

Collaborative Development working groups – Draft terms of reference

These draft terms of reference for the Collaborative Development working groups set out our current view of how the groups might work and the roles and responsibilities of members. We would welcome views and suggestions on this. This document will help guide the external project managers who will facilitate the working groups, once they are appointed.

1. Purpose

- 1.1. The purpose of the EMR Collaborative Development Working Groups is to develop an understanding of how EMR proposals can be implemented in practice and work at an operational level, in particular how relevant participants within the EMR regime will be required to act within that process. It will also develop an understanding of information requirements; flows and hand-off, compliance and audit requirements; and on the detailed design of systems.

2. Review Point

- 2.1. The Terms of Reference and membership of the working groups may be reviewed at any time by DECC to ensure they remain appropriate for the requirements of Collaborative Development.

3. Rules of Participation

- 3.1 Participants should endeavour to provide resources to assist in the work and deliverables.

3.2. Any discussion in meetings and views expressed or implied in such discussion or associated documents are without prejudice to and shall not limit the discretion of the EMR team with regard to Government decisions. Equally, views expressed by participants during meetings will not be treated as the formal position of the organisation they are representing.

- 3.3. Given the potentially sensitive nature of some of the issues that might be discussed in the working groups, documentation will be assigned an information sharing level of GREEN, AMBER or RED.

- Green: Documentation that will be published on the Collaborative Development website (this will include all documentation produced by DECC). All meeting notes will be GREEN.
- Amber: This will cover any documentation of a commercial interest that working group members may wish to share at the working groups and which will be placed on a password protected website which can only be accessed by working group members and registered observers. Passwords cannot be shared or used by anyone other than the working group member/ registered observer. Unless permission is given, information contained in such documents will not be directly quoted or attributed in publicly available meeting notes. Amber documents cannot be shared by working group members with anyone, including people in their own organisation, unless permission is given by DECC (see 3.7)
- Red: Non-disclosable documentation/information and restricted to participants present at the meeting themselves only. Participants must not disseminate the information outside of the meeting. RED information should not be discussed with any other working group member or any other person from the same organisation who is not present at the meeting in which the information is discussed. Red information will not be placed on either the Collaborative Development website or any password protected website.

- 3.4. Verbal contributions at working group meetings can also be assigned an information sharing level. Members who wish their contributions to be considered AMBER or RED should clearly state this before making their point, otherwise information will be considered to be GREEN. Such contributions will not be recorded in the meeting note, but may be in one of the issues logs (see 7.4).

- 3.5. As a member of the working groups, each participant and all observers will be asked to undertake in writing to abide by the confidentiality and disclosure provisions set out above in relation to each

information sharing level as described above, by signing the Confidentiality and Disclosure Agreement at Annex A to these Terms of Reference.

3.6. Working Group participants and observers who breach the rules of the confidentiality and disclosure provisions under any information sharing level may have their membership ceased.

3.7. It is recognised that some working group members will be representing trade or other associations and consequently an organisation (the trade or other association) in which they are not directly or indirectly employed, and that in some cases other trade association members may wish to see AMBER documentation. Additional passwords for the password protected website will be allocated at DECC's discretion. Requests for additional passwords should be made to the DECC collaborative Development mailbox. Working group members will be informed of DECC's plans to give out passwords to people not members or observers of the working groups in advance of doing so to allow any objections to be raised.

4. Scope of Activities and Deliverables

4.1. The key activities and deliverables are likely to include, but are not limited to:

- Reviewing and refining the process maps that set out how individual EMR process maps will work, including by:
 - Identifying how the processes fit in with other EMR processes;
 - Identifying the main organisations involved in each process;
 - In depth review of how each stage of the process will work, including the activities, interactions and data/information flows for each of the role players so that each understands what is required to prepare for and to participate in the new EMR arrangements;
- Developing an operational model for the mechanism which will articulate how it will work, including the processes required and the roles and responsibilities for all participants;
- Developing an implementation plan setting out how all processes covered by Collaborative Development will be delivered and by when, which maps the key interdependencies and the critical path.

4.2. Through Collaborative development DECC will not be looking to make any policy decisions on the proposed design or structure of EMR. Instead, the purpose of the group is to identify ways in which the proposed design of EMR can successfully be implemented. It will only cover operational systems, not legal systems. The areas/processes that will be covered by Collaborative Development will be set out in the working group programmes. Each working group session will have a clearly defined scope, which the facilitator will outline at the outset of the meeting. Any issues raised outside of the scope will not be discussed at the workshop sessions, though they may be recorded and addressed through other channels if necessary (see 7.5).

