



Department for
Energy Security
& Net Zero

Energy Bill Relief Scheme: Non-standard cases

Guidance (Great Britain and Northern
Ireland)

WITHDRAWN



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Contents

Objective of scheme and eligibility	4
Exclusions	5
The support you may be eligible to receive	5
Categories of consumption	6
A) Lower consumption end users	6
B) Other end users:	6
Eligible energy	7
How it works	7
Applying for a relief payment	7
Support calculations	8
The Wholesale-exposed Energy Price	9
Who is eligible for support?	10
Large customers	14
How providers will submit their registration application, registration information and claim	15
QEP claim submission	15
Correcting a claim	16
Payment	16
Providing energy cost support to customers	16
Audit	17
Disputes and complaints	17
Dispute	18
Complaints	18

Objective of scheme and eligibility

This is an updated version of guidance released in January 2023 and covers the extension to eligibility for Non-standard cases (NSC). The EBRNS NSC Scheme Terms have also been updated. In the event of any conflict between this guidance and the Scheme Terms, the Scheme Terms take precedence. Before making any application, the Scheme Terms and related legislation should be reviewed and understood as they provide further information.

This is the guidance document for the Energy Bill Relief Scheme: Non-standard cases (Great Britain and Northern Ireland). The [guidance document for the Energy Bills Discount Scheme: Non-standard cases \(Great Britain and Northern Ireland\)](#), is available on GOV.UK.

This scheme is designed to provide support for certain non-domestic customers in Great Britain and Northern Ireland, that consume gas (that is, natural gas or biomethane) and/or electricity supplied by wire or pipe that has not come to them via a licensed gas or electricity supplier, for which they pay a price that is pegged to wholesale energy prices (eligible energy). These non-domestic customers do not receive support under the standard Energy Bill Relief Scheme (EBRS), as that scheme is focused on providing support through licensed suppliers. Payments under this scheme will be applied to eligible energy provided between 1 October 2022 and 31 March 2023. Support is only available when wholesale prices exceed a certain threshold, and is subject to a maximum rate.

The non-standard customers to whom this scheme will be available, include:

- businesses
- voluntary sector organisations, such as charities
- public sector organisations such as schools, hospitals and care homes

who:

- procure gas and/or electricity supplied by wire or pipe that has not come to them via a licensed gas/electricity supplier, either by participating directly in the wholesale market themselves (as Wholesale Market Customers) or from other providers which are not licensed energy suppliers (Qualifying Energy Providers (QEP))

and

- pay a price for that energy that is linked directly to wholesale energy prices

This scheme applies to non-domestic energy users operating in Great Britain and Northern Ireland.

Exclusions

The following are not eligible for direct support under the scheme:

- Electricity that is produced mainly from the combustion of gas*
- Electricity that is stored and then exported to the grid.
- Gas which is used to generate, and export back to the grid, electricity, including where this has been stored first. This is with the exception of Combined Heat and Power schemes that have an installed electrical generation capacity of 5MWe that could be eligible for discount on the amount sold to the grid as well.
- Any gas or electricity made available, or used to make heating, hot water or electricity available to end users in the Republic of Ireland.

(*Defined as where the calorific input of gas into the production of electricity is 5% or greater of the total calorific input. 'Gas' here refers to natural gas or biomethane, for example as taken from the public gas grid. Electricity that is produced from biogas or landfill gases, for example through anaerobic digestion processes or landfill extraction, will be eligible for support, provided the other criteria are also met.)

The support you may be eligible to receive

The government will provide payments to ensure that non-standard customers (NSCs) receive relief in respect of what they paid for their wholesale energy during the relevant period. The calculation of relief will differ depending on consumption volumes for the given type of energy, up to the maximum level of relief.

No support at all is provided automatically under the NSC scheme. In each case, an application for registration and subsequent claims must be made by the customer's QEP, another provider in the customer's energy supply chain, or the customer itself and accepted by ESNZ.

