

April 2023

Customer Protection Code of Practice – A Call for Inputs

Ofwat

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About this document

Since 2017, eligible Non-Household (NHH) customers¹ in England and Wales² have been able to choose the Retailer that provides their water bills and other retail services³. The Business Retail Market can help deliver lower bills, encourage people to use less water and lead to improved services and offers. At the same time, NHH customers still need appropriate protection measures to ensure they do not suffer harm. Therefore, we closely monitor and regulate the market, intervening where necessary. We have also set limits on the prices smaller customers pay if they have not switched Retailer or renegotiated a new deal, to prevent them from losing out.

One way that customers in the NHH market are protected is via the [Customer Protection Code of Practice](#) (CPCoP), which sets out the minimum standards that all Retailers must comply with in their dealings with NHH customers. Retailers own the relationship between themselves and the customer, and the CPCoP sets out the minimum standards of behaviour that we expect from Retailers, and compliance is a requirement of Retailers' licences, which is ultimately enforceable by Ofwat.

In our [final decision](#) following our review of the Retail Exit Code, published in December 2022, we signalled that we would be publishing a Call for Inputs on how the CPCoP could be improved or strengthened.

Whilst we are asking stakeholders to submit their thoughts in writing, we may also seek to engage directly with some stakeholders as a part of our information gathering exercise.

How and where to respond

We would welcome any comments on this document. Please email them to CPCOPcodechange@ofwat.gov.uk with the CPCoP Call for Inputs or post them to:

CPCoP CFI Response
Ofwat
City Centre Tower
7 Hill Street
Birmingham B5 4UA

¹ Eligible NHH customers include the public and voluntary sectors, as specified in the [Eligibility guidance on whether non-household customers in England and Wales are eligible to switch their retailer](#)

² In Wales, only NHH customers who use more than 50 megalitres of water per year can currently switch their water retail supplier. This threshold is being increased in April 2023.

³ Retail services include meter reading activities and other customer facing activities

The closing date for responses on this Call for Information is 5pm on Monday 26 June 2023. If you wish to discuss any aspect of this document, please contact Ian Bannon by email at CPCOPCodechange@ofwat.gov.uk.

We may decide to publish responses to this Call for Information on our website at www.ofwat.gov.uk. Subject to the following, by providing a response to this Call for Information you are deemed to consent to its publication.

If you think that any of the information in your response should not be disclosed (for example, because you consider it to be commercially sensitive), an automatic or generalised confidentiality disclaimer will not, of itself, be regarded as sufficient. You should identify and redact specific information and explain in each case why it should not be disclosed, which we will consider when deciding what information to publish. At minimum, we would expect to publish the name of all organisations that provide a written response, even where there are legitimate reasons why the contents of those written responses remain confidential.

In relation to personal data, you have the right to object to our publication of the personal information that you disclose to us in submitting your response (for example, your name or contact details). If you do not want us to publish specific personal information that would enable you to be identified, our [privacy policy](#) explains the basis on which you can object to its processing and provides further information on how we process personal data.

In addition to our ability to disclose information pursuant to the Water Industry Act 1991, information provided in response to this Call for Information, including personal data, may be published, or disclosed in accordance with legislation on access to information – primarily the Freedom of Information Act 2000 (FoIA), the Environmental Information Regulations 2004 (EIR) and applicable data protection laws.

Please be aware that, under the FoIA and the EIR, there are statutory Codes of Practice which deal, among other things, with obligations of confidence. If we receive a request for disclosure of information which you have asked us not to disclose, we will take full account of your explanation, but we cannot give an assurance that we can maintain confidentiality in all circumstances.

1. Strengthening protections for customers

The opening of the Business Retail Market in 2017 paved the way for around 1.2. million eligible NHH customers to choose their supplier of retail water and wastewater services. It placed the onus on Retailers to manage the relationship with their customers and provide high quality customer service.

