

## Appendix 1 Consultation questions

*Q1. Do you agree that where this document has an impact on the groups listed, those impacts are likely to be positive in relation to equality of opportunity for utility consumers?*

Yes, NI Water agree with the statement that this document has a positive impact on the groups listed in relation to equality of opportunity for utility consumers.

*Q2. Do you have comments on any of the UR proposed decisions set out in section 2? Please clearly state in your response which decision your comments relate to.*

NI Water are content with the proposed new definition of vulnerability (section 2.4) and welcome the separate sections proposed for each industry (electricity, gas and water) (as set out in Figure 1 section 2.38).

*Q3. Do you have comments on the URs proposal on industry working groups as set out in section 3? Please clearly state in your response which aspect of the proposal that your comments relate to.*

As confirmed at the CM/Sat working group(18th July 23), the Water Industry working group will be NI Water only. NI Water believes that the timeframe to develop industry procedures by May 2024 is ambitious considering the final decisions on COP will be published in autumn 2023 (figure 2 section 3.5).

NI Water would like to understand the reporting requirements, every 2 months (as per section 3.21). NI Water believes this may be onerous given the short timeframe to develop the industry procedures.

*Q4: Do you have comments on the UR proposed decision set out in section 4?*

NI Water is supportive of the ten principles set out within section 4. NI Water would like to understand the timeframes for consulting on the new CPP later this year.

*Q5: Do you have comments on any of the UR proposed decisions set out in section 5? Please clearly state in your response (using the measure number) which decision your comments relate to.*

NI Water have queries on the following measures:

Measure	Detail	NI Water Query
1.3	<i>“All companies should have a specialist vulnerability team or person (dependent on the size of the business) within the appropriate part of the business to champion innovative strategies for the treatment of consumers displaying signs of vulnerability (including the use of inclusive design principles). This vulnerability team should include a staff member at a senior level and will represent, mentor and oversee the company’s work on vulnerability.”</i>	Is this a dedicated vulnerability team or person or could this form part of a role of an existing member of staff / team? Our proposal would be to have vulnerability champions throughout the organisation including at Director level.

2.4	<p><i>“Establish a partnership between <b>consumer representative bodies</b> and Suppliers/network companies (which can be readily evidenced and which is intentionally cultivated and maintained) to raise awareness of the existence of customer care registers amongst members and clients.”</i></p>	<p>NI Water would like some clarity on:</p> <ul style="list-style-type: none"> <li>• Who are the consumer representative bodies?</li> <li>• What will count as evidence?</li> </ul>
2.5	<p><i>“Ensure processes are in place to enable a warm handover of consumers in vulnerable circumstances who are in need of additional support.”</i></p>	<p>Does this measure apply to NI Water considering financial vulnerability does not apply (section 5.55)?</p>
3.3	<p><i>“Inform all your domestic customers, at least annually, on the existence of customer care registers and how to be added to the customer care register, if eligible.”</i></p>	<p>NI Water believe this change may have been made upon stakeholder feedback (5.84 to 5.88) and would like to understand if this is applicable to NI Water. NI Water <b>do not</b> have a direct relationship or hold a complete database of household customers. To comply with this measure would cost NI Water c£500k per annum and we would query the value for money this would provide to our customers. No costs have been included for this within the PC21 Business Plan. We will continue with our ongoing promotional activities and will work with the UR through the CM/Sat group to consider other potential low cost CCR promotional initiatives.</p>
4.4	<p><i>“Customer care register holders must carry out a data cleanse of customer care registers every two years. Removal of consumers should only take place after a minimum of three attempts to contact the consumer via the consumers’ preferred method of contact.”</i></p>	<p>As per the Reporter’s AIR18 Report, customers are only removed from NI Water’s Customer Care Register once NI Water receives their request/consent to do so. NI Water proposes to keep the current procedure.</p>
7.1	<p><i>“All companies to provide consumers who are represented by the UR’s definition of vulnerability and are experiencing affordability difficulties with their energy bills with the option of a ‘warm handover’ to a consumer body which can assist them with a benefit entitlement check facility.”</i></p> <p><b>Applies to all regulated utility companies</b></p>	<p>The measure is in relation to customers experiencing “affordability difficulties with their energy bills”, however also states it “applies to all regulated utility companies”. NI Water request confirmation that this measure does not apply to the water sector.</p>
7.2	<p><i>“Include the option of ‘breathing space’ when developing a payment plan for</i></p>	<p>The Code of Practice is specific to domestic customers. NI Water do not bill</p>

