

EVCC's response to CMA's Invitation to Comment

The Electric Vehicle Consumer Code for Home Chargepoints (EVCC), sets the standards consumers can expect from businesses when purchasing an Electric Vehicle (EV) chargepoint from a member of the Code.

The Code is open to businesses active in the EV chargepoint sector who are offering to sell and install chargepoints at private domestic premises.

As well as requiring compliance with all relevant consumer protection laws, codes and regulations, the Code has been designed to dovetail with the Institute of Engineering and Technology's Code of Practice for Electric Vehicle Charging Equipment Installation, the Building Regulations including the Wiring Regulations, and the current Electric Vehicle Homecharge Scheme (EVHS) administered by OZEV.

Consumers of EVCC members will have access to EVCC's dispute resolution process should something go wrong which they are unable to resolve directly with the business.

EVCC membership is low-cost and not designed to be a barrier to industry.

EVCC's responses relate to the set of questions set out under Theme 2 in the Invitation to Comment and are mainly regarding chargepoints installed at home.

EVCC would be willing to work with CMA further in future.

1. What challenges or difficulties related to chargepoints might act as a barrier to consumers switching from a conventionally fuelled passenger vehicle to an EV and how might these be overcome?

Private chargepoints

- Ability to install chargepoint/ suitability of home and electrical systems - many homes, especially in cities, only have access to on-street parking.
- Where maximum demand exceeds 13.8kVA, need to notify DNO before connecting.
- The need to acquire planning permission (if you are near a highway, in a listed building, if installation is over 1.6m in height (for ground mounted units) or more than 0.2 cubic meters in volume (for wall mounted units)).
- Compatibility - making sure that, when a consumer changes their car in the future they do not need to install a new chargepoint.
- Quality of installations and sales practices - bad installations and sector reputation may affect consumer confidence.
- Considerations when moving home - finding a home that is suitable, as well as moving or installing a new chargepoint and the costs associated.
- Smart charging – may not be accessible to some consumer groups.
- Transparency of and access to suitable electricity supply tariffs.

Regarding private chargepoint installations, Citizens Advice reported that, between July 2019 and June 2020, they received calls from consumers citing:

- faulty or bad installs
- disagreements over contract terms
- overcharging or unexpected charges
- being pressured into buying a chargepoint
- unclear warranty terms
- difficulty contacting installers and disagreements when getting issues fixed.

2. What are the key challenges for consumers already interacting with the sector and how might these change over time as the sector grows?

EVCC sits on Workstream 2 of the EV Energy Taskforce (EVET). It previously sat on this Workstream as RECC.

EVET'S first report and findings can be found at

[file:///Users/dominicmarley/Downloads/EV_Energy_Taskforce_Report_Jan2020%20\(1\).pdf/](file:///Users/dominicmarley/Downloads/EV_Energy_Taskforce_Report_Jan2020%20(1).pdf/).

The EVET was designed to help facilitate the growth of a smart, accessible, public and private charging infrastructure integrated with the whole electricity system. The proposals in the report have a strong consumer perspective. A key driver was to identify actions that can be mutually beneficial for consumers, EV drivers and the electricity system. This report will provide much intel to the CMA.

The EVET is now working on moving from proposals to actions.

OZEV also conducted in 2020 an audit on installers approved under EVHS and found a range of issues which might be of interest to CMA.

3. How do consumers decide which chargepoint services and providers to use? What information do consumers need to make this decision and at what stage in the decision-making process?

Currently, it is common practice to be offered a home chargepoint at the point of buying an EV. Sometimes EV manufacturers are affiliated to a chargepoint manufacturer and will therefore try to sell this product to the consumer or provide one of these chargepoints with the EV for free.

Alternatively, a consumer may have a chargepoint installed after purchasing their first EV, ready for when their EV is delivered. This is a good stage to educate consumers about chargepoints. It is important for consumers to know the options available to them and not be steered in one direction.

