The voice of the energy industry

Ian Potter, HM Assistant Coroner
St Pancras Coroner's Court
Camley St
London
N1C 4PP

29/02/2024

Dear Coroner,

I am writing in response to the Prevention of Future Deaths Report which you sent me in my capacity as the CEO of Energy UK following the accidental death of Bernadette Grace Faulkner in December 2022. I was deeply saddened by the news of this case, and on behalf of my colleagues at Energy UK and all our members I want to express my heartfelt condolences to Mrs. Faulkner's friends and family. I thank the Coroner for bringing the case to my attention.

Energy UK has taken the duty conferred by this report extremely seriously. Our members deliver nearly 80% of the UK's power generation and over 95% of the energy supply for the 28 million UK homes and many businesses. I am confident that the industry supports this response and will work with the Government and the regulator to take appropriate action.

It is important to note that Energy UK does not represent all the energy network companies, which also have an important role in metering arrangements. We can put the Coroner in touch with appropriate colleagues at the Energy Networks Association, should you feel that this would be helpful or necessary. We have however, reflected the relevant issues in terms of grid connections and metering in our note.

Firstly, we would like to be clear that any customer who is concerned about the safety of their meter placement should contact their energy supplier immediately. Their supplier will be able to offer support, whether that is through moving the meter where possible, replacing the meter with smart technology, or sending staff to the property to manually read the meter. The energy company will also consider whether a prepayment meter (PPM) is in fact the right payment method for the customer, and if appropriate will discuss alternative options that would require less frequent physical access to the meter.

As directed by the Coroner, our focus in this response is on identifying and taking action to reduce the risk associated with historic meter placements and help to prevent similar deaths in the future. We are confident that the existing extensive regulatory framework, overseen by Ofgem, should ensure today no supplier is installing new legacy prepayment meters at height. This is something we have been reassured of by our members.

However, we recognise that the rules around metering have developed over time, as the market and technology have also evolved. In many cases meter locations will have been determined when a meter was first installed, potentially decades ago, meaning there will be historic incidents of legacy meters installed at heights. Addressing this population must therefore be our priority.

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We note, however, that meter siting is a complex matter involving several parties. While meters themselves are operated by energy suppliers, most are situated within private property (suppliers, therefore, in most situations require customer permission to access) and the connections to the grid, which define where meters are located, are determined and owned by network operators. Alongside the placement of a meter, safety then also depends on a combination of the type of meter, the payment method, the characteristics of the customer and any support they may require. These factors mean that action and co-ordination across a broad range of stakeholders is necessary to address historic incidents of traditional prepayment meters that are situated at height.

We have, however, identified the following meaningful actions that we will take forward that we believe should, over time, substantially reduce historic risks, having convened our members and other stakeholders, where this was possible, to discuss what more could be done:

- **Action 1. Raise customer awareness of safety issues.** Energy UK will work with consumer groups, including Citizens Advice (the statutory energy advocate) and Smart Energy GB (the communications body for the smart meter rollout) to further promote the existing guidance for customers on meter safety and emphasise the importance of customers contacting their suppliers if they have concerns. This will also explain the support that is available.

- **Action 2: Improve support for vulnerable customers with their energy meters.** Energy UK will convene workshops with energy suppliers and other stakeholders (including energy networks, Ofgem, the Government, the housing sector and customer groups) to examine the current customer journey, and gain a better understanding of how to:
  - identify customers who need support;
  - deliver safety focused interventions; and
  - improve data sharing to further support the identification of vulnerable customers.

  We will also continue to work with stakeholders to improve how we can share data about customers in vulnerable circumstances, to help target support and improve safety.

- **Action 3: Accelerate the transition from legacy meters to smart meters.** Smart meters offer significant scope to reduce many of the safety risks associated with inaccessible meter placement. They can greatly reduce the physical interaction a customer has with their meter. We will continue to work with Government and Ofgem to ensure that the smart meter programme is delivered, and that we have the right policy framework to ensure continued progress on replacing legacy meters, particularly traditional PPM meters. This could involve working with Smart Energy GB, Ofgem, Government and others to consider ways to ensure social housing and privately rented properties are not left behind in the transition to smart.