	<p><i>customers in debt who are represented by the UR's definition of vulnerability. Breathing space is a period during which an individual in debt is provided with respite from creditor action in order to fully engage with debt advice agencies and seek sustainable solutions to their debt. The period of time should be decided on a case-by-case basis based on the individuals' circumstances."</i></p> <p><b>Applies to Suppliers</b></p>	<p>domestic customers and therefore NI Water believes this measure does not apply in this instance.</p>
7.3	<p><i>"All companies will use best endeavours to proactively identify consumers who are at risk of self-disconnecting and provide advice and support / financial assistance where appropriate."</i></p>	<p>NI Water request confirmation that this measure does not apply to the water sector.</p>
7.4	<p><i>"Target consumers with a PPM debt on or over a specified amount (£200) and provide an incentive to engage to discuss debt repayment that will include a package of support measures (e.g. warm handover to organisation who can carry out a benefit entitlement check)."</i></p> <p><b>Applies to Suppliers</b></p>	<p>NI Water request confirmation that this measure does not apply to the water sector.</p>
7.5	<p><i>"Do not disconnect a customer for debt if they are actively engaging with their supplier."</i></p> <p><b>Applies to Suppliers</b></p>	<p>NI Water request confirmation that this measure does not apply to the water sector.</p>
8.1	<p><i>"All companies to establish, implement and maintain effective data sharing methodologies to enable the effective use of consumer data by any relevant party licenced to convey/supply gas or distribute/supply electricity or supply water to the domestic consumer's premises under the Gas Order, Electricity Order, and or the Water and Sewerage Services Order in an appropriate form and at appropriate intervals."</i></p>	<p>NI Water as a 'Public Authority' is bound by the legislative provisions of the UK General Data Protection Regulation (GDPR), Data Protection Act 2018 (DPA) and the Water and Sewerage Services Order. Sharing of personal data under GDPR requires a legal basis for sharing which may be possible under Article 9(g) Reasons of substantial public interest (with a basis in law). NI Water is also cognisant that the needs of vulnerable customers with regards to Gas and Electricity are not an exact match to that of Water.</p> <p>NI Water would like to understand if the UR is taking a co-ordination / lead role with all utilities on this.</p>
10.2	<p><i>"All companies to publish an accessible version of the returns submitted to the Authority on compliance with the Code of Practice for consumers in vulnerable circumstances on their own websites."</i></p>	<p>This would be dependent on the proposed Code of Practice. Not the norm to monitor &amp; evidence against Code of Practices.</p>

	<i>These returns will also be published on the Authority's website."</i>	
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*Q6. Do you have comments on the URs proposal on the new structure for registering consumers in vulnerable circumstances as set out in section 6? Please clearly state in your response which aspect of the proposal that your comments relate to.*

NI Water is content and agrees with the proposed structure.

Please note in figure 3 (page 95), NI Water does not agree with the definition under the current structure. For clarity NI Water's existing definition is "have a disability, are an older consumer, have a serious medical condition or need extra help for any other reason"

NI Water requests further clarification on section 6.25 and how the proposed introduction of a two-tier customer care register will satisfy the GDPR concerns.

*Q7. Do you have comments on the URs proposed licence conditions as set out in section 7? Please clearly state in your response which aspect of the proposal that your comments relate to.*

NI Water does not have issues with the principle of a licence change to include a new Code of Practice for vulnerable customers.

*Q8. Do you have comments on the URs proposal compliance and monitoring as set out in section 8? Specifically, we seek comments on stakeholders preferred monitoring option(s). Please clearly state in your response which aspect of the proposal that your comments relate to.*

NI Water's preferred monitoring option is (A) Results based reporting. Results reporting could potentially be included as part of NI Water's Annual Information Return.

*Q9. Do you have comments on the URs proposed timelines for implementation as set out in section 9? Please clearly state in your response which aspect of the proposal that your comments relate to.*

As referenced under question 3, NI Water believes the 6 month timeframe to implement the new requirements to be compliant with the new CoP is slightly ambitious considering NI Water will also be working in parallel towards ISO 22458 accreditation, as required by the PC21 Final Determination.