5. Resources

5.1 The organisation and facilitation of working group meetings will be carried out by external project managers, once appointed. DECC policy officials will be in attendance at every working group session.

5.2. All papers and documentation produced by DECC for the workshops will include the contact details of the relevant policy lead.

5.3. Working group members who wish to submit papers for working group discussion should do so at least 7 working days before the session. Papers should be sent to the collaborative development mailbox (collaborative.developmentemr@decc.gsi.gov.uk). These papers will be put on the Collaborative Development website if GREEN, and on the password protected website if AMBER.

5.4. The external project managers will provide secretariat support to the working groups in terms of meeting organisation, minute taking, and recording and monitoring issues through the working group issues logs.

5.5. Meetings will be held at locations within Central London.

6. Membership

6.1. The working groups are by invitation only. Observers are welcome to attend the sessions but they must register their intention to attend in advance at the working groups' registration page (https://www.surveymonkey.com/s/CDworkshop_registration). Attendance is limited to one member and two observers per organisation for each working group session. Organisations can request to bring more than one participant and two observers by sending a request to the collaborative development mailbox along with supporting rationale on why the additional people are necessary. One representative from each relevant trade association or consumer group with an interest in EMR is welcome to attend the workshops as an observer.

6.2. Membership of the working group is at the discretion of the DECC and will reflect the issues being addressed and therefore the expertise required. An application by a company, organisation or individual to be invited to be represented at the working groups must be made to the EMR collaborative development mailbox with supporting information on what contribution their representation would make to the working groups.

6.3. If a working group member does not agree with the allocated information sharing level assigned to documentation then they should send a request to the Collaborative Development mailbox requesting that the information sharing level be reassessed, providing a rationale for why this should be the case.

6.4. Guests and other participants may be invited to the working group on an ad-hoc basis by DECC for specific discussions or to share information with the group.

7. Transparency

7.1. All agendas, accompanying papers for workshop sessions, and meeting notes, will be placed on the Collaborative Development website (<https://www.gov.uk/government/policy-advisory-groups/electricity-market-reform-emr-collaborative-development>). Agenda and accompanying papers will be placed on the website at least five working days before the working group sessions. The agendas will include an overview of the expertise required at the working groups to ensure that the most appropriate people attend.

7.2. A note of each working group session will be placed on the Collaborative Development website within 24 hours of the session. A summary of the week's working groups sessions will be placed on the Collaborative Development website by 5pm on the Friday following that week of workshop meetings.

7.3. All issues raised in the workshops will be recorded in a working group issues log. Issues will be categorised in three ways:

- I. Minor: to be addressed during the course of the session, or by email correspondence between DECC policy officials and/or the external project managers and the relevant working group members during that week;
- II. Moderate: to be addressed by start of the following week and reported back by the external project managers and/or the relevant policy leads at the start of the following week's working group sessions / or by email correspondence;
- III. Major: to be addressed by the end of the workshop sessions, possibly with additional sessions added at end of the working group program to do so if necessary. The Steering Group will be made aware of any major issues that are raised, unless they are classified as RED. A report containing details of all issues of major importance will be sent to the Steering

Group at least 5 working days in advance of each Steering Group meeting (with the exception of the first Steering Group meeting which will take place before working groups begin).

7.4. The Issues log will be maintained by external project managers. Each issue raised will be given an owner (which in most cases will be the relevant DECC policy lead) as well as a sharing level. The updated issues log containing issues classified as AMBER will be put on the password protected website at the end of every week of working group meetings. DECC will maintain an internal log of any issues flagged as RED.

7.5. When issues that DECC considers to be out of the scope of the working groups are raised in discussion, these will be noted within the minutes of the workshop, and raised with the relevant team in DECC when appropriate.

Annex A – Confidentiality and Disclosure Agreement

I, the undersigned, have read and understood the EMR Collaborative Development working groups Terms of Reference.

I understand that I am required to comply with the confidentiality and disclosure obligations in respect of each of the three information sharing levels (green, amber and red), as set out in the Terms of Reference.

I understand that should I, or my parent company/organisation, fail to abide by the information sharing levels I and/or my parent company/organisation may be excluded from the working groups.

I therefore agree to abide by the Terms of Reference in my engagement with this group.

Name:

Company/Organisation:

Signature:

Date: