

The Role of the Oversight Body - Summary

This document sets out the known roles and responsibilities of the Oversight Body and attempts to identify the issues which need to be addressed.

The role of the Green Deal Oversight Body will be to:

Manage the Green Deal Code of Practice:

- Ensure that the scheme is operated in line with legal requirements
- Ensure compliance with the Green Deal Code of Practice and the Green deal framework regulations by all participants
- Monitoring performance and ensuring compliance with this Code by all participants
- Operation of an independent appeals process to deal with breaches of the Code of Practice
- The Oversight Body will assess how effective the Code is in delivering higher standards to consumers and that the Quality mark is being used correctly as set out in this Code and makes recommendations to the Secretary of State where necessary.

Reporting:

- Ensure that all necessary information (including monitoring data) and advice is provided to the Secretary of State and Devolved Administrations for the successful operation of the scheme.
- Publishing on a quarterly basis the latest weighted average interest rate for fixed-rate Green Deals on the market which are regulated by the Consumer Credit Act – this will enable Green Deal Providers to calculate the compensation they are allowed to charge a customer who chooses to repay early -Information is available by all UK regions
- The Oversight Body will produce reports and accounts to the Secretary of State and/or Devolved Administrations when requested within the timescales set. This will include any information to support Freedom of Information requests.
- The Oversight Body will publish the results of this monitoring in an annual report, which it will make available to the public, the Office of Fair Trading and other relevant organizations, and also publish it on the Green Deal Advice website. The report will include plans for improving consumer satisfaction levels and the contents of the Code. The Oversight Body will take any appropriate action to improve standards, including making recommendations to the Secretary of State.
- The Oversight Body will produce annual reports covering:
 - fees charged by the Oversight Body, by type of participant and totals collected by type of participant .
 - Numbers and analysis of those registered
 - any incentives in place to encourage participation of SMEs and uptake of training and apprenticeships
 - details of any participant companies and installers and assessors who have been struck off the registers
 - an annual report on monitoring compliance with this Code, as set out in section 3 below

- breakdowns by country and region
- identification of trends and information on likely future uptake

Registration:

- Compiling and managing a register of approved assessors
- Compiling and managing a register of approved installers
- Compiling and managing a register of approved Green Deal providers
- Managing the process for registering products and systems
- Licensing of Green Deal providers
- The Oversight Body will set out clear fee structures for each type of participant in advance and for obtaining approval from the Secretary of State before any fees are levied. Participant type will be defined as assessor or installer certification bodies and Green Deal Providers.
- The Oversight Body will provide information in an appropriate electronic format to the Green Deal Advice Line (updated on a monthly basis) covering the following: Assessors: names, address (including postcode), telephone number, accreditation scheme
Installers: names, address (including postcode), telephone number and activity for which they are approved, and certifying body (eg plumbing, windows etc)
Product details.
Details of certification bodies, Green Deal Providers: names, address (including postcode) and telephone number

Enforcement and Monitoring:

- Advising the Secretary of State on actions to strike off accreditation schemes or certifying bodies and/or individual members where appropriate
- Cooperation with and assistance to the Energy Ombudsman or Financial Ombudsman Operation in their investigation of customer redress cases and to monitor and ensure compliance with any sanction imposed by the Secretary of State, as a result of this investigation
- The Oversight Body will carry out the following monitoring and auditing measures, and report the results to the Secretary of State annually: assess feedback from consumers obtained through consumer satisfaction surveys and mystery shopping/random checks; analysis of: breaches of the Code, the warnings and other measures taken to ensure future compliance, and any sanctions imposed by the SoS; ensure regular audits of compliance of authorised participants, whether through the certification bodies, or carried out directly with participants analysis of conciliation and arbitration cases facilitated by the accreditation schemes and certifying bodies. Gather information on specific cases of non-compliance of the code. In this circumstance, the Oversight Body may report more frequently than annually
- Managing the Green Deal Mark and associated brand protection.

