

## **Modification 0593 Workgroup- Privacy Impact Assessment**

### **Appendix to Modification 0593 Work Group Report – Provision of access to domestic Consumer data for Price Comparison Websites and third Party Intermediaries**

**[27/04/17]**

Document Author	<b>UNC 0593 Distribution Workgroup</b>
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## PART ONE

### 1. Explain what the project aims to achieve, what the benefits will be to the organisation, to individuals and to other parties.

The Competition and Markets Authority (CMA) has ordered Xoserve and the Gas Transporters, to provide Data Enquiry System (DES) access to Price Comparison Websites (PCWs) and Third Party Intermediaries (TPIs), this is to assist PCWs / TPIs to validate customer data during domestic consumer switching processes.

The Energy Market investigation final report sets out reasoning for erroneous transfers and failed switches, and concludes that there is a requirement for PCWs/ TPIs to be granted access to data pertinent to the switching process. This will allow them to check or obtain MPRNs for domestic consumers seeking to switch supplier and to check other information provided by these consumers. This should help to reduce the number of erroneous transfers and failed switches, enabling consumers to switch gas supplier easier.

This project aims to achieve the CMA order, to provide access to DES under current DES functionality i.e. with the current supplier view which provides; access to 24 million supply meter points inclusive of I&C sites, with no transactional auditing functionality.

### 2. You may find it helpful to link other relevant documents related to the project, for example a project proposal.

Please find the link for; The Energy Market Investigation (ECHOES / DES) Order 2016  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/585019/energy-market-ECOES-DES-order-2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/585019/energy-market-ECOES-DES-order-2016.pdf)

Some of the relevant paragraphs of the CMA order are;

- 4.1. Xoserve must give PCWs access to DES upon written request, and subject to the satisfaction of reasonable access conditions.
- 4.2. Gas Transporters must not take any action that would prevent Xoserve from giving access to DES upon written request and subject to the satisfaction of reasonable access conditions.
- 4.3. Gas Transporters, who are party to the UNC on the commencement date of this Order, must use their best endeavours to ensure that a modification proposal concerning any necessary amendments to the UNC to reflect the obligation in Article 4.1 and its associated date for implementation in Article 1.2 is approved and implemented as soon as reasonably practicable after the date of this Order.

Please find the link for: CMA Energy Market Investigation – Final report below;  
<https://assets.publishing.service.gov.uk/media/5773de34e5274a0da3000113/final-report-energymarketinvestigation.pdf>

Some of the relevant paragraphs as to why the CMA has ordered for this data to be provided to PCWs/ TPIs are as below:

13.343 The aim of this remedy is to reduce actual and perceived barriers to switching resulting from erroneous transfers and failed switches, and we consider, based on responses to our provisional decision on remedies 265, that access to the ECOES and SCOGES databases will also benefit other TPIs providing similar services to PCWs.

13.344 In light of the above, this remedy will require (through a CMA order) the code administrator or governing body with authority to grant access to the ECOES database to grant access to the database to PCWs (and other TPIs providing similar services). This remedy will also require (through a CMA order) gas transporters to grant access to the SCOGES database to PCWs (and other TPIs providing similar services) on reasonable terms. We understand that amendments to the relevant industry codes may be required. Therefore, this remedy will also require gas transporters to make any necessary amendments to the Uniform Network Code

**3. Also summarise why the need for a PIA was identified (this can draw on your answers to the screening questions).**

The CMA order has defined the solution for PCWs to have access to data via; access to DES in the same manner as Suppliers.

The need for a PIA has been identified as the provision of the service is to; individuals, organisations or people who have not previously had routine access to this information.

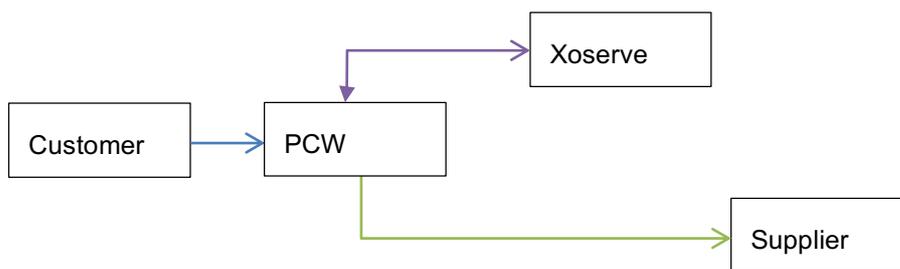
The PIA will highlight, the risks and the mitigating actions to minimise issues associated with the risk.