Under the NSC scheme, customers pay what their providers charge them and then receive a support payment that is claimed by the QEP, other provider or the customer itself, calculated in a way that is similar to the discounts under the Main Scheme Regulations, where licensed suppliers are required to discount their charges to customers and are then reimbursed by government.

For all NSCs the government supported relief price has been set at:

- £243 per megawatt hour (MWh) for electricity – note that this price is higher than under the standard EBRS scheme as this price does not include additional relief equivalent to the price of green levies (calculated at £32/MWh over the given period). This additional relief has been removed for NSCs as they are not exposed to this cost as they are not supplied by licensed suppliers who would pass this cost through.

- £75 per MWh for gas
- Subject to a 'maximum level of relief' (£313/MWh for electricity and £91/MWh for gas).

Support is calculated as the difference between the wholesale price associated with an energy contract (the Wholesale Related Price) and the price threshold. Support is phased in when the contract's wholesale price exceeds the floor price, until the total discount per MWh reaches the maximum rate for that form of energy. Support is only applied to the wholesale element of the bill and therefore the final per unit price paid by non-domestic customers may differ (where other costs are included).

Categories of consumption

The way that the Wholesale Related Price is determined in order to calculate the amount of support an energy user receives depends on the energy user's overall energy consumption.

Eligible energy users will be split into two categories:

A) Lower consumption end users

Those who are expected to consume less than 10GWh electricity per annum and/or 30GWh per annum for gas. (If an end user is eligible in respect of both electricity and gas, it will be a lower consumption end user only for the type of energy where its consumption is below the threshold.)

For lower consumption end users, the Wholesale Reference Price (WRP) is a value published by ESNZ that is used to deem the wholesale element of the NSC's contract price (based on the kind of index used to fix the price under its contract).

Lower consumption end users will be categorised into two groups: those whose contracts are linked to day-ahead rates and those on other index-linked rates.

We will publish a separate set of discount rates for electricity and gas, with two different rates: the day ahead discount rate and the month ahead discount rate for each month. The discount rate will then be applied to the relevant monthly consumption of the NSC to produce the discount value that they are entitled to.

B) Other end users:

The Wholesale Related Price for customers whose consumption is expected to exceed the 10GWh and 30GWh thresholds will be calculated on an individual basis, based on "actual", rather than "deemed" values, as set out in the scheme terms.

Further details are set out below with full details to be released with the application forms.

Eligible energy

Energy is **eligible energy (gas or electricity)** in relation to a NSC where the following conditions are met:

- the energy is provided to the NSC by an entity other than the NSC itself
- the energy is not supplied to either the NSC, or to any other person, by a licensed supplier
- the energy is consumed by the NSC at the NSC's premises, which are in the UK
- the energy price is set by reference to the Wholesale Market Price
- the energy is not gas used for the purpose of generating electricity, exporting it back to the grid and selling it on the wholesale market, or electricity that is stored and then re-exported to the grid
- the energy is lawfully provided to the customer
- energy is not electricity produced mainly by the combustion of gas*
- the first, fourth, sixth and seventh of these conditions do not apply to a Wholesale Market Customer (that purchases its energy directly from the wholesale market)

(*Defined as where the calorific input of gas into the production of electricity is 5% or greater of the total calorific input. 'Gas' here refers to natural gas or biomethane, for example as taken from the public gas grid. Electricity that is produced from biogas or landfill gases, for example through anaerobic digestion processes or landfill extraction, will be eligible for support, provided the other criteria are also met.)

How it works

Applying for a relief payment

Eligible NSCs could be eligible for relief payment under this scheme, either the 'Energy Cost Support' or the 'Pass-through Payment' through an intermediary, depending on their role in the energy supply chain.

The Energy Cost Support should reflect the difference between the government supported relief price and the Wholesale Related Price, but subject to a 'maximum level of relief (£313/MWh for electricity and £91/MWh for gas).