EVCC considers that a consumer should be armed with the right information before contracting with an installer and installing a chargepoint at their home. It has developed online guidance for consumers with a list of questions consumers which should ask before signing a contract, as well as information on where they can find out more, such as:

- whether they have somewhere suitable to locate the chargepoint and your EV while it's charging;

- whether it is safe to add an EV to the demands on their existing electricity supply; and
- whether they need permission to install it.

Before signing a contract with an installer EVCC recommends that consumers should:

- obtain at least 3 quotes;
- ensure they have all the information necessary to help them choose the most suitable EV chargepoint for them, as well as how the product will work and benefit them, and how to get the best from it; and
- have a site survey carried out on the property and the existing electricity supply.

EVCC further offers consumers:

- A tool to help them find an EVCC member here <https://www.electric-vehicle.org.uk/consumers/find-an-evcc-member>;
- further EVCC guidance, advice and useful links here <https://www.electric-vehicle.org.uk/consumers/grants-guidance-links>; and
- some top tips here <https://www.electric-vehicle.org.uk/consumers>.

Rightcharge has developed a tool which allows consumers to feed in the answers to several questions before being presented with a range of chargepoints suitable for them (<https://rightcharge.co.uk/preferences/>). Other such tools may and should exist to help consumers.

4. Can consumers easily understand and compare charging tariffs in this sector and what barriers, if any, do they face?

Companies such as Rightcharge also provide consumers with an EV energy tariff comparison tool (<https://rightcharge.co.uk/tariff/comparison/>), although EVCC is not sure if the tool covers the whole market of tariff providers.

However, there is a concern that consumers may not know that they have a choice of suppliers, or that they can switch tariffs. This should be made clear.

EVCC agrees there is a need for a comprehensive price comparison website/app.

5. Do particular groups of consumers face additional challenges to interacting with the sector and if so, who and why? How might these be overcome?

EVCC considers that vulnerable consumers require further consideration.

A consumer may be vulnerable for any reason that makes it more difficult for them to fully understand the information they need in order to make an informed decision about a company's products and service. Consumers may be vulnerable as a consequence of mental or physical infirmity, age, learning difficulties, illiteracy or if their first language is not English (note, this list is not exhaustive).

In the case of vulnerable consumers, or consumers in vulnerable circumstances, businesses need to provide extra care and support when selling. Businesses working in the sector need to make sure these consumers understand information and documentation provided to them. This may, for example, mean involving a trusted friend or relative, providing documentation in different formats, or giving them further time to consider purchases.

6. Are there any technological developments or tools that could support consumers to navigate the sector, for example by helping to make more informed choices?

EVCC sets the standards consumers can expect when purchasing an Electric Vehicle (EV) chargepoint from a member of the Code. These standards ensure consumers can be confident when making a purchasing decision, knowing that their chosen installer has agreed to comply fully with the Code from the way in which they advertise themselves, to the way they carry out the installation.

Furthermore, by contracting with an EVCC member, consumers will have access to EVCC’s dispute resolution service, including free mediation and a low-cost independent arbitration service, should something go wrong. EVCC has been awarded approval as a consumer ADR scheme by the Chartered Trading Standards Institute for its mediation service. Its arbitration service is provided independently by CEDR on its behalf. CEDR is also approved by the Chartered Trading Standards Institute.

Renewable Energy Assurance Ltd (REAL), which administrates EVCC, has also produced consumer guidance which explains the main features of EV chargepoints and sets out the issues consumers should consider when deciding whether to install one at home and lists the questions consumers should ask installer before deciding to go ahead. It also has guidance on Demand Side Response.

Renewable Energy Assurance Ltd (<https://www.realschemes.org.uk/>) carries out a range of certification and consumer protection activities all of which promote renewable energy and the circular economy. It is a wholly owned subsidiary of the trade association, the REA (<https://www.r-e-a.net/>).

7. Are existing protections offered by consumer law and other measures (such as sector regulations) sufficient?

Consumers have the right to expect that goods supplied by Code Members will perform properly and be fit for their purpose and that services will be performed with due skill and care. They have the right to expect that both goods and services meet the quality standards they would reasonably expect.

