

Consumer Consent Solution – Energy UK response to the Retail Energy Code Company consultation

25 March 2026

Executive Summary

Energy UK does not support the Consumer Consent Solution (CCS) as proposed in the Retail Energy Code Company (RECCo) consultation.

While we recognise the value of improving data flows and empowering customers to consent to how their data is used in the energy sector, we have serious concerns with the proposed design. These include broad concerns with the potential value, or lack thereof, that the CCS would deliver to consumers, as well as serious concerns with the specific design details.

As such, we recommend that Ofgem formally reconsider the value of the CCS given the updated design details, alongside an updated impact assessment. We also recommend that our key concerns with the design details are addressed.

Key Concerns

The CCS as proposed will not address the original problem the workstream set out to solve.

We are concerned that the proposed CCS will not achieve the initial project objective, which was to enable increased consumer confidence in how their data is being used by industry parties, by providing the capability for consumers to see and control who is accessing all their data in one place. Instead, it will provide an incomplete picture, as not all consents and data users will be included. For example, it will not record existing consents, and SEC Other Users will engage with the project on a voluntary basis. This calls into question the value of this solution, and of proceeding with the consent mechanism as designed.

It is unclear if a technical solution can be delivered that meets the objectives of the project, given the technical and implementation complexities across the sector. Therefore, we strongly recommend that Ofgem reconsiders if the other two options [originally consulted upon](#), namely a principles-based framework for industry to follow, or industry-developed code of practice, would be more practical, and ultimately more successful to pursue. Indeed, there are a range of consent models that work today, which would provide the reassurance to consumers that this CCS is trying to provide.

To support this, it may be helpful for Ofgem to outline where it sees the risks in the current data protections landscape, and identify which legislation or licence conditions fall short in protecting consumers' data. Relatedly, clarity is also needed on the interaction between the CCS and standard condition 47 of the Electricity Supply Licence, Smart Metering – Matters Relating to Obtaining and Using

Consumption Data (SLC 47). This is particularly important given Ofgem is separately considering whether changes are needed to SLC 47, with the rollout of market-wide half hourly settlement. For example, clarity is needed in SLC 47 on consumers opting out, which would tangibly impact the proposed CCS.

It remains unclear if the benefits will outweigh the costs of delivering the CCS as proposed.

Responding to Ofgem's consultation in 2024, we [recommended](#) that a clearly defined consent platform, fully costed proposal, and comprehensive impact assessment (IA) was needed, after which, a separate, formal decision point should be established to decide whether to advance with the project. While an IA was subsequently consulted upon last year, we again [noted](#) concerns that the benefits case was not robust, and that the IA lacked clear evidence to support the assumed positive outcomes.

After reviewing the design details in this consultation, we remain concerned that it is unclear if many (or any) consumers will benefit from the CCS, while we know that the costs will be significant. Further use cases for the CCS also remain uncertain, particularly in the non-domestic market.

As such, while outside of the scope of this proposal, we again strongly recommend that Ofgem formally reconsider the value of the CCS given the updated design details, alongside an updated impact assessment.

The CCS design as proposed is highly over-engineered.

We are concerned that the proposed approach is not a Minimum Marketable Product (MMP) as purported, but instead goes beyond this to over-engineer the design details. Further, there is little consideration to the significant impact this would have on the costs of delivering this solution, or the impact on consumers.

For example:

- Requiring photographic identity verification, which consumers may be hesitant to share, despite it being possible to verify a person's occupancy without this. This could set a precedent of suppliers being required to obtain photographic identity verification, which could have implications for future programmes, such as access to half hourly data. It is outside of RECCo's remit to make decisions that could have these wider consequences.
- Requiring 99.9% availability, compared to 99.5% which is used as the benchmark for other central data exchange solutions, such as [UK Open Banking](#).
- Requiring the same level of verification for household data as accessing NHS data, which is disproportionate.

We also note that further consideration is needed on how to support consumers where they have challenges using digital tools. Currently, only consumers registered at the address can provide consent, which may be a barrier for many consumers. Lloyds bank [finds](#) that 11 million adults help others use online banking.

The governance design complexity needs further thought.

We are concerned that changes to the CCS would have to go through existing REC change processes, which could slow down or inhibit innovation. For example, we note that consents which are not included in the proposed MMP would need to be integrated quickly, to ensure it remains relevant for customers. For example, tariff interoperability and accessing half-hourly metering data for the purposes of billing and settlement.

We emphasise that DESNZ should provide strategic oversight of how these programmes interact to ensure industry participants are not building short-term solutions, with these costs being passed onto consumer bills. Further, it is important that DESNZ leads this work given its role as the primary decision maker, with RECCo's remit remaining on designing the technical elements.

Further, we are concerned with how new use cases will be handled, particularly where the data sets are not already included in the CCS directory. This requires rethinking, as the current design does not easily support suppliers to propose new use cases. Further development of the governance framework is needed here, as opposed to a REC change.

On future use cases, there is also an issue of the legal basis for sharing data, that needs to be addressed. If the data cannot be shared legally, or if consumer consent is not the basis for sharing it, this calls into question the value of the CCS.

We do not support RECCo defining the user experience.

We are concerned that RECCo is going beyond its remit in looking to define the user experience. RECCo is not a consumer facing organisation and does not have the expertise to outline user experience elements. Instead, its focus should remain limited to supporting the capabilities required to enable a positive user experience.

At most, we would suggest that minimal outcome-based requirements could be developed in collaboration with suppliers and other consumer facing organisations such as Smart Energy GB, who know what consumers need to support a positive user experience.

Further, while we appreciate that high uptake is important to deliver a cost-effective solution, we question if there is too much focus on encouraging regular consumer engagement of the tool. We consider that a successful CCS would be one that provides consumer confidence in the data-sharing ecosystem, such that consumers only need to engage with it on a minimal basis. This is important to support the original objective of developing a CCS, that of supporting consumer trust in and control of how their data is being used.

With respect to the user experience details as proposed, however, we do note the following:

- A missing behavioural archetype is that of a ‘privacy conscious’ consumer. This includes consumers that may be experiencing economic abuse or family violence, where essential services [may be used](#) to control or harm them. Further consideration is needed on what additional protections may be needed for this archetype.
- Further thinking is needed on guest accounts if the CCS is to progress beyond the MMP, and how it would be utilised. This should include transparency on who has given or removed consent, as well as on the right to be forgotten.

If you have any questions about this response or wish to engage with Energy UK and its members, we would welcome further engagement.

Kind regards,

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