As a default position, the QEP should apply to DESNZ for Energy Cost Support for the benefit of the NSCs to which it provides energy. Where an NSC is procuring from the wholesale market and consuming the energy themselves (and there is no licensed supplier in the energy chain), they would make an application for relief themselves.

If a QEP applies to the Secretary of State for Energy Cost Support for the benefit of any of its NSCs, it must do so for the benefit of all of them, unless a customer has explicitly opted out.

If, for some reason, the QEP is not best placed to apply for the Energy Cost Support, by agreement between the QEP and the NSCs, another party in the chain of supply of energy may apply. This should be checked with DESNZ in advance of agreement to ensure it aligns with the scheme rules.

A NSC may opt out of the scheme if they wish to, by giving notice (**Opt-out Notice**) to the QEP that it will not be eligible for Energy Cost Support with effect from the date specified in the notice (which may be before, on or after, the date when the notice is given). Where an NSC has given an Opt-out Notice it may give a further notice to the Energy Provider withdrawing the Opt-out Notice with effect from the date specified in such further notice (which may not be before the date when the notice is given).

Where the appropriate QEP will not make an application for Energy Cost Support for the NSC, then the NSC may apply on its own behalf. They will need to have contacted their provider requesting they become part of the scheme and have also waited 15 business days for the provider to confirm participation or otherwise.

There may be scenarios where there are parties in the energy chain who may act as energy consumers as well as passing energy to their customers. Where their consumption of energy involved the production of another form of energy that is provided by their customers, these intermediaries will be required to pass on the benefit of support down the chain. An example would be an intermediary that consumes gas, but also supplies some of its customers, some of whom it also supplies with steam.

NSCs who also act as QEPs will provide appropriate support for energy costs to subsequent NSCs.

NSC scheme participants who have previously been approved for EBRs NSC support, will be contacted in due course.

Support calculations

As set out above, applicants will be split into two categories, depending on their energy consumption levels in relation to a de minimis threshold of 10 GWh per annum for electricity or 30 GWh per annum for gas. For Lower Consumption Customers, their Wholesale Related Price, for the purposes of support payment calculations, is derived from the appropriate index values published by ESNZ (based on whether the prices in their contracts are set on the basis of day-ahead or other index values). For other customers, their Wholesale Related Price is based on their Wholesale-exposed Energy Price as below.

The WRP for Lower Consumption Customers therefore functions as a deemed price for the wholesale portion of the contract price that the NSC pays for their energy.

This means that relief for Lower Consumption Customers is not based on the actual prices paid, but a deemed discount rate. The discount rate would then be applied to the relevant monthly consumption of the end user to produce the discount value that they are entitled to.

In calculating the relief for a Lower Consumption Customer, the applicant does not need to take into account the actual price charged for the energy in a given month (as long as the contract is tied to a wholesale price) nor specific customer elections or WAP.

The Wholesale-exposed Energy Price

This refers to the rate within the Energy Price charged by QEPs to NSCs above the consumption threshold that is linked explicitly to wholesale energy prices. This may be via either a wholesale market hedge or indexation to a published index such as the GB Day-Ahead Index (N2EX). The Wholesale Related Price applicable to eligible energy consumed by a Wholesale Market Customer in any calendar month (M) is the volume-weighted average of the prices of the following transactions under which the customer bought and sold energy for delivery in month M:

- a. transactions accounted for in determining the customer's imbalances under the BSC or UNC
- b. transactions for balancing services in respect of flows of energy to the customer at its Premises
- c. transactions for settlement of the customer's imbalances under the BSC or UNC

The Wholesale Related Price applicable to eligible energy consumed by a retail customer in any calendar month (M) is the volume-weighted average Wholesale-exposed Energy Price for that period, determined by reference to the quantities, periods and prices on the basis of which, in relation to periods in month M, the Wholesale-exposed Energy Price:

- d. is fixed (by the customer or energy provider) under any mechanism in the Energy Pricing Arrangements; or
- e. in default of being so fixed, or in the absence of any such mechanism, is determined under the Energy Pricing Arrangements.

