

# **Citizens Advice Response to RECCO's Consumer Consent Solution Design Consultation**



## About us

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We can all face problems that seem complicated or intimidating. At Citizens Advice we believe no one should have to face these problems without good quality, independent advice. We give people the knowledge and the confidence they need to find their way forward - whoever they are, and whatever their problem.

We provide support in approximately 2,500 locations across England and Wales with over 18,000 volunteers and 8,650 staff.

Through our advocacy work we aim to improve the policies and practices that affect people's lives. No one else sees so many people with so many different kinds of problems, and that gives us a unique insight into the challenges people are facing today.

As the statutory consumer watchdog for the energy and post industries we have an important role to play in shining a spotlight on the problems consumers encounter, providing solutions to these problems and ensuring their voices are heard when important decisions are made about the future of these essential markets.

# Introduction

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We welcome the opportunity to respond to this consultation. We have called for the creation of a consumer consent portal since the DCC contract was first awarded in 2013. We have advocated for a portal to allow consumers to see who is accessing their smart meter data and make choices about it.

As noted in our response to Ofgem's consultation on the Consumer Consent Impact Assessment<sup>1</sup>, the ability to make choices as to whether or not to share smart meter data is important to consumers. Currently there are no means by which a consumer can know who is accessing their smart meter data or for what purposes. This makes it impossible for consumers to consistently exercise their right to make informed choices about sharing their smart meter data, and risks creating significant distrust in both smart meters and the wider energy industry. If we want consumers to engage with smart-enabled products and services they will need tools that provide adequate transparency, control and accountability as to how their data are used.

**The number of consumers who say that it is either important or very important that they be able to opt-out of sharing their smart meter data has remained high over the years - at 89% in 2019<sup>2</sup>, and 92% in 2024<sup>3</sup>.** Those who make the most use of smart-enabled products and services are most likely to rate it as important, so we should anticipate an increased appetite for better control as more services make use of smart energy data.

The concerns we raised in our response to Ofgem's 2025 consultation all remain relevant - particularly that the goals of this project have shifted away from its original aim of providing consumers information about who is accessing their smart meter data and giving them the ability to make choices about that access where possible. Rather than being consumer centered, the new proposal is more focussed on offering benefits to industry by creating a tool that can allow them to establish and manage consent from their customers on an opt-in basis.

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<sup>1</sup> Citizens Advice - [Response to to Ofgem's Consultation on the Consumer Consent Impact Assessment](#) (2025)

<sup>2</sup> Citizens Advice - [Clear and in Control](#) (2019)

<sup>3</sup> Citizens Advice - [Response to Ofgem's Consultation on a Consumer Consent Solution](#) (2024)

We note that the background summary focuses on enabling new market entrants rather than ensuring consumers can see who is accessing their data. If implemented properly the tool should achieve both goals but the prioritisation of industry over consumer benefits is of concern when this product was originally conceived to improve consumers experience and trust.

We are also concerned that the portal as described in the consultation document is no longer expected to show any data flows that aren't consent based or some where consent was given before the launch of the portal. Sections 4.18 and 4.19 of the consultation document imply that energy supplier data access will no longer be in scope and that other users can "choose to engage on a voluntary basis". These are significant gaps likely to undermine both trust in and the usefulness of the tool. Efforts must be made to ensure that the launched product shows as many data flows as possible and these cannot just be those that are new, based on explicit consent or where the provider has opted in to letting people see it. Our previous proof-of-concept for the portal was able to show all DCC-based data access. This should be considered a bare minimum for the product to be viable. Without this numerous data flows a consumer would expect to see will be missing from the portal.

# Consultation response

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## **1 - Do you agree with the proposed MMP scope, including the core functional components and the inclusion of SEC Other Users and the BSC SDR?**

The current proposal is to launch a portal that shows only a very limited amount of consent-based data access. Non-consent-based data access, some data access that was consented to before the tool was available, and energy supplier data access have all been moved out of scope. Smart Energy Code (SEC) other parties' data access has also been moved to a voluntary basis. There is no benefit to excluding so many data flows from the tool and significantly limiting the product will bring numerous risks.