## PART TWO

**1. The collection, use and deletion of personal data should be described here and it may also be useful to refer to a flow diagram or another way of explaining data flows. You should also say how many individuals are likely to be affected by the project.**

Information flow for a DES service (Collection of data)

The below diagram demonstrates how data will flow between parties



Key

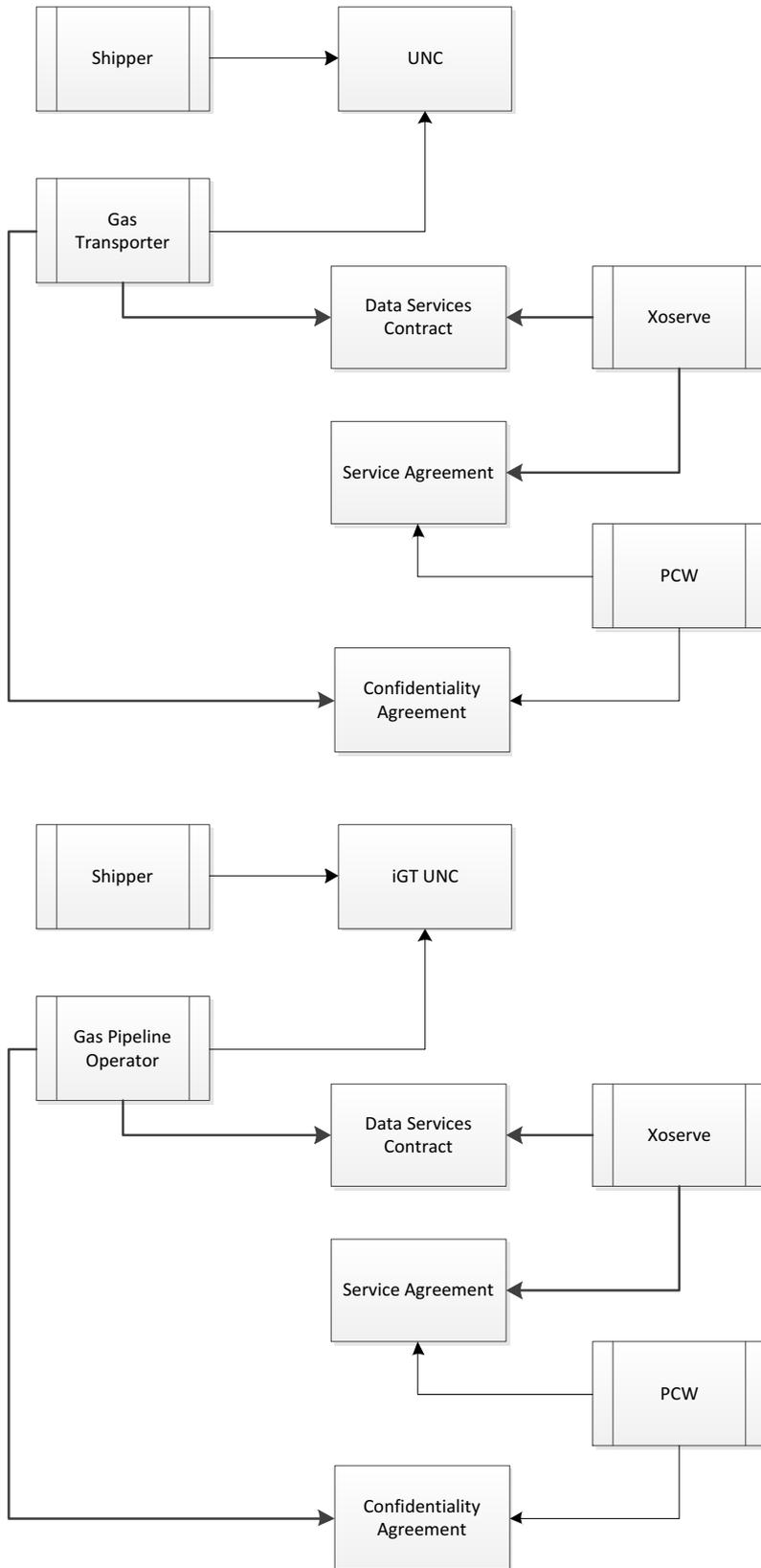
- > Via web
- > Via Data Enquiry Service (DES)
- > Unknown

Considered rules

- Data Enquiry Service (DES) is a manual interface, requiring enquiries to be made on a 1 by 1 basis
- The data fields (noting not all data fields are populated) that will be made available via the DES Supplier community view are; MPRN, LSP, Address, Postcode, MSN, Network Name, Market Sector Code, Meter Type, Network Owner ID EFD, iGT Short Code, Transitional Meter Point, MAM ID, iGT MAM ID, iGT Gas Act Owner, iGT MPAQ, SMSO ID, Installing Supplier ID, First SMETS Installation Date, DCC Service Flag, Site Confirmed, LDZ ID, Number of Dials, Imperial Indicator, Meter Capacity, MAM EFD, Meter Point Status, Interruption Contract Exists, SMETS, SMS Operating Entity EFD, IHD Install Status, IHD Install Status, UPRN, DCC Service Flag EFD. Upon agreeing the terms and conditions the following data is available; Current Supplier, Current Supplier Short Code, Incoming Supplier, Incoming Supplier Short Code.