NSCs may have the option on a rolling basis to fix a wholesale price for a defined part of the volume to be provided, or to unfix it. These allow the NSC to gradually build up a blended price for energy, locking in prices for blocks of expected consumption over a period of time.

A unit rate for a given period (calendar month) will represent a blended rate in respect of the wholesale price of electricity or gas being determined by the provider for the energy consumed. The blended rate will reflect the dates of each fix or unfix and the associated wholesale electricity or gas volumes, based on a weighted average price (WAP) of all trades of the given period, WAP should be calculated on a MWh basis. This WAP calculation should consider all fixes and unfixes trades (baseload, peakload, index (like day ahead) and cash-out) that the NSC has made irrespective of when the trades occurred (that is, these fixes and unfixes could be made prior to 1 December 2021). The WAP calculation should consider the net value of

fixes and unfixes for the given billing period, such as, any gains made from unfixing volumes should be reflected in a lower NSC WAP.

The WAP should not include any fees related to trading charges, volume tolerance breaches, premiums for shape/imbalance or similar. For clarity, where the QEP is assuming the market price risk then the trade should not be included in the WAP calculation (such as £/MWh fee applied to all volumes for shape), whereas if the NSC is assuming the market price risk (like day ahead settlement of residual volumes) then the trade should be included in the WAP calculation. Note the final relief calculated between the WAP and the government supported relief price (GSRP) should be applied to all NSCs actual consumption irrespective whether it was traded or covered by a shaping/imbalance fee.

The calculated WAP should be compared to the relevant GSRP to calculate the Energy Support Cost in the given period. The specific NSC relief will be subject to the maximum relief.

Where a QEP has offered to bill an NSC on a reference price or flattened customers prices (based on already executed trades) for cashflow purposes (such as over a quarter, season, year), the WAP calculation should be based on the underlying trades for each billing period not the agreed billing price.

NSCs with related financial instruments in place to manage risks outside of physical hedges (like CPPAs, financial derivatives, weather hedges) are expected to be required to declare these to QEPs who will in turn declare this information when submitting a claim and will have support adjusted to reflect the impact in the WAP of these products. QEPs are expected to communicate to NSCs that they should continue to manage their contracts and hedges in the same way they would have done had the scheme not been in place and should not make changes to intentionally manipulate the levels of government support they would otherwise have received.

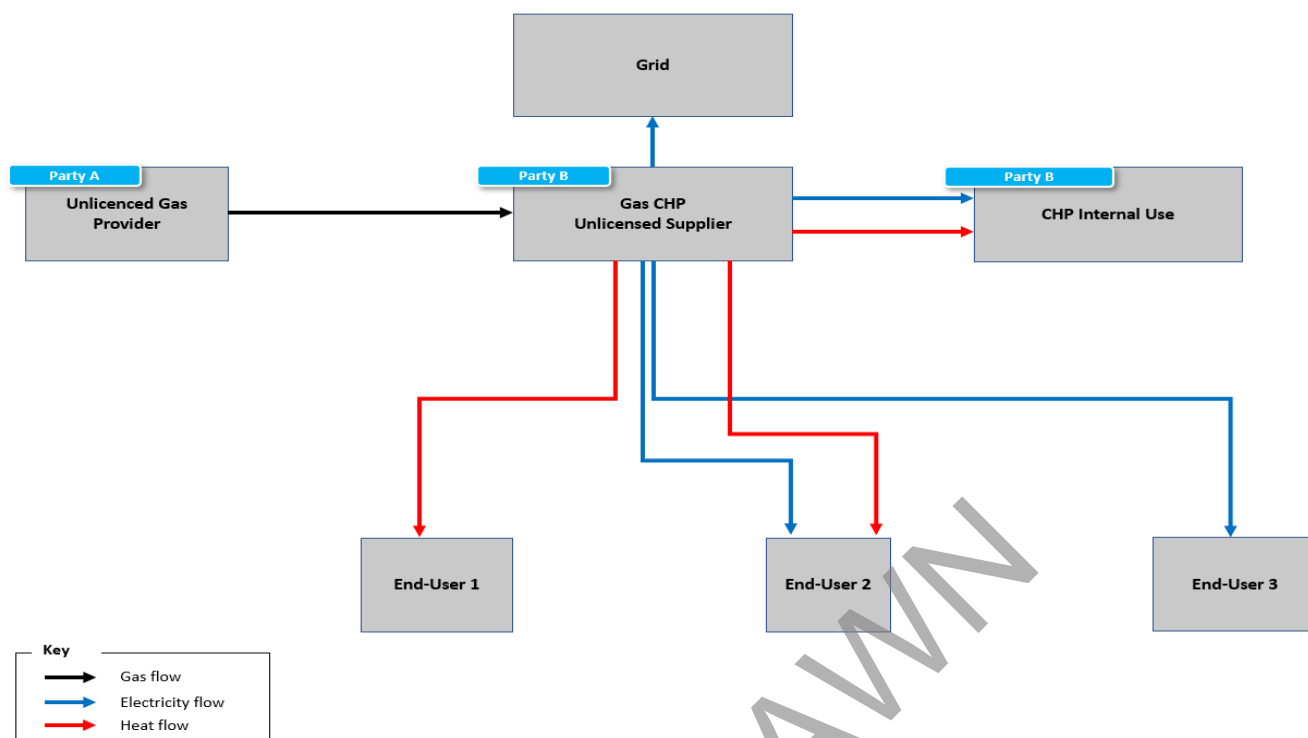
Who is eligible for support?

Worked example of non-standard EBRS relief application

The example site configuration below is intended to demonstrate how relief should be applied to NSCs given different scenarios.

The example in diagram 1 shows a site in which gas is being supplied to an unlicensed thermal generator (Party B) by an unlicensed provider (Party A) via the main gas grid infrastructure. The description explains where and how relief under this scheme should be applied.

Diagram 1



The following parties are eligible for support under this scheme for the stated reasons:

Party	Applicable support
Party B	<p>Party B is considered an NSC for gas and is buying this gas from Party A, which is considered a QEP.</p> <p>Party B is eligible for a support payment under this scheme if the WAP for the gas it is procuring is above the GSP.</p> <p>Party A will adjust the support claim to take into account the gas used to generate electricity exported back to the grid as informed by Party B.</p> <p>Non-standard pass-through regulations will obligate Party B to pass through a proportion of this relief to customers to whom it is supplying heat and/or electricity.</p> <p>The default position is that Party A as the QEP will claim on behalf of Party B.</p>
EU1	<p>EU1 is eligible for passthrough relief via non-standard pass-through regulations as it is being supplied heat by Party B (an NSC for gas).</p> <p>This passthrough benefit is calculated by Party B.</p>
EU2	<p>End-User 2 (EU2) is eligible for passthrough relief via non-standard pass-through regulations as it is being supplied both heat and electricity by Party B (an NSC for gas). The electricity supply is not directly supported as it is produced mainly from the combustion of gas.</p> <p>This pass-through benefit is calculated by Party B.</p>
EU3	<p>End-User 3 (EU3) is eligible for pass-through relief via non-standard pass-through regulations as it is being supplied electricity by Party B (an NSC for gas).</p> <p>This pass-through benefit is calculated by Party B.</p>