There are currently no means for an energy consumer to know who is accessing their data. The core goal of this project was to remedy that situation and in doing so increase trust in smart metering, smart-enabled products and services and data-derived services within the energy sector. The current proposed Minimum Marketable Product (MMP) does not deliver this and as such does not meet the criteria of an MMP.

If launched as proposed the portal would fail to show many data flows. Including data flows a consumer would expect to see. If consumers know a company is accessing their data but it does not appear on the portal, then trust in the portal and the wider use of their personal data is likely to be significantly impacted from the outset.

This issue is becoming more relevant given recent pushes from parts of industry to allow for more access to consumer data without explicit consent through the SEC. Stakeholders have been clear that if these changes occur they would stop seeking consent as this represents additional work for them and would place them at a disadvantage to other companies who are not using explicit consent.

The current proposal would mean that all such access would effectively “disappear” from the portal the moment a service provider changed approach. A consumer would reasonably conclude that a company had stopped collecting

their data when in fact they had simply switched to a methodology that the consent solution does not show. This would be misleading to the consumer.

Any perception that some accessing of personal data is being “hidden” or that companies can simply choose not to appear on the portal will be significantly detrimental to the reputation of the tool and the trust consumers will have in it. Efforts must be made to ensure that the launched product shows as many data flows as possible and these cannot just be those that are new, based on explicit consent or where the provider has opted in to letting people see it.

Our own work building a proof-of-concept demonstrated that the process of showing a consumer all data access happening through the DCC (which enables the majority of data access) is straightforward and simple to deliver through an API. Workshops with industry, DCC, Government and the regulator confirmed this. The current proposal does not include any plans to use this already established approach which would address the bulk of these concerns. Simply showing who is accessing a consumer’s data via the DCC would show a consumer pre-existing and non-consent based data access and deliver a more thorough service than the one being built from scratch for the portal.

That approach should be considered the bare minimum amount of data for an MMP. The proof-of-concept also detailed and designed how different types of data access can be clearly communicated to a consumer. These are not new challenges but ones that were addressed years ago and it is concerning that this new product is not making use of those learnings. We note that Ofgem initially requested that all existing consents be shown but that they have agreed this is no longer necessary for the MMP. We disagree with this decision.

We also note that the proposed MMP will only cover half-hourly data access and not seek to address more detailed access. Service providers are increasingly seeking access to near-real-time Home Area Network (HAN) data through apps and consumer access devices (CADs) and consumers will want to know about this. While recording and reporting this data through the portal may be more challenging as these data flows often occur outside the DCC the need to ensure that the portal will cover them, or aim to, should be a clear commitment during the early stages.

We have significant concerns that the current proposed Minimum Marketable Product (MMP) does not represent the minimum marketable product. If a portal

is launched that only shows a small percentage of consent-based data access and no other forms of data access it is unlikely to appear credible to consumers. There is a risk that an effectively empty dashboard that a consumer knows should have more entries will result in reduced trust in the tool that would be harder to recover in future. Showing DCC data flows is a straightforward and implementable approach that would provide far more useful information to consumers. The portal is described as being founded upon **“a central database that holds consent records for all individuals who have granted consent via the solution”**. This is a needlessly limited basis for such a tool when DCC data flows are readily accessible and would show a far more detailed picture of current data access.

An additional risk to launching such a limited product is that if, because of its lack of data, consumers do not use or return to it we may see arguments made to scrap the tool rather than spend further resources making it fit for purpose. While the tool does not need to be perfect at launch it should at least meet basic expectations.

## **2 - Do you have any comments on the assumption that SEC Other Users would not need to migrate existing consents to the CCS and would instead move to using the CCS as existing consents are renewed?.**

Consumers will reasonably expect consents they have given to appear on the portal. This represents bare minimum functionality. **If a consumer’s first experience using the tool does not show them consents they know exist, the impact on their trust in the tool and likelihood of using it in future will significantly reduce.**

A decision to not show existing consents but only those made through the CCS will significantly reduce the usefulness and trustworthiness of the tool. Again using the established DCC route to show who is accessing data would address this issue simply and quickly. As noted in our response to Q1 there is a growing push to move away from consent-based data access within the SEC. If this occurs and the proposed MMP goes ahead we could see the launch of a product that shows very few of the parties who are actually accessing consumer data.