Ofwat has a legal duty to make sure that eligible customers are protected in the Business Retail Market, irrespective of wider concerns or issues regarding the effective functioning of the market more broadly. To help achieve this, all Retailers must follow rules set by Ofwat on how they treat their customers. These rules are set out in the CPCoP, which sets the standards that Retailers must comply with in their interactions with customers. These standards are deliberately set as minimum standards – Retailers can, and should, seek to offer customers a level of service that goes beyond the minimum requirements of the CPCoP. Many may seek to provide enhanced service offerings as part of their competitive offers in the market.

Our market monitoring has shown differing outcomes for NHH customers in the market dependent on their size, with benefits in general accruing more strongly to larger customers. Our market monitoring for example suggests that smaller customers have lower levels of awareness and engagement compared to their larger counterparts. In addition, our market monitoring has consistently highlighted three principal 'market frictions', which are limiting the market from working effectively and delivering better outcomes for customers. These 'market frictions' are:

- Poor quality customer, consumption and asset data;
- Inadequate wholesaler performance; and
- Cumbersome or ineffective interactions between Retailers and Wholesalers.

These market frictions are leading to unnecessary costs for Retailers and a poorer outcome for customers. They can also deter customers from engaging in the market and switching Retailer. For example, poor quality consumption data could mean customers are not paying the right charges currently and/or find it difficult to compare offerings from prospective new Retailers. Poor quality consumption data can therefore undermine price signals and distort the perceived costs and/or benefits of engaging in the market, as well as make the switching process to a new Retailer more difficult.

Despite significant progress on key initiatives aimed at improving market frictions, such as the MOSL-led bi-laterals programme⁴ and work to reform the Market Performance Framework⁵, we remain concerned that market frictions continue to impede the effective functioning of the market.

Since the market opened, there has been significant change, both in the market and the wider social and economic environment. The CPCoP has been regularly updated to respond to some of the specific challenges that customers have faced and ensure that

⁴ See [Bilateral Transactions Programme \(Bilaterals\) \(mosl.co.uk\)](https://www.mosl.co.uk/bilateral-transactions-programme)

⁵ See [Market Performance Framework \(MPF\) Reform \(mosl.co.uk\)](https://www.mosl.co.uk/market-performance-framework-reform)

they are sufficiently protected. For example, during the pandemic, Ofwat made several changes to the CPCoP to protect the interests of NHH customers in light of the challenges raised by measures to combat Covid-19. More recently, Ofwat introduced changes specifically focused on providing additional protections to NHH customers in relation to credit balances in our [CP0010 decision](#), and CCWater has also published its [five year review of the NHH market](#) which includes recommendations on areas of the Business Retail Market that should be reviewed to improve business customers' experience in the market and to ensure they receive appropriate levels of service and protections.

While these incremental improvements to the CPCoP have strengthened the protections for customers over recent years in specific areas, it is now an appropriate time to take stock of the effectiveness of the CPCoP and undertake a holistic review to ensure the protections that are in place for all customers are appropriate and robust for the longer term as the market continues to develop and mature.

Working with the sector, Ofwat has been developing a new licence condition for incumbent companies⁶ putting the onus on them to provide good outcomes to all their customers including those who are most vulnerable, and provide evidence that they are doing so. We plan to consult on this new customer licence condition in May 2023.

Whilst this licence condition will predominantly focus on household customers, we think that now is an appropriate time to take stock and review the CPCoP to determine whether there is a case for making more fundamental changes to the CPCoP in order to strengthen the protections for NHH customers and better support the market in the contribution it can make towards the sector meeting its wider challenges.

2. Structure of this document

This Call for Inputs has been structured into themes where we would like specific input. However, these themes should not necessarily be interpreted as being indicative of where we intend to propose changes to the CPCoP. We would welcome input on any other areas of the CPCoP that stakeholders feel there may be opportunities for improvements that are in the interests of customers.