Having now explored this issue in some depth with our energy supplier members, I am confident that we are committed to acting on this and can make progress on improving outcomes for customers. However, this is very much dependent on close working and ambition from a range of other stakeholders involved in metering processes and standards, such as the energy networks, some of whom have a (or the most significant) role in determining the placement of a meter.

We will continue to work with Ofgem, the Department for Energy and Security and Net Zero, the Department for Levelling Up, Housing and Communities, and with colleagues from charities and consumers groups to reduce this risk in the future. We would be very happy to share more information with the Coroner, or to make introductions to other stakeholders if required. I would welcome any questions and would of course be happy to discuss our response with the Coroner.

Lastly, I would like to again reiterate my sincere sympathy for the loved ones of Mrs Faulkner – of course we will do what we can, working with our colleagues who share the responsibilities around metering, to prevent any future tragedies.

Yours sincerely

[redacted]

[redacted]
Chief Executive

Energy UK's response

Contents

1. Introduction

This response sets out the background and considerations that Energy UK has taken account of in arriving at our recommended actions for addressing incidents where, for historic reasons, legacy meters have been installed at height. In particular, smart meters can represent a significant step-change in safety, so it is important to explore some of the barriers to installing more smart meters and helping customers access the support that energy suppliers can provide.

Energy UK is confident that through working closely with Government, Ofgem and others it will be possible to materially reduce the risk that customers might experience from engaging directly with their energy meter.

2. Energy meter positions within homes in Great Britain

While the existing extensive regulatory framework, overseen by Ofgem, should ensure that today no supplier is installing new legacy prepayment meters at height, the positions of existing meters in buildings today are largely a result of historical decisions. The number of homes in Great Britain with electricity supplied increased from 6% in 1919 to 60% by the end of the 1930s.[1] When these energy grid connections and metering arrangements were made the choice of location was often chosen to be close to the existing energy grid and for ease of connection. This means that many meters were installed near or around front doors or on the outside of properties. In some instances, these historic location choices did not, and still do not, enable good customer access.

Since then, further changes to meter locations have been largely uncoordinated. For example, some customers have chosen to pay for their energy network to move their meters for convenience or aesthetic purposes, whereas others have built around their energy meters, for example, installing kitchen units around their meters. Such changes can make them harder to access.

From 2021, for new buildings, guidance from DESNZ (then BEIS) sets out specific non-binding recommendations for energy meters to be installed such that they can be accessed directly.[2] There is also now clearer guidance from the various energy networks

[1] The Science Museum (2020) Electrifying: The Story of Lighting Our Homes
[2] DESNZ (2020) Smart meter installations in domestic new build premises

outlining the required parameters for a customer choosing a safe location for an energy meter placement.[3]

Despite this history of uncoordinated and unrecorded meter placements which are outside their control, energy suppliers are working to protect the safety of their customers in a number of ways. This includes installing smart meters to reduce the amount of direct engagement with an energy meter for meter readings. Through smart meters and their service offers, energy suppliers have significantly improved the accessibility of meter functionality remotely and, therefore, customer safety.

Some customers who pay by pre-payment meter (PPM) require manual credit updates via their meter. For these customers, where a supplier becomes aware that it is not safe and reasonably practicable for the customer to pay by prepayment, they must offer to take steps such as offering to replace the legacy meter with a smart meter, offering to move the customer into credit mode, or offering to move the meter.

An energy supplier cannot, however, move a customer's connection to the energy grid within the property. The connection to the energy grid is the responsibility of the distribution network operator. There may be some flexibility in the vicinity of the existing meter location so that the supplier can move a meter, without materially changing the connection to the energy grid. Some suppliers have estimated this to be around $1m^2$ with the meter remaining on the same wall. This is likely to be within close proximity to the meter board on which the meters are already located.

Where a customer wants to move a meter a significant distance, this will not always be possible to do safely within the space available and based on the guidance provided by energy networks, the costs to the customer can be significant, quoted examples start at about £1000 and can reach £3500.[4]

The movement of meters can also require engagement with multiple parties alongside the network operator, supplier and resident. For example, freeholders, landlords and neighbours may all need to be involved, with permissions sought depending on the nature of the work and the customers' tenancy.