**3 - Do you agree with the position that consent for access to half-hourly metered data should be provided by the occupier rather than the bill payer, where these are different individuals? If not, please provide your rationale**

Yes. The bill payer will not always be the data subject. The most common source of this will be in private rented sector accommodation where a landlord includes utilities in the rent or other scenarios where the bill-payer is not the onsite occupant and data subject. In such cases a person who is not living in the property could potentially gain access to information about what products and services their tenants are using and indeed make changes regarding these. Depending on the precise functionality of the portal they could also opt in to services without the knowledge or consent of their tenants and gain other personal information about them. We note that the consultation document references other data points like Priority Services Register data, this would also be sensitive data that a tenant may not want exposed to their landlord. There is potential for significant detriment and reputational damage for smart metering and the energy industry were this to occur.

**4 - Do you agree with the position that for multi-occupancy households, a 'lead occupant' may provide consent on behalf of other occupants only where they confirm they have the authority to do so and have obtained agreement from all other adult occupants? If not, please provide your rationale.**

Yes. Though clear guidance will be needed regarding how they confirm they have the consent of other occupants and how other occupants could challenge this should the "lead occupant" misrepresent their authority to do so.

**5 - Do you agree with the proposed approach and standard for identity verification? If not, please provide a rationale**

One thing to note is that while Ofgem and the ICO correctly regard MPxN data to be personal data and it can be used to identify individuals, there are also many easily accessible websites, including those of energy networks, that will tell the user the MPxN of any property they know the address of. This should be factored in and mitigated against wherever MPxNs are used to identify consumers.

**6 - Do you agree with the position that consumers should have the option to establish an account with the CCS or grant consent via the 'guest' approach? If not, please provide a rationale**

Consumers should be able to use a guest mode as well as create an account. A guest mode will not only reduce friction, it will also increase inclusion for those who do not want to create an account and help reassure consumers that data on which services they use is not being retained or used by a third party.

A guest login should effectively show the consumer who is accessing their data while not providing that information to anyone else including the service provider. This would also allow one-off access for vulnerable consumers who may be getting third party assistance to login but do not want the person assisting them to then have ongoing access. Creating an account should be a choice not a requirement.

**7 - Do you agree that consumers should have the option to revoke or renew consent directly with the relevant ATP or via their CCS account? If not, please provide a rationale. If not, please provide rationale [sic].**

Yes. Consumers should be able to make these choices wherever they feel most comfortable. For some consents it may be appropriate for a warning to be applied to a request to revoke consent, reminding the consumer that they may lose functionality or a service. For example opting out of sharing detailed data with a supplier if they have signed up to a Time of Use tariff that requires half-hourly data.

The Data Dashboard proof-of-concept managed this issue by having certain options either greyed out or with warnings about impacts<sup>4</sup>.

**8 - Do you agree with our position that EDPs should explicitly check that active consent is in place within the CCS each time they share data with an ATP? If not, please provide a rationale.**

Yes. If implemented correctly and with the proper backstops, this will provide a robust system of confirming that consent is in place and reassure consumers

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<sup>4</sup> Citizens Advice - [The Smart Meter Data Dashboard](#) (2018)

**9 - Do you agree that if the CCS is unavailable, the EDP should continue to share data unless the CCS outage extends for a significant period of time? If not, please provide a rationale**

We agree that for short planned outages, continued sharing would be reasonable. However for any longer unplanned outages a temporary halt on data sharing is likely to be appropriate. Further evaluation should be undertaken to establish an appropriate cut-off point for this.