The document is structured as follows:

- 2.1 Current Requirements
- 2.2 General Principles of the CPCoP
- 2.3 Should different sized customers receive more explicit or targeted levels of protection in the CPCoP?
- 2.4 Improving the customer experience
- 2.5 Improving customers' awareness of the market
- 2.6 Customer credit balances

⁶ The customer-focussed licence condition will apply Wholesalers only but has implications in how they as incumbents serve their NHH customers

- 2.7 Monitoring and Compliance
- 2.8 Governance and housekeeping
- 2.9 Further considerations

2.1 Current Requirements

The CPCoP places obligations on Retailers in the following areas of market activity:

Sales and Marketing

This area sets out the way in which Retailers must act when communicating with Micro-businesses⁷. For example, the information they should provide prior to the submission of a transfer application. It also details the requirements for Retailers to provide accurate information in relation to terms and conditions, tariffs and pricing and cooling off periods. This area also covers the requirements for those Retailers who use Third Party Intermediaries (TPI's). Retailers must ensure TPI's are aware of this code and that reasonable steps are taken to ensure TPIs comply with its provisions.

The provisions of information to Non-Household customers

The requirements in this area relate to the manner in which a Retailer provides information to its customers. A Retailer must be transparent with their customers about terms and conditions and engage with customers using plain language around issues such as terms of supply, disputes, disconnections and information relating to customer credit balances.

Transfer of Non-Household customers

This area includes the requirements for Retailers to make every effort to prevent erroneous transfers by having valid terms and conditions for the customer and how an outgoing Retailer should communicate the reasons for any request by it to cancel a transfer of one of its customers to another Retailer.

Billing

This area sets out the requirements around the frequency and accuracy of customer bills. It also sets out the way in which Retailers must provide a minimum set of information on bills, and includes the way in which Retailers are required to return credit balances to customers and the timeframes for doing so. Also included in this area are requirements for how Retailers are to act in relation to retrospective amendments to customers' bills, Covid-19 interest suspension, enforcement and clarification that Retailers retain their contractual rights following the removal of Covid-19 provisions.

⁷ Micro-Business means a Non-Household Customer where the number of employees is less than ten (10) on the earlier of the date on which a relevant Transfer Registration Application is submitted and the date on which Terms and Conditions of Supply are agreed;

Complaint handling and dispute resolution

This area includes the obligations on Retailers to have in place at all times easily accessible and effective complaints handling procedures. It also details how complaints will be handled along with possible remedies to customer complaints. The section details how Retailers will have in place the options for customers to access a redress scheme.

Question

1. What views do you have on the adequacy of the current requirements as they stand. Do you think they could or should be strengthened, and if so do you have views on how they might be amended and any costs that may be incurred by doing so?

2.2 General Principles of the CPCoP

The CPCoP sets out General Principles that all Retailers are to comply with when dealing with NHH customers. These Principles are designed to ensure the needs of customers are the central focus of all Retailers.

As part of the changes Ofwat made to the market's governance, implemented in July 2021, the Principles of the Market Arrangements Code (MAC) and the Wholesale Retail Code (WRC) were reviewed by a MOSL sub-group⁸. These changes were driven by the need for the market's governance arrangements to have a sharper focus on the interests of end customers and included the introduction of a 'Primary Principle' and a set of 'Supporting Principles' against which proposed modifications to the MAC and WRC would be considered.

As part of our review of the CPCoP, we are minded to review the current General Principles of the CPCoP and consider whether they are sufficiently well defined and place sufficient focus on the protection of customers. As such, we welcome stakeholders' views as to how the General Principles could be updated or amended based on stakeholders' experiences of the market to date. The current Principles are:

- Retailers shall be fair, transparent and honest; while putting the customer at the heart of their business;
- Communication with Non-Household Customers shall be in plain and clear language;
- Retailers shall ensure they provide appropriate and timely information to Non-Household Customers to enable them to make informed choices;

⁸ Via code changes CPM040 and CPW121, which can be found at <https://www.ofwat.gov.uk/publication/market-arrangements-code-and-wholesale-retail-and-code-change-proposals-ref-cpm040-and-cpw121/>

- Any information provided to Non-Household Customers shall be complete, accurate and not misleading;
- Retailers shall respond to Non-Household Customers in an appropriate and timely manner; and
- Customer service arrangements and processes shall be accessible to and effective for Non-Household Customers

Question

2. Do you think the General Principles of the CPCoP should be modified to ensure a stronger focus on the interests of customers, and if so how?