3. Safe use of PPM meters and supporting vulnerable customers

In autumn 2023, Ofgem updated its guidance relating to safe use of PPM meters. The new Code of Practice[5] highlights the steps a supplier is required to take to identify a safe and reasonably practicable energy metering arrangement.

The Code sets clear expectations of suppliers about when it is acceptable to move a customer involuntarily to a PPM meter, and it requires high standards for how such customers are to be treated. It sets out the customers for whom PPM meters will not be safe. It also outlines the steps an energy supplier needs to take in different circumstances to establish potential vulnerability, including checking the Priority Services Register (PSR)[i] and other indicators available to an energy supplier across a range of customer scenarios.[6] The Code sets out the considerations a supplier should make in assessing whether a PPM meter is safe and reasonably practicable, where the information is made available to energy suppliers.[ii] As set out above, if a *supplier becomes aware that a prepayment meter is not safe and reasonably practicable*, they must offer to take steps

[3] For example from Cadent, Electricity Northwest, UK Power Networks
[4] For example from Cadent, Electricity Northwest, UK Power Networks
[5] Ofgem (2023) Involuntary Prepayment Meter (PPM) Decision

such as offering to replace the legacy meter with a smart meter, offering to move the customer into credit mode, or offering to move the meter.

Since November 2023, energy suppliers are also required to contact their PPM customers (taking into account their communication preferences) on an annual basis as a minimum, to assess whether PPM remains safe and reasonably practicable.

Ofgem has also set out new obligations on suppliers to prioritise vulnerable customers who need immediate support, including representatives acting on their behalf such as a charity.[14] Energy suppliers are expected to have processes in place to ensure that customers in vulnerable situations find it easier to contact their supplier. The new rules mean that customers should be offered various methods of contacting their supplier in a clear manner that meets their needs and ensures that they can be reached in a timely fashion.

4. The smart meter rollout will improve customer safety

The smart meter rollout is already replacing legacy, traditional meters addressing the safety risk of manual meter readings and manual credit updates. Across all energy suppliers, as of September 2023, 33.9 million smart meters have now been installed in UK homes and businesses by energy suppliers since 2012.[7]

Unlike legacy gas and electric energy meters, which register a running total of energy used, smart meters can record half-hourly price and consumption data, as well as providing automatic meter readings to energy suppliers. Through a link to a portable display (an in-home device), smart meters also give customers real-time information that helps them to monitor and reduce consumption and costs. This transparency does not require physical interaction with the meter.

Smart meters in prepay mode can be read or topped up remotely which means they require much less direct physical engagement from customers than legacy meters. The customer does not need to leave their home to top up their meter, which increases safety if the customer has mobility issues or is otherwise unable to leave their home. Further, on the portable in-home display which is provided to view spending there is a function to manually input credit PPM top-ups. This protects the customer from having to engage directly with their energy meters in most instances.

Energy suppliers in collaboration with the Royal National Institute for the Blind (RNIB) have developed an accessible in-home display to allow more customers, including those who are blind or partially sighted, to access the benefits of smart metering.[8] This device that uses braille and lights to boost the accessibility of smart meters. Some vulnerable people or those living with disabilities may find that the accessible in-home display meets their needs better than a regular in-home display.

Smart meters also work in both credit and PPM modes (unlike the conventionally distinct technologies) and can be changed remotely. This means that if a customer has a vulnerability which will make them unable to safely add credit to their meter, such as cognitive decline, learning difficulties or mental health and wellbeing challenges it reduces both the scope for unsafe engagement with an energy meter and the risk of a period of self-disconnection where a top-up is not possible.

[7] DESNZ Q3 2023 Smart Meters Statistics Report

[8] Smart Energy GB (2024) The accessible in-home display

Barriers to the installation of smart meters

The original ambition of Government was to have a smart meter in every home and microbusiness by 2020. However, the optionality of the rollout for customers along with operational delivery challenges has limited the number of smart meters in homes. The current target set for suppliers is for smart meters would achieve 74.1% of homes by 2025.

Challenges to delivering the rollout included the delays in response to the COVID-19 pandemic when installers were prohibited from visiting customer premises during the first lockdown (March to May 2020). Restrictions on installation activity varied until April 2021. There are also groups of consumers that are less likely to have smart meters. Survey data show that people aged 18 to 24 and people in private rented accommodation are less likely to have smart meters installed[9].