**10 - Do you agree that the FAPI 2.0 standard should be adopted for the CCS, which includes use of mTLS for all data sharing? If not, please provide a rationale.**

Nil Response

**11 - Do you have any comments on the proposed overall solution architecture and the component descriptions?**

Nil Response

**12 - Do you agree with the proposed approach to matching MPxN to the address? If not, please provide rationale**

Nil Response

**13 - Do you have any comments on the non-functional requirements detailed within Annex D?**

Nil response

**14 - Do you have any comments on the split between centralised and decentralised elements of the overall solution outlined in Annex D?**

We note the decision is yet to be made between white-labelling a CCS portal to be presented under a more recognisable brand, versus creating a new, bespoke brand identity for energy data management in the UK. We would strongly favour the former option.

Consumers should be able to access the consent portal wherever is most convenient and intuitive for them on a customer journey. Our workshops into a Smart Data Dashboard concluded that a “widget” model whereby one portal can be presented by a range of service providers was optimal for consumer engagement, trust and access. This would mean that consumers who are on

their supplier website can check there, while other consumers seeking advice could check elsewhere and avoid them having to navigate to a separate unknown site to complete their task.

Creating an entirely new brand is likely to be costly and unproductive, adding yet another brand to an already complex market.

**15 - Do you have any comments on the technical diagrams and / or business process diagrams set out within Annex E?**

Nil response

**16 - We have identified four groups of people who will use the consent system, each with different needs (Annex F – Behavioural Archetypes). Have we missed any important user groups? Are there any needs we haven't considered for any of these groups? If yes to either, please tell us what's missing and why it matters.**

The behavioural archetypes are focussed primarily on how they interact with online services which is understandable. Given how central trust is to the product, both in using it and in its key role in enabling trust, it might be beneficial to consider an archetype for whom trust is low. For example, a consumer who has had bad past experiences with erroneous transfers or poor supplier performance, which impacts their attitude toward receiving trusted, reliable information. Annex F does touch on trust but primarily seeks to address it through the presence of trusted branding like the Ofgem logo, it would be beneficial to also see how the tool can engender trust in the information it is providing (and not providing) beyond this.

**17 - Do the proposed inclusion requirements adequately address the needs of vulnerable customers, digitally disadvantaged consumers, and consumers with limited English proficiency (Annex F – Accessibility and device constraints)? If not, what additional requirements should be included?**

The current drafting in the Annex refers to guidelines in a fairly broad sense. These guidelines are all reasonable but could benefit from more specifics, for example ensuring that content works with text-to-speech tools and tools which

simplify web pages for accessibility. Consulting with specific usability experts would be of value.

### **18 - Do you agree that consumers need to know who is requesting consent, what data they want, and for how long? If not, what's missing? Is there a risk of information overload?**

Yes. Consumers should also have the ability to know what their data will and will not be used for and what the organisation requesting consent does. The Data Dashboard proof-of-concept made use of brief text summaries written by the companies concerned with the option for more granular detail presented through layered links. This prevents information overload by offering a brief summary which a user can choose to dig further into if they wish.

It will be vital that this text is written in plain English and robustly user-tested. It cannot simply be legal terms and conditions text or commitments to adhere to the law. Lessons should be drawn on work examining how to communicate with consumers about their smart meter data rights and choices<sup>5</sup>

### **19 - Where should additional verification steps or friction be introduced to protect consumers? Where might such steps create disproportionate barriers? (Refer to figures 7–10: User journey stage)**

Consumers need to be made clearly aware of what they are agreeing to or what they are changing when managing existing consents. In cases where these choices might prevent a service from working as expected this should also be communicated clearly.

If the tool is well designed and clearly explains who is accessing their data, in what detail and for what purpose then this process will be more straightforward. However if consumers are missing or misunderstand that information then errors and problems are more likely to arise. Robust and extensive user-testing will be vital before launch. All elements will need to be in plain english with layered options to access more detail for those who want it without overwhelming initial pages with specific detail.