2.3 Should different customers receive more explicit or targeted levels of protection in the CPCoP?

Dealing with customers in a fair, transparent, and honest way is critical in ensuring customers have a positive experience of, and effectively engage with, the Business Retail Market. Furthermore, we think there is merit in considering whether different customer types or customers subject to different circumstances should receive different or enhanced levels of protection under the CPCoP. We see four areas for consideration here:

(i) Size of customer

At present, we continue to see lower levels of market awareness and engagement exhibited by smaller business customers. They generally have less incentive to engage in the market, and tend to make lower financial savings from switching, including compared to other business customers who use more water. They may also face more limited differentiation in supplier offerings and possibly also a lack of awareness about how service offerings differ between Retailers. It is not yet clear whether effective competition will develop amongst smaller business customers.

We are therefore keen to get stakeholders' views on whether the CPCoP could or should require Retailers to provide more explicit protections to those Customers where there is inadequate market pressure to correct Retailer behaviour. For example, is there a case for the different treatment of larger and smaller NHH customers, in a similar way that we apply different price protections for customers of different sizes who have not engaged in the market?

As evidence shows that larger NHH customers are more likely to engage in the market, we think that there may be merit in considering the potential to have greater protections for smaller customers (for example, those consuming up to 0.5Ml per year) in addition to existing protections for micro-businesses. Micro-businesses already have certain protections that are in addition to those that are in place for other customers

in the market. This largely relates to communication prior to the submission of transfer applications and the provision of information about terms and conditions of supply.

(ii) Vulnerable customers

We are interested in stakeholders' views on whether there is merit in identifying certain customers as being 'vulnerable'. For example, we are keen to understand stakeholders views on whether potentially vulnerable NHH customers should be granted additional protections if they, or their customers, may not have reasonable opportunity to access and receive an inclusive service which may have a detrimental impact on their health, wellbeing or finances. This could include being particularly impacted by the resultant conditions of service disruptions from severe weather events, such as those that we reported on in our [2018 Out in the Cold](#) review. We are interested in the way in which the CPCoP could be strengthened to drive Retailers to be proactive in their understanding of customer needs and the tailoring of treatment and service offerings to those customers who may be considered as being vulnerable.

(iii) Non household customers with critical infrastructure

We are seeking further views on whether the CPCoP should also include specific additional protections for NHH customers who are considered to provide critical infrastructure such as hospitals, schools, the emergency services and places of worship. Given the critical nature of these customers, we want to explore whether does the CPCoP adequately protects such customers should they suffer service disruptions or be impacted in other ways.

(iv) Emergency planning

We are also particularly interested in views on whether and how the CPCoP should be strengthened to introduce requirements on Retailers in the preparation and planning for potential emergency events, recognising that primary responsibilities in such events lies with Wholesalers, who are not subject to the requirements of the CPCoP.

Questions

3. What views do you have on the CPCoP offering differing levels of protection to customers as described above?
4. What views do you have on extending additional protections to particular vulnerable customers, and what extra protections do you think it would be appropriate to consider adding to the CPCoP for these customers?
5. What views do you have on whether the CPCoP should include protections for customers with critical infrastructure?
6. What views do you have on how the CPCoP could be strengthened to deal with emergency events?

2.4 Improving the customer experience

Good customer experience relies on customers receiving the right information and support in a manner that is tailored to their needs. This support should also be timely and responsive in relation to a customer's needs should they change. We would welcome views on whether there are areas where the CPCoP could be strengthened to improve the general customer experience. For example, the current CPCoP includes a number of 'Service Level Agreements' which cover, for example, the number of days to return credit balances, and provisions for final bills to be issued within six weeks. We would welcome stakeholders' views on whether these levels of service should be strengthened further to drive improvements in customer experience.