Ultimately however, the route to customers having smart meters installed, and thereby addressing historic incidents of legacy prepayment meters at height, requires customers to accept the offer. Customers may be vulnerable and with existing meter arrangements may be made safer by the installation of a smart meter, yet still decide not to accept a smart meter. It would not be in the gift of the supplier to install a smart meter, even if the existing arrangement is at height, if the household does not choose to accept the offer. To illustrate the challenges facing suppliers in the rollout many customers have been contacted in excess of 20 times to arrange an installation and have still been unsuccessful.

There are myths about smart meters that are unfounded and are contributing to reducing the number of installations. These include health, safety and data protection concerns which have been addressed by Government and the regulator in detail.[10][11] However, they remain key reasons why some customers choose not to accept smart meters.

Energy UK believes that there is, however, scope to increase and prioritise the delivery of the smart meter rollout in relation to improving metering safety. The rollout is a complex challenge, and one in which suppliers have invested heavily. Any prioritisation within the rollout would require careful design to ensure it was appropriately targeted and did not result in competitive distortions. However, through working with the Government, it is our view that there is scope for policy changes that will improve safety by speeding up key elements of the smart transition.

In particular we think there is potential for greater clarity on what should be done in situations where for historic reasons a legacy prepayment meter has been placed at height, but a customer refuses a smart meter and is unwilling or unable to move the location of their meter but wants to continue paying by prepayment.

5. Identifying and supporting customers in vulnerable circumstances

Smart meters and connected technologies via the internet make it easier for suppliers to understand customer circumstances and identify potential vulnerabilities. However, the main and most effective way for suppliers to respond to a customer's needs is via a disclosure process led by the customer.

The energy sector is committed to continually improving service for all customers, particularly those in the most need. Energy UK's independently-chaired Vulnerability

[9] NAO (2023) Update on the rollout of smart meters summary
[10] Public Health England (2023) guidance on smart meters and radio waves and health
[11] BEIS (2017) Review of the Data Access and Privacy Framework

Commitment[12] was established in 2019, and has been developed in consultation with energy suppliers, consumer and charity groups, and the energy regulator, with input from customers themselves to support people in vulnerable circumstances over and above existing regulations. The Vulnerability Commitment is open to all energy suppliers and aims to drive continuous improvement based on three key principles: Accessibility, Collaboration and Innovation.

It is independently chaired and scrutinised; each year an expert panel assesses each supplier's performance against the Vulnerability Commitment.

13 suppliers which in total supply energy to around 90% of UK homes are currently signed up to the Vulnerability Commitment. It includes a number of provisions that signatories have to meet – from providing a range of channels of communication that are suitable and appropriate for a customer's needs to offering a free phone number that can be given to customers in financial hardship where appropriate, as well as taking all reasonable steps to design relevant customer communications and processes in a manner that supports customers to feel comfortable disclosing vulnerabilities.

Energy suppliers are also expected to offer relevant and updated training to their front-line staff on how to look for signs of vulnerability. The Commitment ensures that signatories are showing innovative ways to improve their services for vulnerable customers.

Energy suppliers are also working with support of Ofgem to update the legal basis that underpins how they collect and share data about customers on their Priority Service Register (PSR). If PSR data is collected and stored under conditions that are recognised for 'Substantial Public Interest' it can also be shared with water companies and network operators, and can give customers a more holistic, improved and tailored package of support from utilities providers. It also significantly increases the likelihood of identifying vulnerable customers through cross-industry data sharing.

The Government is also interested in improving the way that people can sign up for the PSR across all regulated utilities, with a to a 'tell us once' approach to data sharing. Energy UK and our members are supporting these initiatives that will give customers more control and transparency when it comes to sharing their data. As an industry, we are keen to explore further with Government and Ofgem what can be achieved through better join up of the roles of data controller and market designer, for example utilising Government data to improve the PSR and the ability of suppliers to identify vulnerabilities proactively and target social policy interventions (including improving safety, but also others) without relying so heavily on the current format of customer disclosure.

