

Minutes of the Market Performance Committee Meeting 71

16 March | 09:30 – 12:15

Held via Videoconference (Microsoft Teams)

Status of Minutes: **APPROVED**

MEMBERS PRESENT

Pamela Taylor	PT	Chair*	Gerard Lyden	GL	Wholesaler Committee Member
Trevor Nelson	TN	Retailer Committee Member	Michael Rathbone	MR	Wholesaler Committee Member
Wendy Monk	WM	Retailer Committee Member	Jesse Wright	JW	Wholesaler Committee Member
Syndiso Bango-Dube	SBD	Alternate Retailer Committee Member	Adam Boyns	AB	Customer Representative Committee Member
Fallon Wilkinson	FW	Retailer Committee Member	Shaun Kent	SK	Ofwat Representative*
Adam Richardson	AR	MOSL Representative*			

* Non-Voting Members of the Committee

OTHER ATTENDEES

Sam Webb	SW	MOSL Presenter	Alexander Cowie	AC	Secretariat
Markus Lloyd	ML	MOSL Presenter	Harriet George	HG	Secretariat
Jacqueline Gibson	JG	MOSL Presenter			

APOLOGIES

Neil Pendle	NP	Retailer Committee Member	Sean Mills	SM	Ofwat Representative*
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CLOSED SESSION

1. Welcome and Introductions

- 1.1. The Chair welcomed everyone to the Market Performance Committee (“Committee”) meeting and noted that apologies for absence had been received from SM and NP and that SBD would be standing in as NP’s alternate.
- 1.2. The Chair reminded Committee members of the requirement to act impartially and not in the interest or as a representative of any organisation or individual. If Committee members believed they had an actual or perceived conflict they should declare this at the start of the meeting or before an agenda item.
- 1.3. It was confirmed that the meeting was quorate.

2. Performance Overview

- 2.1. The Committee noted the performance overview pack circulated in advance of the meeting along with an update on new letters of concern due to be issued in March and the status of trading parties previously reviewed.
- 2.2. The Committee briefly discussed the performance overview pack, noting that there had been improvement across all categories including vacant with consumption which had benefitted from the assurance work recently undertaken. The number of small wholesalers who had triggered a letter of concern was noted by the Committee with questions raised as to whether this reflected an appropriate focus on performance issues that would be having the greatest impact on customers. However, the Committee noted that work on how smaller trading parties were engaged with and monitored as part of the holistic performance process was currently under review and would come back for discussion at the May meeting.

3. Performance Reviews

Trading Party 1

- 3.1. The Committee reflected on recent performance and noted that there had been no response to the letter of concern sent in January, and raised the following points:
 - Although the Committee was concerned by the lack of response, it was reassured by the fact the trading party had shown recent performance improvement and noted that they would not have triggered for one area under the new hybrid approach.
 - The Committee did not believe the customer impact sufficient to warrant further action at this point.
- 3.2. Following discussion, the Committee:
 - **AGREED** (unanimous) to continue focused MOSL monitoring.

4. South East Water Performance Rectification Plan Update

- 4.1. The Committee noted the written update provided by South East Water on its performance against its performance rectification plan.
- 4.2. The Committee briefly discussed the update, noting the improvements that had been made and that the update provided now covered all of the expected areas including the identification of potential future issues and their impact.

5. Non Market Meter Read Performance

- 5.1. The Committee noted an update from JG on the Non Market Meter Read Performance Audit.
- 5.2. The Chair thanked JG for her presentation, noting that the Committee welcomed the update and looked forward to exploring this further at MPC72.

6. Wholesaler Data Audit

- 6.1. The Committee noted an update from JG on the initial findings following the completion of audit field work for the Wholesaler Data Accuracy Audit.

- 6.2. The Committee discussed the update provided, welcoming the work undertaken and the useful insight provided by the audit which highlighted a number of potentially important areas and offering expert insight into potential areas for further investigation by the MOSL team as they worked to complete the audit.
- 6.3. The Chair thanked JG and Committee members for their comments and summarised that the next steps would be for the final findings from the Wholesaler Data Accuracy Audit to come back to the Committee at a future meeting.