Ensuring that customers are informed in accessible and accurate language are important components of Retailers effectively communicating and engaging with their customers. It is also important for raising and maintaining awareness and understanding of the market, as well as customers' involvement in it. Ensuring that customers are not misled can help to reduce misinterpretation and ambiguity. We are open to views and suggestions as to how the accessibility of information provided to customers by Retailers could or should be improved via the provisions of the CPCoP.

A particular area of interest that we are keen to explore is the extent to which the current measures set out in the CPCoP that require Retailers to notify NHH customers of forthcoming changes to their terms and conditions of supply at the end of contracts are working in the interests of customers. We would welcome views and evidence on whether the current 30 calendar days is sufficient time for customers to receive such notifications and enable customers to make informed decisions on their choice of Retailer, or whether and how to renegotiate their current deal with their existing Retailer. We also think that this may have an impact on customers' awareness of the market, as discussed in section 2.5 below. Evidence is therefore welcomed from Retailers of any issues they have encountered in this context. Views are also welcomed in relation to whether the CPCoP is prescriptive enough in how this information should be communicated to customers, and how customers may respond to different methods of communication.

There may also be scope for the CPCoP to be strengthened to smooth customers' experiences when interacting with the market, for example, by making switching Retailers easier. We would particularly welcome thoughts and supporting evidence on stakeholders' (including customers') experiences of the switching process and how this may be improved via changes to the CPCoP.

Third Party Intermediaries

We are minded to update the CPCoP regarding the involvement of Third-Party Intermediaries (TPIs) in the market, as we believe that there is potential for TPIs to help improve customer participation and engagement. While TPIs provide valuable services to customers, helping customers to navigate the market and secure a contract that best meet their needs, we recognise that TPIs largely operate outside the scope of the current regulatory framework.

We therefore welcome suggestions on areas where the CPCoP could be improved in relation to TPI interaction, for example in promoting transparency of price and service offerings; facilitating the involvement of TPIs while maintaining sufficient customer protections; setting out expected standards of conduct or improving the standard Letter of Authority template. We are also mindful that this could create unintended consequences, given Ofwat does not have any regulatory powers over TPIs. We therefore welcome stakeholders' views and suggestions for changes that will be workable and deliver an improved customer experience.

Questions

7. Do you have any thoughts on how the CPCoP could be strengthened to improve customer experience?
8. Do you think the CPCoP could be strengthened to improve how Retailers provide customers with information relating to the end of their contract and terms of supply?
9. Are there any service areas that are missing from the current CPCoP that we could consider for inclusion when updating it?
10. Is there is scope to update or standardise the existing Letter of Authority arrangements?
11. Should any changes to the CPCoP falling under questions 7 to 10 be differentiated by size or type of customer?

2.5 Improving customers' awareness of the market

Our most recent [State of the Market Report](#) found that nearly half (48%) of eligible NHH customers are aware that they have a choice of Retailer, and that around 10% of NHH customers were active in the market⁹. As in previous years, larger customers continue to be more aware and active in the market in comparison to smaller businesses.

We noted in our December 2022 decision document on the review of the Retail Exit Code that we are open to exploring how the CPCoP might be used to improve customer awareness as well as the information available to customers on how different Retailers compare. We are in the process of reviewing the content of the [Open Water website](#) to remove redundant data and signpost information on the number of customer complaints each Retailer receives along with links to relevant performance data from MOSL's Holistic Performance Reporting.

With the above in mind, we are minded to introduce new requirements into the CPCoP that would require Retailers to include information on customer bills relating to the

⁹ 'Active' is defined as customers who have switched or re-negotiated, actively considered switching or re-negotiating, those that have tried to switch or re-negotiate, those in the process of switching and those who had considered switching or re-negotiating but decided not to, in the last 12 months.