Illustrative example – Non-gas generator such as energy from waste-to-power

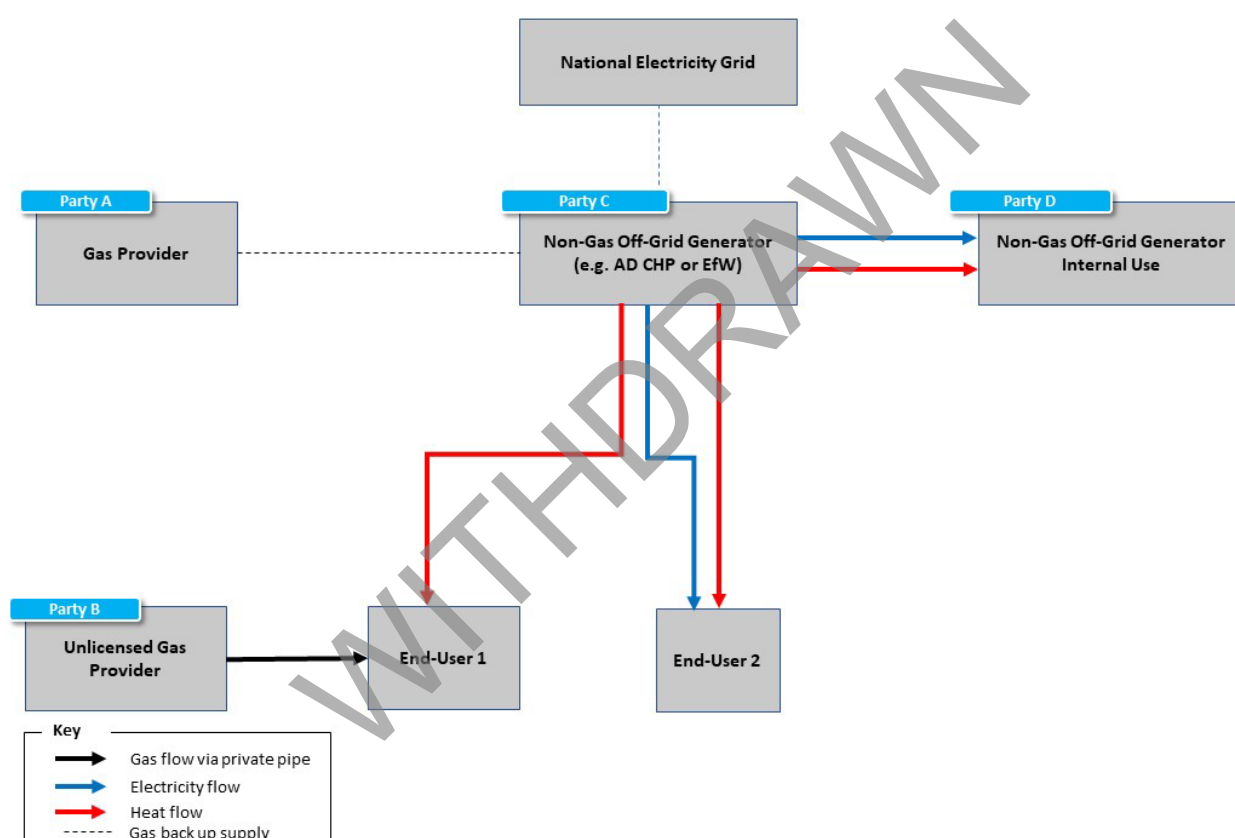
The diagram below illustrates an example whereby a non-gas off-grid generator, in this case an energy from waste (EfW) plant, (Party C) primarily uses waste or another non-gas input fuel

to generate electricity and/or heat in order to supply end users at a price linked in some way to the wholesale price.

The generator uses waste or other non-gas fuel for the following purposes:

- generation and supply of electricity and heat to third-party customers
- generation of supply of heat and electricity for internal use
- generation of electricity for export to the main grid

The generator may also receive a small proportion of gas from a provider (Party A) as an input, such as for a boiler top-up or to assist plant start up, as long as this is less than 5% by calorific value of all energy input.



The following parties are eligible for support under this scheme for the stated reasons:

Party	Applicable support
Party A	Party A may provide a small amount of gas to Party C, this gas should only be minimal volumes such as to start up an energy from waste plant. In the event this gas comes from the grid, it should be provided support under EBRS; or under the Non-Standard Cases scheme in the event that it is provided by an unlicensed supplier.