EVCC members must comply with the laws intended to protect consumers and govern transactions and any other relevant legislation. These form the backbone of the Code. There is a link to a full list of these below. In certain places the Code exceeds legal requirements. For example, the Consumer Contract Regulations 2013 set out that consumers sold goods off trade premises should be given a 14-day cancellation period from when the last of the goods has been delivered to site, however no

arrangements are made for contracts agreed on premises. RECC and EVCC require that where a contract is agreed on premises the consumer should still be given a 14-day cancellation period from when the contract is signed.

EVCC also requires that its members have certain business insurances in place:

- Public liability insurance (PLI) for a minimum of £2m, and
- Professional Indemnity Insurance (PII) for a minimum of £250,000.

However, it has found that not many companies have professional indemnity in place, or at least at this minimum value, when they apply as members to EVCC. Many EV home chargepoint installers carry out an element of design and this insurance would protect businesses should a consumer try to make a negligence claim against them. It provides protection for the business in the event that they make an error at work, or provide inaccurate advice to a customer, which results in a claim for compensation. Whilst schemes like Competent Persons Schemes, Electrotechnical Assessment Specification, Private Rented Sector Inspection, Microgeneration Certification Scheme and some other certification bodies require this to be put in place, it is still presenting itself as an issue. Legislation to say companies in this sector should have relevant insurances in place, is required.

REAL also administers the Renewable Energy Consumer Code (RECC - <https://www.recc.org.uk/scheme/consumer-code>) which was established in 2006. It is based on many of the same consumer protection laws and regulations as EVCC. Most EVCC Members are also RECC Members. In all, there are 1,600 RECC Members.

EVCC and RECC offer members training on these laws and regulations. The RECC training is CPD approved.

There is a summary list of the laws and regulations included in EVCC at <https://www.electric-vehicle.org.uk/installers/standards-library>.

EVCC also sees a huge gap in enforcement of standards and measures. OZEV, BEIS, Ofgem etc are unable to deal with specific consumer issues and/ or don't have the capacity. Trading Standards will only act where there are multiple complaints about the same company. EVCC offers consumers of EVCC members access to its dispute resolution process should something go wrong which they are unable to resolve directly with the business.

8. What, if any, open data measures are needed to support consumer interaction, such as through the growth of comparison sites and apps?

Separately from EVCC, REAL has also developed and launched EV Roam, the first register of e-mobility IDs for Chargepoint Operators (CPO) and e-Mobility Service Providers (MSP) in the UK (this regards public chargepoints).

Mass adoption of electric vehicles requires a far-reaching and smart charging infrastructure. It requires the development of interoperable roaming which ensures that charging stations can be

located throughout the UK and Europe, and that drivers receive the right payment settlements. To help make this a reality, CPO and MSP are issued with unique IDs for their charging stations and contracts.

REAL, via EV Roam, is responsible for issuing and managing the EV Roam ID register.

More on EV Roam can be found at <https://www.realschemes.org.uk/ev-roam>.

9. What else is required to help ensure that the EV charging sector develops in a way that is responsive to consumer needs?

EVCC undertakes due diligence checks on EVCC applications to ensure compliance with consumer protection legislation and the EVCC standards before they become full members. EVCC will also be undertaking monitoring of its members to ensure that Code Members are compliant. This will take the form of audits, mystery shopping, checking complaints and feedback received from consumers and whistleblowers, and monitoring online reviews. Audits on members will mainly be risk based.

From monitoring, EVCC can provide a useful insight into issues that might need addressing to provide a better experience for the consumer when buying and installing an EV chargepoint at home. EVCC plans to partner up with another body which is more technically competent, like ECA, to offer the full audit package, being able to then audit both a member's admin work and technical work. As the EVCC gets more established, more members and more intel it will be able to gather more useful data.

EVCC already works closely with the electrical associations and Citizens Advice so that we are working in a co-ordinated way.