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<sup>5</sup> [Smart and Clear](#) - 2014

## **20 - Do you agree that showing consumers which organisations hold consent, what data is shared, when consent was granted, and when it expires provides adequate visibility? If not, what's missing? What limitations should be communicated to manage expectations**

In order to make informed decisions, consumers need this information, however a key element missing from the current list is the “why”. Consumers will also need to be informed why an organisation is collecting their data and what their data will be used for if they are to understand and make informed decisions about that access. Consumers should also receive information about ways in which their data will not be used (for example for marketing) and to reassure that the access requested is proportionate to the task being undertaken. For example a service offering energy efficiency advice based on seasonal or monthly usage would not need real-time data access or to use its data for purposes other than those the consumer signed up for.

Ideally consumers should be able to make choices here as they can elsewhere through opt in and opt-out choices. A simple “all in or nothing” model is not appropriate, particularly if a consumer is sharing their data for one specific service and may not want or need access to a full suite of other services a provider may offer. A sliding scale by which more benefits or functionality are made available as more data is shared would be best practice.

There may be cases where the business name is not immediately recognisable to a consumer and they will want to know who they are. In some cases consumers do not know who their energy supplier or energy network is, let alone which other companies they may have engaged with for other products and services. All of these will need to be clearly explained in plain english. Layered information which consumers can interrogate in greater detail if they wish is likely to be the optimum design approach.

**21 - Do you agree that consumers need to understand which services will be affected, what happens to their data, how long changes take, and whether revocation is reversible? If not, what's missing? Is there a risk of information overload at the point of revocation?**

Yes. Information overload can be avoided through well designed and accessible menus, interfaces and language. All information should not be presented immediately but rather in clear, plain english, layered notices that a consumer can interrogate as they see fit. Again existing work on communicating with consumers about their smart meter data choices will be relevant here<sup>6</sup>

**22 - Do you agree that assisted journeys should enable consumers to grant consent, review active consents, revoke consent, and receive the same information as digital users? If not, what additional outcomes are needed to achieve equivalence?**

Yes. Assisted journeys should offer the same functionality as direct digital access does. So long as the intermediary acting on behalf of the consumer has their full consent to act on their behalf, then this should be straightforward. It seems likely that organisations like Local Citizens Advice will find themselves assisting some consumers with this in a similar way to how they currently help consumers navigate other digital-by-default services.

**23 - For consumers who are unable or choose not to use digital services, what outcomes should an assisted or alternative consent service journey deliver to be considered fair and equivalent?**

An assisted or alternative journey should deliver the same outcomes. Many online services are replicated by other means, for example NHS triage processes will often present the same questions as they appear via online portals but over the phone or in person. A similar model could be adopted here that would allow advice or support agencies, or companies to effectively talk someone through their consents and any changes they wanted to make. This is another reason that the option for a one-off "guest" login is likely to be important.

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<sup>6</sup> [Smart and Clear](#) - 2014

**24 - Do you have any comments on the proposed REC drafting approach, including the creation of a new REC CCS Arrangements Schedule, a new CCS Service Definition, the Customer Experience Guidelines, consequential changes to existing REC artefacts, and the new CCS API Technical Specification?**

Nil Response

**25 - Do you agree with the proposed initial funding model, including the ability for the cost of qualification and breach investigation activities to be recovered from the individual organisations? If not, please provide rationale**

Yes.

**26 - Do you agree with the proposed CCS Accreditation model? If not, please provide rationale.**

Nil Response

**27 - Do you agree that a minimum standard should be set whereby all CCS Users should be Cyber Essentials Plus certified or ISO 27001 accredited? If not, please provide rationale.**

Yes.

**28 - Do you have any comments on the application of the existing REC change process to cover management of the CCS arrangements?**

Nil response

**29 - Do you have any comments on the application of the existing REC performance assurance framework to cover assurance of the CCS arrangements?**

Nil Response

**30 - Do you have any comments on the proposed issue/dispute resolution paths defined for management of CCS issues?**

Nil Response

**31 - Do you have any comments on the approach to defining the future roadmap within the consultation or the content of the draft roadmap in Annex G?**

Nil Response

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We provide free, confidential and independent advice to help people overcome their problems. We are a voice for our clients and consumers on the issues that matter to them.

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