Business Retail Market and the possibility to switch retailer, as well as on a prominent place on each Retailer's website (including with a link to the Open Water website).

Question

12. Do you have any views or suggestions as to whether and how the CPCoP might be used to improve customer awareness and engagement in the market?

2.6 Customer credit balances

In January 2022, we published our [CP0010 decision](#) which placed new requirements on Retailers that were focused on strengthening the protections for NHH customers in relation to credit balances that had been accrued against their accounts, including in the event of a Retailer failure or in the event of customer account closure.

The changes were implemented in July 2022, with the aim to:

- 1) increase customer awareness of the potential benefits and risks of paying in advance and that there are alternative payment terms available in the market;
- 2) making customers aware of the credit balances they are building up over time; and
- 3) ensure that credit balances are repaid to NHH customers upon the closure of their account.

In our decision document we noted our commitment to assess the impact of these changes in 12-18 months' time after the changes have been in place. The full assessment of the impact of our changes will be taken forward separately; however, we are taking the opportunity through this Call for Inputs to seek views from a wider range of stakeholders.

We welcome views and evidence on whether and how the implemented changes have impacted NHH customers and delivered on the intended aims. For example, we are keen to establish the extent to which these changes have resulted in a noticeable difference in customer awareness in terms of credit balances or alternative payment options available.

To inform our impact assessment we intend to issue a more tailored and detailed Request for Information (RFI) specifically to Retailers towards the end of May 2023. Our assessment will help us understand whether the implemented changes have delivered the intended aims or whether further protections may be needed.

As part of our assessment, and as outlined in section 2.3 above, we will be considering whether there is merit in different customer types receiving different or enhanced levels of protection. In this context we will consider, based on the evidence provided, whether there is a need, for example, to strengthen the protections for smaller

customers, given we continue to see an absence of effective competition and low levels of market awareness and engagement among smaller business customers.

We are aware that other regulators have considered ways in which to protect customers in relation to their credit balances – for example, the ringfencing of customer credit balances.

In addition to the new requirements of CP0010, which includes requirements on Retailers to frequently communicate the level of credit on customers' accounts and how they can request refunds, we could also explore whether there could be additional requirements on Retailers to also provide annual letters or notifications to customers that informs them of the level of credit against their account, the options available to them and the steps they need to take to request refunds.

In consulting on and reaching our decision on CP0010 we explored other options that could be implemented to strengthen customer protection in this area, such as obliging Retailers to refund customer credit balances on an annual basis. CCW submitted a change request in August 2022 asking for this to take place on a date that is agreed with their customer, unless the customer chooses not to be refunded in that year.

We would welcome views from stakeholders on the merits of introducing further requirements of this nature into the CPCoP. We would also welcome views on whether there are any further options we could consider or anything we can learn from other sectors or markets on this issue. Please provide your views on possible pros and cons on any option. Please also provide any possible implementation challenges, costs or unintended consequences that Ofwat would need to consider.

We are planning to consult on our assessment in the autumn, issuing a final decision by the end of 2023, which will include proposed changes (if applicable) to the CPCoP.

Questions

13. Do you have views on whether and how the implemented changes have impacted your business and delivered on the intended aims. To what extent do you consider that these changes have resulted in a noticeable difference in customer awareness in terms of credit balances or alternative payment options available?
14. Do you consider there are merits of introducing any of the options described above (further protections for smaller customers, ringfencing credit balancing, obliging Retailers to provide annual letter/notifications or obliging Retailers to refund customer credit balances on an annual basis) and why? Please provide your views of possible pros and cons on any options, including any possible implementation challenges, costs, or unintended consequences that Ofwat would need to consider.
15. Are there any other options we could consider or anything we can learn from other sectors or markets on this issue? If so, please provide your views on possible pros and cons on any suggested alternative approaches, including implementation challenges, costs, or unintended consequences that Ofwat would need to consider.