Barriers to identifying and supporting customers in vulnerable circumstances

Customer engagement and willingness to share personal (often sensitive) information is a significant barrier to progress. Energy suppliers have worked hard to go above the minimum obligations set out in the licence conditions, sharing best practice and working closely with charities and consumer groups.

However, it is important to note that ensuring that the meter location is safe will continue to be significantly dependent on energy suppliers having access to better, more in-depth information about their customers' circumstances and needs. For a significant proportion of customers with traditional PPM meters, energy suppliers have little to no information on their circumstances provided by the customer.

[12] Energy UK (2023) Vulnerability Commitment

6. Key actions to improve customer safety

We have, therefore, identified three key actions that we believe have the potential to drive improvements and tackle historic meter placement issues further and faster. To maximise impact, these actions will require collaboration with a wide set of stakeholders. We will continue to work with Ofgem and DESNZ the Department for Levelling Up, Housing and Communities (DLUHC), and with colleagues from charities and consumer groups to reduce risks in the future.

- **Action 1. Raise customer awareness of safety issues.** Energy UK will work with consumer groups, including Citizens Advice (the statutory energy advocate) and Smart Energy GB (the communications body for the smart meter rollout) to further promote the existing guidance for customers on meter safety and emphasise the importance of customers contacting their suppliers if they have concerns. This will also explain the support that is available.

- **Action 2: Improve support for vulnerable customers with their energy meters.** Energy UK will convene workshops with energy suppliers and other stakeholders (including energy networks, Ofgem, the Government, the housing sector and customer groups) to examine the current customer journey, and gain a better understanding of how to:
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- **Action 3: Accelerate the transition from legacy meters to smart meters.** Smart meters offer significant scope to reduce many of the safety risks associated with inaccessible meter placement. They can greatly reduce the physical interaction a customer has with their meter. We will continue to work with Government and Ofgem to ensure that the smart meter programme is delivered, and that we have the right policy framework to ensure continued progress on replacing legacy meters, particularly traditional PPM meters. This could involve working with Smart Energy GB, Ofgem, Government and others to consider ways to ensure social housing and privately rented properties are not left behind in the transition to smart.

[i] Ofgem (2023) PPM Guidance (Safe and Reasonably Practicable) The steps that suppliers are required to take in certain instances to ascertain if a prepayment meter is reasonably practical

- *Recording the location of the meter when installed or inspected;*
- *Reviewing appropriate notes on the customer's accounts to ascertain whether any vulnerability which means it is not safe and reasonably practicable for the customer to have a PPM is recorded;*
- *Making multiple attempts to contact the customer by various means and at various times of day to discuss the option of paying through a PPM;*
- *Where a discussion with the customer had not been possible or if, following discussion, there was still uncertainty about whether it would be safe and reasonably practicable for the customer to pay through a PPM, the supplier should take reasonable steps to visit the customer at their premises, which could include making visits at various times of day*
- *Checking whether there has been a change of occupancy;*
- *Attempting to check with any appropriate advice or other agency such as local authority or housing association; and*
- *Obtaining authorisation of an appropriate seniority prior to moving a customer to a PPM*.

[ii] *Ibid.* The information an energy supplier should consider with regards safe and reasonable practical includes:

a) Whether the customer is able to understand and operate the PPM and visit top-up points (where needed) to add more credit. (For example, whether the customer has a physical or mental disability that prevents them from being able to appropriately use a PPM).

b) Whether the customer lives quite a distance from any top-up outlets (This may not apply if a customer does not want or need to top up by cash, and has actively asked to pay by alternative top-up methods, but consideration must be given to instances of technical issues with smart PPM in particular in relation to top-up being required manually in case the smart functionality of the meter fails). What constitutes 'quite a distance' is likely to vary depending on the customer's circumstances. For example, it may not be reasonably practicable to provide a PPM meter if a Domestic Customer needs to travel over two miles to top up the credit and does not have a car).

c) Whether the customer requires a continuous supply for health reasons, such as dependency on medical equipment requiring an electricity supply.

d) Whether the PPM is situated in a position (such as high on a wall) that means the customer could not operate the PPM.

e) Whether the PPM would have to be situated outside or in a room to which the household does not have continuous access.

f) Any advice/guidance received from the Health and Safety Executive (HSE).

DESNZ Q3 2023 Smart Meters Statistics Report