
Wholesale Retail Code Change Proposal – CPW020

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| Modification proposal | Wholesale Retail code Change Proposal CPW020 - Proposal to amend the wording in the F02 Complaint Form |
| Decision | Ofwat has decided to accept this change proposal |
| Publication date | 1 September 2017 |
| Implementation date | 1 December 2017 |

Background

The Wholesale Retail Code (WRC) sets out the relationship between Wholesalers and Retailers, and how the market will operate. The WRC includes a number of forms and notices which are related to the processes set out in the Operational Terms and which are contained in Schedule 1, Part 6 of the Wholesale Contract. This proposal seeks to amend the F/02 form for Retailers to provide consent to Wholesalers to contact Non-Household Customers directly, in relation to the process in the Operational Terms.

The issue

Under the current Codes, Retailers are responsible for managing Non-Household Customer complaints. In June 2017, Yorkshire Water raised this Change Proposal to facilitate the resolution of customer complaints by clarifying arrangements for the Wholesaler to contact the customer directly, if the Retailer agrees. The Proposer believes that it would be beneficial for Non-Household Customers, with the consent of the Retailer, for Wholesalers to make direct contact with the Non-Household Customer in relation to the complaint.

The modification proposal¹

This Change Proposal seeks to allow for the Retailer to provide consent for a Wholesaler to contact the Non-Household Customer directly in relation to an F02

¹ The proposal and accompanying documentation is available on the MOSL website at <https://www.mosl.co.uk/market-codes/change#scroll-track-a-change>

Complaint Form. This is an extension of existing permissions that can already be granted by the Retailer. This WRC Change Proposal seeks to amend WRC Part 3 Operational Terms and Form F/02 Complaints, to allow the Wholesaler to collate and provide the Retailer with accurate information such that the Retailer can respond to their customer.

Specifically, this Change Proposal seeks to clarify and improve the complaints process. Ensuring the complaint is fully understood, will allow the Wholesaler to respond in a timely matter with all the required information to resolve the Non Household customer's complaint. The proposal clarifies the responsibilities and obligations when the Retailer gives the Wholesaler consent to contact the Non Household direct to resolve the issue.

It is recommended that these modifications come into effect on 1 December 2017.

Panel recommendation

At its meeting on 25 July 2017, the Panel recommended, by unanimous decision, that Ofwat approve this change for implementation on 1 December 2017. The Panel reviewed the proposed drafting as set out in the Initial Written Assessment and requested that the wording in WRC Part 3 Operational Terms, Process F5, be amended to make it explicit what information should be reported back to the Retailer by the Wholesaler after contact with the Non-Household customer. Specifically, it was agreed that the wording in WRC Part 3 Operational Terms, Process F5, be amended to state 'the date, means and content of any communication with the Non-Household Customer'.

These changes have been reflected in the drafting. The Panel subsequently submitted its recommendation report to Ofwat on 28 July 2017, which set out the Panel's view that this change improves the Principles of efficiency, transparency and simplicity, cost effectiveness and security.

Our decision

We have carefully considered the issues raised by the modification proposal and the supporting documentation provided in the Panel's recommendation report. We have concluded that the implementation of CPW020 will better facilitate the principles and objectives of the WRC, detailed in Schedule 1 Part 1 Objectives, Principles and Definitions and is consistent with our statutory duties.

Reasons for our decision

We set out below our views on which of the applicable Code Principles are better facilitated by the modification proposal.

Efficiency

We consider that this proposal enables direct contact between Wholesaler and customers after the initial complaint has been made to the Retailer by the Non-Household Customer, ensuring the complaint is fully understood, and will allow the Wholesaler to respond in a timely matter with all the required information to resolve the Non-Household customer's complaint. The Change Proposal will also enhance the clarity and efficiency of the relevant process established under the Operational Terms.

Transparency

We think that this proposal provides clarity on when the Wholesaler can contact the Non-Household customer and the Wholesaler's requirements after contacting the Non-Household customer. We also think that this change will help ensure that retailers are aware of the interactions between Non-Household Customers and Wholesalers, and as such will be better able to assist the customer address remaining / future issues as well as monitoring for the purposes of, for example, GSS Regulations compliance.

Decision notice

In accordance with paragraph 7.2.8 of the Market Arrangements Code, Ofwat approves this change proposal.

Priya Sinha

Director, Market Outcomes