4)
Amanda Hinde	AH	MOSL Presenter (item 5)	Phoebe Nixon	PN	MOSL Observer
Matt Labrum	ML	MOSL Observer (item 4)	John Davies	JD	MOSL Observer (item 4)

#### APOLOGIES

Claire Yeates	CY	Retailer Member	Sarah McMath	SM	MOSL Affiliate Member
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## 1. Welcome and Introductions

- 1.1. The Chair welcomed members to the Code Change Committee (CCC) meeting.
- 1.2. It was confirmed that the meeting was quorate.
- 1.3. Apologies were received and accepted from CY and SM. TN attended as an alternate for CY and JW attended as an alternate for PS (item 4 only).
- 1.4. Code Change Committee members were asked to declare any potential conflicts of interest in relation to the meeting agenda. PS declared a Conflict of Interest for Item 4 and JW acted as an Alternate for this item.

## 2. Minutes and Outstanding Actions

- 2.1. The Committee noted the minutes from CCC08 (25 October 2022) which had been circulated for review with the agenda and meeting papers for CCC09 . There were no additional comments, and the minutes were approved.
- 2.2. The Code Change Committee agreed that the following actions should remain open:  
CCC02\_01 and CCC03\_01
- 2.3. CCC01\_08 appeared on the minutes as an open action and referred to CPW128 that has now been approved by Ofwat. The PIR will be presented at a future Code Change Committee Meeting.

- 2.4. Clarification was sought for the quarter referred to in the open action CCC03\_01. Secretariat will seek clarification on whether this is financial year or calendar year quarter 2. <sup>1</sup>

**ACTION CCC09\_01**

### 3. Change Report

- 3.1. SB presented a summary of the change report. This highlighted the current delivery programme, the upcoming changes, the changes that were currently on hold, those in the pipeline, consultations and Ofwat decisions.
- 3.2. It was noted that there are likely to be further changes related to the bilaterals work and that some of these may be significant.
- 3.3. The process for a Proposer to Withdraw a Change Proposal was shared with the Committee in advance of the likelihood of such a proposal coming to a subsequent Code Change Committee Meeting.
- 3.4. SB shared the Market Request Calendar where consultations and questionnaires are logged <https://mosl.co.uk/news-and-events/market-requests-calendar>
- 3.5. There was a discussion about how and when to provide an overview of the Code Change Committee's business and what form this could take. It was noted that an annual report could be shared with Strategic Panel in the Summer This might naturally inform discussions in the Autumn regarding the priority areas of focus for work in subsequent years. It was suggested that it could take the form of describing challenges experienced over the current year and ambitions for the coming year as this could be useful information for Trading Parties and the market as a whole.
- 3.6. The Code Change Committee:
- **NOTED** the change report.

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<sup>1</sup> Quarter 2 relates to the calendar year (April-June 2023)

## 4. Gate 1 – CPM050 Data Cleanse Funding

- 4.1. JW joined the meeting as alternate for PS due to a declared conflict of interest as the change proposal considers making changes to the funding provisions for the Market Operator of which PS is a Board Member.
- 4.2. The Code Change Committee considered the change proposal plan for CPM050 '[Data Cleanse Funding](#)' which proposed the creation of a charging framework to charge Wholesalers for the initial phase of the data cleanse project.
- 4.3. The CCC noted that the Change Proposal itself was seeking a facilitative code change to enable detailed provisions for charging data cleanse project work to Wholesalers only to be produced. However, the use of the data cleanse charging framework would be dependent on approval of the MOSL business plan by its members.
- 4.4. There was a wide-ranging discussion which covered the potential costs of the project and how these could potentially be met. Questions were raised around the wider subject of the Data Cleanse itself and the impact on customers. The CCC noted that customers bear the costs of the market. Committee Members discussed the implications of poor data on inefficiency and frictions in the market and the potential reduction in cost to serve associated with an improvement in data quality. The Committee considered that the additional costs of a data cleanse exercise needed to be carefully managed in this context.
- 4.5. Some members of the Committee expressed concerns about the cost for wholesalers and the potential impact on retailers, particularly in terms of capacity where trading parties would need to take action to correct any data items highlighted as incorrect via this work.
- 4.6. A CCC member suggested that the approval of the data cleanse itself should be included as a separate item in the MOSL Business Plan vote, to ensure that it does not inhibit the sign off of the overall Business Plan.
- 4.7. Committee Members were reminded that, as a Gate 1 decision, the focus should be on the problem statement and proposed assessment approach. In this case, the issue was that, subject to approval of the business plan, the Code does not support the framework for charging that would be needed.
- 4.8. The Code Change Committee:
  - **AGREED** (8 in favour, 1 against) to progress the assessment
  - **AGREED** (8 in favour, 1 against) the Change Proposal Plans.
- 4.9. The Committee Member who voted against the Proposal explained that for them, there was a lack of clarity in the paper about what was being requested.

- 4.10. It was noted that the proposal would take account of consultation feedback received and so the proposal at Gate 3 could be significantly different.

## 5. Gate 6 – Review of CPM033 Improved Process for Managing Data Subject Rights Requests (DSRR)

- 5.1. The Code Change Committee considered the Review of CPM033. The GDPR Committee had identified that the codes lacked clarity in this area and developed the process as a result. The mechanism, Kissflow, was chosen as it minimised implementation costs.
- 5.2. Committee members reflected on the risk; just because a risk does not materialise does not mean that measures should not have been taken. It was felt that, even though this system may not have been needed, advice could be sought around what “secure” means in practice because at present, secure information could be shared in many ways.
- 5.3. It was noted that the GDPR audits were feeding back to MPC and MPC will pick up on the areas of compliance.
- 5.4. It was noted that a survey was conducted and that there was a response but ultimately the DSRRs were largely in the Household Market and not in the Non-Household Market and that whilst in hindsight the risks were small, the GDPR Committee had erred on the side of caution.
- 5.5. The Code Change Committee:
- **NOTED** the change report

## 6. AOB

- 6.1. The committee had no additional business to discuss.

## Closed Session:

## 7. Change Process Update

- 7.1. The committee received an update on the Change Process from the working group.

## 8. Committee Reflections

- 8.1. The committee reflected on the meeting.
- 8.2. The Chair thanked colleagues and the meeting was concluded.