OPEN SESSION

MEMBERS PRESENT

Pamela Taylor	PT	Chair*	Gerard Lyden	GL	Wholesaler Committee Member
Trevor Nelson	TN	Retailer Committee Member	Michael Rathbone	MR	Wholesaler Committee Member
Wendy Monk	WM	Retailer Committee Member	Jesse Wright	JW	Wholesaler Committee Member
Syndiso Bango-Dube	SBD	Alternate Retailer Committee Member	Adam Boyns	AB	Customer Representative Committee Member
Fallon Wilkinson	FW	Retailer Committee Member	Shaun Kent	SK	Ofwat Representative*
Adam Richardson	AR	MOSL Representative*	David Morris	DM	Alternate Retailer Committee Member

* Non-Voting Members of the Committee

OTHER ATTENDEES

Sam Webb	SW	MOSL Presenter	Alexander Cowie	AC	Secretariat
Markus Lloyd	ML	MOSL Presenter	Harriet George	HG	Secretariat
Jacqueline Gibson	JG	MOSL Presenter	Steve Formoy	SF	MOSL Presenter
Jamie Davies	JD	Castle Water Observer			

APOLOGIES

Neil Pendle	NP	Retailer Committee Member	Sean Mills	SM	Ofwat Representative*
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7. Welcome and Apologies

- 7.1. The Chair welcomed attendees to the open session and noted that SM and NP had sent their apologies for the open session and that SBD would be standing in as NP's alternate. It was also noted that DM would step in as alternate for FW part way through the open session, and that JD had joined to observe.
- 7.2. The Chair reminded Committee members of the requirement to act impartially and not in the interest or as a representative of any organisation or individual. If Committee members

believed they had an actual or perceived conflict they should declare this at the start of the meeting or before an agenda item.

7.3. It was confirmed that the meeting was quorate.

8. Housekeeping

8.1. The minutes of MPC70 in January were approved as an accurate record.

8.2. The Committee noted an update from AC that A67_05 was incorrectly listed as an action to close in the actions update circulated in advance of the meeting. It was anticipated that this action would be completed this month, but as MOSL are still waiting on a response from one retailer, this will remain open until such time as the response has been received.

8.3. AC further updated under A59_01, that Matt Labrum was leading the work on developing proposals for vacancy APIs and would welcome ex-Committee engagement from members. The contact details would be circulated offline by Secretariat for Committee members to reach out directly.

A71_01

8.4. The actions update circulated in advance of the meeting was noted and it was:

- **AGREED** that the following actions could be closed: A61_05, A62_05 and A70_02.
- **AGREED** that the following actions would remain open: A55_01, A59_01, A64_01, A67_05, A68_01, A68_02, A69_03, A69_04, A70_01 and A70_03.

9. Annual Market Performance Report

9.1. The Committee noted the outline AMPR provided by ML in advance of the meeting along with a request to provide comment on the feedback received from trading parties regarding the AMPR 2021/22 and to comment on the proposed content and structure of the AMPR 2022/23 as set out in the paper.

9.2. The Committee discussed the feedback received from trading parties regarding the AMPR 2021/22, noting the following key points:

- It was suggested to first focus on market level improvements before calling out strong individual performance.

The Committee felt that case studies needed to be MOSL-led and used to highlight learning opportunities.

9.3. The Committee discussed the proposed content and structure of the AMPR 2022/23, noting the following key points:

- The Committee agreed that the proposed content and structure made sense, with one suggestion that the APIs and Measures come before the Market Performance Review section as holistic reporting is a lead item for top level market improvements.
- It was noted that a running thread should be the positive outcomes and impacts for customers.

- The holistic reporting content should focus on the success of increased focus on a few data items and improved performance through a light touch approach, as not many companies have needed to be directly engaged with via the later stage of escalation.
- The review should signal a direction of travel for the future, particularly in the context of MPOP.

FW left the meeting

DM joined the meeting

10. Tabled Updates

- 10.1. The tabled updates provided in advance of the meeting were noted.
- 10.2. The Committee indicated that they would welcome further detail from CCW on the root cause of complaints for billing, because if such issues are stemming from market performance they could be addressed by this group.
- 10.3. The Committee received a verbal update from AR on the Market Performance Framework (“MPF”) Reform, in view of the feedback received at the MPF Reform [webinar](#) held on Monday, 13 March 2023. The Committee noted that due to concerns around the volume of information to consider at this stage of the consultation and the perceived complexity in responding to this, the following actions had been undertaken:
- The consultation window would be extended by three weeks and members could expect to see a note sent out to industry to confirm the new deadline. It was noted that this would likely mean a review of overall timescales.
 - Additional guidance around feedback and approaches would be published to support trading parties with their responses.
 - An industry drop-in session would be arranged for the end of March, where trading parties and other stakeholders could ask any technical questions to assist in the preparation of their consultation responses.

SF joined the meeting

11. AOB and Reflections

- 11.1. The Committee noted an update from SF that a trading party had raised a concern in relation to MPS calculation charges and that a review was ongoing, and that a full update would likely be presented at the April meeting.
- 11.2. It was noted that the Strategic Panel had approved the extension of MPC members terms of office for a further year or until such time as revised governance arrangements are in place as a result of the MPF Reform programme.
- 11.3. The Committee noted that it continued to carry a wholesaler vacancy and suggested that there should be another push to advertise the vacancy.

A71_02

- 11.4. The Committee members reflected on the meeting.
- 11.5. There being no further business, the Chair closed the meeting.