2.7 Governance and Housekeeping

Governance

Ofwat, CCW and trading parties may propose amendments to the CPCoP¹⁰. The current change process of the CPCoP requires all proposals to go through the same governance process, which requires Ofwat to consult on a proposal for 28 days (except in the case of emergency), followed by the publication of a decision document. No evidential thresholds currently exist to filter the submissions that Ofwat is obliged to consider. We think this could result in an inefficient use of resource where proposals are insufficiently developed or evidenced.

We note in this context that in the recent Code Change Committee's (CCC) [consultation on improving the WRC and MAC change process](#), changes were proposed that would provide for a more streamlined and efficient process.

Furthermore, the proposed CCC process sets out that stakeholder engagement is intended to be proportionate to the complexity and potential impact of change proposals, rather than a 'one size fits all' approach. It is also worth noting that the WRC and MAC change process already includes a housekeeping change process, which enables changes to be fast-tracked by MOSL to Ofwat for consideration where they are considered to be non-substantive.

We consider that there is potential for the CPCoP governance process to be streamlined, made more efficient and transparent. Adopting a process that includes similar principles to that proposed by the CCC would also ensure that proposals that have a demonstrable benefit for customers can be prioritised and as a result resources allocated more efficiently. For these reasons, we are minded to amend the governance of the CPCoP and would welcome stakeholders' views on what such a reformed governance process could look like.

Simplifying the CPCoP

As noted earlier in this document, the CPCoP has been in effect since market opening and has been updated incrementally on several occasions. Some of the changes that have been introduced were specifically targeted to particular events in the market, such as managing the impact of the Covid-19 pandemic. We are considering whether it is appropriate to apply sunset clauses to the Covid-19 provisions within the CPCoP, where appropriate. For the avoidance of doubt, Retailers will continue to be required to honour existing Covid-19 Repayment Plans that are currently in place, but we would welcome views from stakeholders as to whether there are any risks or unintended consequences from setting a timetable for these remaining Covid-19 related provisions to be phased out.

More broadly, we would welcome suggestions from stakeholders on how the CPCoP could be simplified and unnecessary complexity removed (for example any redundant

¹⁰ Change proposals can be submitted by any interested party as per section 5.1 of the [CPCoP](#)

terms) to ensure that the code is accurate, concise and up to date. This includes whether any definitions require updating, amending or adding to.

Question

17. Do you agree that a similar process to the WRC/ MAC changes, should be introduced to replace the current CPCoP change process?
18. Do you consider that the current CPCoP has redundant or unnecessarily complex elements? If so, do you have any suggestions to reduce complexity or redundant elements of the CPCoP?
19. Do any definitions contained within the CPCoP need updating or amending?

2.8 Monitoring and Compliance

Compliance with the CPCoP is crucial in ensuring customers receive good levels of service. To date, we have taken a proportionate and risk-based approach to the way in which we monitor Retailers' compliance with the CPCoP. Whilst we are mindful of the need to avoid an unnecessary increase in regulatory burden, we are considering how we might take further steps to increase our assurance that Retailers are compliant with their obligations as set out in the CPCoP.

We are also considering how appropriate the current approach to monitoring is and would welcome views on how the CPCoP could be improved to further focus on Retailers compliance.

We welcome stakeholders' views on the most appropriate method of monitoring compliance.

Question

20. Do you have any views on whether we could protect customers better by taking further steps to increase our assurance that Retailers are compliant with their obligations as set out in the CPCoP and if so what in your view is the most effective way to do this?

2.9 Further Considerations

We would welcome input and evidence from stakeholders on any other areas where there may be potential for the CPCoP to be strengthened in the interests of customers, including where relevant if such changes should differentiate between customer groups.

Question

21. Do you have any views on any areas that have not been considered by this CFI that you believe could improve or strengthen the CPCoP?

3 Next Steps

We will consider all of the views and evidence provided in response to this CFI, and in some cases may decide to follow up on certain points with respondents. Where we consider changes to the CPCoP should be proposed, we will propose and consult on these later this year through the existing governance process.

**Ofwat (The Water Services Regulation Authority)
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