Consideration	Options
Who will identify individuals identified as competent by the certified entity to the Oversight Body?	<ol style="list-style-type: none"> 1. The certified entity 2. The certification body
How will fees and charges be applied by the Oversight Body? <i>The COP suggests that the CB will send fee payment to the OSB.</i>	<ol style="list-style-type: none"> 1. Registration process completed by the certified entity 2. Registration process completed by the CB on behalf of the entity 3. Fees applied to lodging Declarations of Conformity 4. Paid via Green Deal provider
<p>Who will produce ID cards?</p> <p>Who will operate the service to enable consumers to check details?</p>	<ol style="list-style-type: none"> 1. Oversight Body produces a generic card 2. Oversight Body produces generic card specific to GD provider 3. Certification Body produces a card in line with a common specification (may result in an individual holding several cards issued by each CB for the applicable measures)
Who will provide public access to check and verify (24/7/365) installer/assessors are Green Deal approved	<ol style="list-style-type: none"> 1. Certification Bodies 2. Oversight Body 3. Advice Service – although only a monthly update, why not real time?
Who will update and maintain the database with removals/additional certifications	<ol style="list-style-type: none"> 1. Provide an interface for certified entities to maintain their registration details 2. Provide an interface for CB's to maintain details 3. Provide an interface for both. CB's to update certifications and entities details of their competent employees
How will Green Deal Providers and the Oversight Body get access to completed Energy Advice Reports?	<ol style="list-style-type: none"> 1. Access to the where the assessments are lodged (landmark?) 2. The Energy Advice Report is lodged with the Oversight Body
How can the Oversight Body prevent two Green Deals being completed for the same measures on the same property	<ol style="list-style-type: none"> 1. The Oversight Body receives confirmation that a Green Deal is in progress and what measures. 2. It is left for the Finance Aggregator and the market to manage.
Will the Oversight Body need to maintain details of each Green Deal provider Warranty arrangements i.e. if they cease to exist before the payback period expires	<ol style="list-style-type: none"> 1. OSB Doesn't receive information so consumer responsible. Big risk will be the change of occupier or insolvency of GDP. 2. Provide to OSB with the declaration of conformity on work completion
Brand enforcement – What powers will be	

available to deal with unlicensed entities claiming to be Green Deal accredited NB 6.16 OSB to initiate legal proceedings	
Is there a requirement for the Oversight body to issue a Green Deal Completion certificate? Who stores them?	1. Issued by GDP as part of the Green Deal Plan
Will the Oversight Body monitor application of the Golden Rule?	Yes – Does this involve work record audits of GDP's?
Who ensures compliance of the entire installation? Multiple Certification bodies may be used by multiple installers for specific measures – each CB will only be concerned with compliance against the PAS for their own area of certification. There is no holistic view of the installation.	1. Maybe the oversight body could have a role. 2. Maybe the GDP has a role.
If sub contractors are employed by an installing entity they have an immediate responsibility to meet the COP. Does this offer the possibility of un-carded operatives being used? <i>The other consideration for this would be the impacts on warranty, declaration of conformity?</i>	1. Perhaps the work can only be sub contracted to GD participants – how does a GDP or installer verify registration/certification of a sub contractor
GDPs will be required to update EPC via Land Mark register to ensure Plan information up to date on the EPC etc	1. Does the OSB need this information, especially for reporting and compliance? 2. Will advice line provide such information to consumers
Are providers and finance providers, who issue this?	
Under multi party agreements, all the information must be accompanied by the unique Green Deal plan identification number where is this number generated from?	1. OSB 2. GDP
Certification bodies will be required to issue those of their members certified as meeting the Green Deal requirements with a clear form of identification so that customers can identify approved assessors and installers. These identifying documents will include the Green Deal Quality Mark. This implies that the CBS are issuing the GD quality mark and passing the information to the OSB for audit & monitoring purposes only?	In cases of non compliance etc who will remove the quality mark: 3. OSB 4. CBS

Duties on Accreditation and Certification Bodies requires Certification bodies to provide the Oversight Body with an up-to-date list of Green Deal certified members which will be added to the Green Deal Register of Assessors and Installers. This information must be in the format required by the Oversight Body so can this be where we require it by individuals?	<ol style="list-style-type: none"> 1. CBS provided operative competence by measure 2. Installer provides
Contradiction between who awards the GD mark, the CB (5.5) or the OSB (6.7). If the CB does it then (5.8) may not be complied with. It suggests that the OSB must be made aware of anyone struck off or suspended. If the CB does it then how will they know?	<ol style="list-style-type: none"> 1. CB issues mark 2. OSB preferred see 6.22 regarding termination of membership by OSB
<i>Annex C 15</i> indicates that Installers must notify their installer certification body of all completed work under the scheme. We assume that this is then verified against the PAS 2030 for conformity. Does the CB then declare conformance to the OSB?	
<i>Annex B Section 4, 48</i> suggests that it may be appropriate to store the Green Deal Plan on the independent database. Is this the OSB?	
Inspection requirement	8.8 Compliance audits – Can compliance be guaranteed without independent site audits.
Sanctions	CB's need to have sanction policies in place, as will the Oversight Body. If individuals are not identified does the sanction need to be taken against the entity i.e. remove the Green Deal mark
Public Access	COP 8.7 needs to be more specific. Is it trading title or company name to be publically available. Unique registration number/identifier?
GDP access to registration data – How will GDP's confirm registration of installers on an ongoing basis i.e. have not had certification withdrawn.	<ol style="list-style-type: none"> 1. OSB holds individual competence records 2. Interfaces to GDP's to check and confirm

How can GDP's identify the individual installing the work if OSB does not have individual data e.g. Building Regs compliance and warranty information	
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Terminology	
Installers, Assessors, Providers (businesses or individuals)	GD Participants
GD participants certified by CBS	Certified Members
GDP	Green Deal Plan