

The Consumer Focus Confidence Code

A Voluntary Code of Practice for
Online Domestic Price Comparison Services



Introduction

The Consumer Focus Confidence Code sets out the minimum requirements that a provider of an internet domestic gas and electricity Price Comparison Service (Service Provider) must meet in order to be, and remain, accredited by Consumer Focus.

The Consumer Focus Confidence Code Guidance Notes accompany the Consumer Focus Confidence Code and state clearly what is expected of each Service Provider under each Requirement of the Consumer Focus Confidence Code.

Requirement One – Independence and Impartiality

The Service Provider must be independent of any gas or electricity supplier. It can take commission from suppliers but this must not influence the provision of any information or data.

The Service Provider must clearly identify on its website each supplier with whom the Service Provider has a commission agreement or from whom it receives any payment, either directly or indirectly.

Advertisements from energy suppliers, their agents, affiliates, or brands operating under the licence of a supplier must not be displayed on the Home/Main page or on the energy price comparison pages of the Service Provider's website.

Guidance Notes Requirement One

1. A Service Provider will be considered as being independent from any gas or electricity supplier where it is not an affiliate or related undertaking of any supplier or of a company that is an affiliate of any energy supplier.
2. Where a consumer chooses to search by price, results must be presented strictly in terms of best price.
3. A Service Provider must provide impartial advice, not advice that is biased in favour of any particular gas or electricity supplier. Subject to Guidance Point 2 above, the Service Provider must not present any information or data in such a way as (in the absolute discretion of Consumer Focus) is deemed to be, or potentially to be, misleading or confusing to consumers.

An impartial service shall be regarded as one which neither favours nor is biased against any particular supplier. A service will be treated as completely impartial only if it is not intended to operate, and does not have the effect of operating in practice, in a way that either favours or is biased against any particular supplier.

4. A Service Provider must clearly identify each supplier from whom it receives a commission / payment, regardless of whether that payment is made either directly or indirectly by a supplier, third party or agent. The requirement for clear identification shall be met where

the name of the supplier is listed as part of a single list which identifies all suppliers from whom the Service Provider receives a commission. This single list must be displayed prominently on, or be accessible from, the price comparison results pages.

5. Where a consumer cannot automatically switch to his chosen supplier through the Service Provider's web-site, the Service Provider must not recommend an alternative supplier.

Requirement Two – Tariffs & Price Comparisons

The Service Provider must use all reasonable endeavours to include price comparisons in respect of all available domestic tariffs and where applicable for all available payment types, for licensed suppliers (including for any agents, affiliates, and brands operating under the licence of a supplier), for gas, electricity and dual fuel, except that the Service Provider is not required to show:

- social tariffs (i.e. tariffs where consumer eligibility is based upon social or financial circumstances, e.g. receipt of benefits); or
- tariffs which the supplier has requested the Service Provider to remove from its web-site; or
- tariffs which are available only to consumers in a specified region, to consumers that are not within that specified region.

Historic tariffs may be included at the discretion of a Service Provider, but where historic tariffs are not included then this should be stated clearly on the Service Provider's website.

Service Provider's should notify Consumer Focus in the event of being asked by an energy supplier, to remove a tariff for their website, which to the best of that Service Provider's knowledge is still available to consumers.

Guidance Notes Requirement Two

1. Green tariffs must be included. A Green tariff is one that conforms to the guidelines on green tariffs that shall from time to time be given by Consumer Focus. Green tariffs do not have to be listed in price order, but where some other methodology for listing them is used by a Service Provider, this shall be clearly explained on the Service Provider's web-site.
2. Historic (or preserved) tariffs are those tariffs that have legacy customers on them but are no longer available to new customers.
3. Where gas and electricity tariffs are bundled with the supply of other services (e.g. telephony), the gas and electricity base prices must be shown separately, with details provided on the additional components of the tariff. Consumer Focus may review new bundled type products entering the market, and provide appropriate guidance for displaying them on the Service Provider's website.

4. Details of non-cash offers (such as airmiles and supermarket points) should be listed separately to the gas and electricity base prices.
5. A Service Provider may include price comparisons for non-standard meters (e.g. Economy 9) at its discretion.
6. A Service Provider has responsibility for obtaining, updating and ensuring the accuracy of all data displayed on its website covering all licensed supplier tariffs (including those of their agents, affiliates and any associated brands).
7. If a Service Provider has difficulty obtaining either historical or new tariff information directly from a supplier, it should contact Consumer Focus for advice.

Requirement Three – Control & Management

The Service Provider must manage and control its price comparison web-site and use its own tariff database and calculator.

Guidance Notes Requirement Three

1. A Service Provider will be treated as managing its web-site only where it has full control over the information content of the web-site and over the presentation of that content.

A Service Provider will be treated as managing the web-site if it has that degree of control, even where the web-site is maintained by a third party on behalf of the Service Provider.

However, where –

- i. a web-site is maintained by a third party, and
- ii. that third party also maintains an energy price comparison service website on behalf of any other price comparison provider (whether accredited by Consumer Focus or not),

the Service Provider will be treated as managing the website only where that third party maintains the website entirely independently of the website of the other provider.

But, in any event, the website may not be maintained by a third party that also manages another Consumer Focus accredited energy price comparison website.

2. A Service Provider may make its calculator available to third parties but where it does so shall ensure that its arrangements with the third party provide that whilst the third party may state that it uses the Service Provider's calculator or database and state that the Service Provider is accredited to the Consumer Focus Confidence Code, the third party must not use the Confidence Code logo.

Requirement Four – Payment Methods

A Service Provider must provide consumers with an explanation of the following payment methods:

- Standard credit by cash/cheque
- Monthly and quarterly direct debit
- Prepayment meter

Guidance Notes Requirement Four

There is no accompanying guidance.

Requirement Five – Results & Filters

A price comparison provided to a consumer must list (on a single page) no less than ten of the cheapest tariffs available in the region where the consumer requires to be supplied. The prices must include VAT (and state that they do so).

A Service Provider may provide filters so that consumers may search results based on the different types of tariff available or an energy supplier's service rating etc, but these must be opt in options only.

A Service Provider must provide a facility or follow-through page(s) so that consumers have the ability to view a list of all of their price comparison results.

Guidance Notes Requirement Five

1. A Service Provider must clearly explain the potential impact to consumers who select an opt in filter, so that consumers are fully aware of the bearing and limitations this may have on the results.

Requirement Six – Quality of Service & Energy Efficiency

The Service Provider may assign ratings to a supplier's performance and invite the consumer to consider quality of service issues, including any such supplier service ratings.

Service Providers must give energy efficiency advice or signpost consumers to other relevant energy efficiency information or programmes.

Guidance Notes Requirement Six

1. Where a Service Provider wishes to assign supplier service ratings it shall not do so until and unless Consumer Focus has reviewed and approved in writing the methodology (to ensure that the methodology is objective and impartial) being used by the Service Provider to assign the supplier service ratings. The approved methodology as used by the Service Provider must be stated clearly to consumers on the website.
2. A Service Provider must as a minimum provide contact details for the Energy Saving Trust, as well as informing consumers of the availability of grant schemes such as Warm Front, Warm Deal (Scotland), the Home Energy Efficiency Scheme (Wales) and the Energy Efficiency Commitment.

Requirement Seven – Accuracy & Updating Tariffs

Prices and price comparisons must be accurate and state when they were last updated.

7.1 Calculation assumptions

The factors that a Service Provider uses to base its calculations on **should** include:

- discounts for paying by a certain method (e.g. monthly direct debit)
- dual fuel discounts
- online discounts
- compulsory paperless billing discounts
- fixed charges (e.g. a fixed monthly membership fee)
- discounts that are paid annually (e.g. loyalty discounts)

The factors that a Service Provider uses to base its calculations on **should not** include:

- introductory sign up offers, one-time discounts/special offers or other promotional discounts that may be for a limited time only;
- discounts that depend on the consumer behaving in a certain way (e.g. prompt pay) ;
- discounts that apply to other services (e.g. telephony) that a supplier may add to a product offering;
- non-price offers;

- discounts that may be offered by the Service Provider for new applications;

Consumer Focus may review any new form of discount and issue Service Providers a formal direction as to how such discounts should be treated in relation to compliance with the Confidence Code. The formal direction shall have effect as if it were part of this Guidance.

7.2 Updating tariffs

A Service Provider must use all reasonable endeavours to:

- update tariffs;
- add tariffs for a new supplier; and
- add new tariff information in a manner compliant with the Confidence Code;

as soon as possible, but no later than two working days of the details and confirmation of the effective date being provided by the relevant energy supplier, or of the tariff being made available to consumers, whichever is the latter.

A new tariff should not be included on a Service Provider's website that has a lead time in excess of six weeks of it being available to consumers.

7.3 Displaying current tariff and spend details

A Service Provider must display the details of a consumer's current tariff, based on the information the consumer has entered, that is accessible either within or from its main results page. These details should include:

- Current supplier's name
- Current tariff name
- Unit rates and Consumption thresholds
- Current payment method
- All discounts that are included in the calculation of the consumer's current tariff
- Estimated Current spend (£) per annum
- Estimated Current usage in kWh for Gas and or Electricity per annum

Guidance Notes Requirement Seven

1. A Service Provider must provide consumers with details of recently announced price rises by supplier's e.g. average price rises and effective dates and the date that its website and database has been updated.
2. A Service Provider must inform Consumer Focus immediately of any unforeseen circumstance that prevents it from complying with Requirement 7.2. Consumer Focus will consider each individual case on its own merits and determine whether the Service Provider has used all reasonable endeavours to comply with the Requirement or is in breach of the Confidence Code.
3. Consumer Focus may review any new form of tariff and issue Service Providers a formal direction as to how such tariff should be treated in relation to compliance with the Confidence Code. The formal direction shall have effect as if it were part of this Guidance.

Requirement Eight – Annual Audit

The Service Provider must comply with an annual audit undertaken by an auditor appointed by Consumer Focus. The cost of each audit will be borne by the Service Provider.

Guidance Notes Requirement Eight

1. The Service Provider must provide the auditor with the access to its premises and to its systems, and all other assistance, that he reasonably requests.

Requirement Nine – Complaint Handling

The Service Provider must establish and operate an effective consumer complaint and enquiry handling procedure and respond to any complaint or enquiry within seven working days of receipt.

Guidance Notes Requirement Nine

1. A Service Provider must provide Consumer Focus with a contact name and number for complaint referrals that Consumer Focus receives in respect of the Service Provider.
2. A Service Provider must respond to a referred complaint by Consumer Focus within seven working days and copy Consumer Focus into any response.