Contractual arrangements

The following contractual arrangements are in place for the provision of the service.



*\*Gas Pipeline Operators will not be signatories to the Data Services Contract until 1<sup>st</sup> June 2017, if the service to PCWs, is to go live before 1<sup>st</sup> June 2017, then bi-lateral arrangements will be in place between iGTs and Xoserve for the provisions of the Service Agreement*

### Use and deletion of personal data

Data accessed by a PCW via DES should be in line with the intended purpose of the CMA order. This is considered to be, to facilitate a domestic consumer switch. Modification 0593 and contractual agreements between Xoserve and PCWs specify this to be the permitted purpose to access data within DES.

The retention and deletion of data will not be visible to Industry participants therefore contractual arrangements between Xoserve and PCWs will specify the need for; maintenance of appropriate technical and organisational measures in line with the relevant DPA legislations that prevent any unauthorised or unlawful processing of data.

It is estimated that approximately 3 million domestic customers change gas supplier per year. (Please note - it cannot be determined how many of these customers utilise a PCW).

- 2. Explain what practical steps you will take to ensure that you identify and address privacy risks. Who should be consulted, internally and externally? How will you carry out the consultation? You should link this to the relevant stages of your project management process.**

The Modification 0593 working group are working through the specified solution and working collaboratively to identify any technical and Industry reputational risks associated with providing PCWs access to DES. The Modification 0593 Workgroup are responsible for the PIA.

Consultation of the PIA will be carried out via the UNC Modification process, as the PIA will form part of Modification 0593 - Final Modification Report.

## PART THREE

- 1. Identify the key privacy risks and the associated compliance and corporate risks. Larger scale PIAs might record this information on a more formal risk register.**
- 2. Describe the actions you could take to reduce the risks, and any future steps which would be necessary (e.g. the production of new guidance or future security testing for systems).**

DESCRIPTION OF RISKS TO PRIVACY	RISK IDENTIFIED BY	RISK ASSOCIATED TO; INDIVIDUAL, COMPLIANCE, ORGANISATION / CORPORATE RISK	PROPOSED SOLUTION	RISKS ELIMINATED / REDUCED OR ACCEPTED.	IS THE SOLUTION A JUSTIFIED, COMPLIANT AND PROPORTIONATE RESPONSE TO THE AIMS OF THE PROJECT
The system solution proposed does not have reporting around accessing and use of the data for its intended purposes i.e. auditing measures to ensure customer data is not misused	SSE EDF EON British Gas CAB (to a degree) Npower ESPUG		Current DES functionality does not enable auditing at transaction level, as User searches are not captured. DES however does have functionality to terminate DES access where any misuse cases are discovered. Contractual		

			arrangements between PCWs and Xoserve enable Xoserve to request PCWs to produce evidence of consent, retention and deletion etc.		
Data related to those customer types mentioned within the CMA report should only be accessed, the solution will provide unfettered access to all industry data including non-domestic data	SSE EDF Gazprom EON BU-UK ESPUG		The contractual arrangements between PCWs and Xoserve will prohibit the use of any data obtained to be used for any other purposes then facilitate a domestic consumer switch triggered, by a consumer (opt in approach).		
Potentially significantly more detailed information than PCWs require to enable customer switching is available	EDF EON		The contractual arrangements between PCWs and Xoserve will prohibit the use of any data that is outside of permitted purpose i.e. to facilitate a domestic consumer switch triggered, by a consumer (via an opt in approach).		

## PART FIVE

- Who has approved the privacy risks involved in the project? What solutions need to be implemented?**

<b>Risk</b>	<b>Approved solution</b>	<b>Approved by</b>

## PART SIX

- Who is responsible for integrating the PIA outcomes back into the project plan and updating any project management paperwork? Who is responsible for implementing the solutions that have been approved? Who is the contact for any privacy concerns which may arise in the future?**

Action to be taken	Date for completion of actions	Responsibility for action

**2. Contact point for future privacy concerns**

## Appendix

### 1. Confidentiality Agreement

*\*Will be emailed to DSC Contract Committee members*

### 2. Service Agreement

*\*Will be emailed to DSC Contract Committee members*