Party	Applicable support
Party B	<p>Party B provides a private gas pipeline to EU 1 with no grid connection.</p> <p>Party B should submit a claim for EU1 for the value of the gas used and provide the relief.</p>
Party C	<p>If Party C receives any pass-through from Party A for gas procured it should provide appropriate support to end users as pass-through.</p> <p>Heat supply to EU1 and EU2 may also be supported by any pass-through benefit on the gas procured from a licensed or unlicensed gas provider. No additional relief is provided on non-gas produced heat or steam.</p> <p>Party C can claim under the Non-Standard Cases scheme on behalf of EU2 relating to their electricity supply (assuming that supply price is linked to the wholesale price), as well as Party D as this is internal use for the generator. They should act as the QEP.</p> <p>It will need to adjust its claim for any electricity exported to the grid as this is not eligible for relief.</p>
EU1	<p>EU1 is eligible for relief for the gas purchased from Party B as long as it is piped.</p> <p>EU1 is not eligible for relief on heat / steam beyond pass-through on any gas used.</p>
EU2	<p>EU2 is eligible for relief on its energy provided by Party C; Party C should claim on their behalf as the QEP.</p> <p>EU1 is not eligible for relief on heat/ steam beyond pass through on any gas used.</p>

Large customers

In making application for a NSC the QEP must identify if it is classed as a large customer, this could be reasonably expected if:

- the quantity of energy conveyed to the customer at the customer's premises in the 12-month period starting on 1 October 2022 will exceed 0.5 gigawatt hours, or
- the maximum rate at which energy is conveyed to the customer at those premises at any time will exceed 0.5 megawatts

If the QEP believes this applies to any of their NSCs they must determine this prior to applying for registration and give notice to the customer and to DESNZ. Conditions around how large customers should be treated, as well as declarations, are set out in the Scheme Terms.

How providers will submit their registration application, registration information and claim

Please note that this is a high-level description and is subject to change. The Applicant should submit both their registration and claim for the whole period at the same time as all energy use will cover historical consumption.

A QEP or any other registering party will be required to make an application of eligibility and be registered to the scheme before claiming for the first time. The application process will include the collection of general company information, information pertaining to eligibility for scheme support and information required for operational set-up, such as bank details.

The process is:

1. QEP submits application for registration application and registration information. This must be accompanied by the confirmation and undertaking (if from a Higher Level Energy Provider).
2. DESNZ make a decision on whether to accept an applicant for registration. This may require the applicant to submit further information or modify registration information.
3. If DESNZ decides to accept the application for registration, DESNZ will invite the applicant to enter into a Scheme Agreement.

The application form will be published in due course.

In the event that an existing QEP/ NSC registered to the scheme believe that they have additional energy that now falls within scope of this programme they should email ebars.nonstandardcases@beis.gov.uk to discuss this. They will not be expected to provide a full application but will need to provide additional evidence to support the proposed extension of eligibility.

QEP claim submission

Please note that this is a high-level description and is subject to change. The applicant will only make one claim to cover the whole period 1 October 2022 to 31 March 2034, as energy use will all be historical. Providers will utilise the ebars.nonstandardcases@beis.gov.uk mailbox to submit their claims.

- Providers will complete the claims form, including, supporting evidence documentation, and the complete declaration template as part of their application and readiness information
- Providers should place the completed forms into a compressed folder and mail the folder as a single attachment. The folder should be named [PROVIDER DATE GAS/ELECTRICITY/COMBINED (delete as appropriate)].
- All claims must be submitted by the claims window closure date (set out below) in order for payments to be made in the next payment window.

- Pre-payment checks are carried out on data completeness, data quality, supplier details, relief application and consumption.
- If checks are not passed, a notification will be sent back to providers highlighting reasons for not passing the checks.

If a registered QEP/ NSC is looking to claim for energy that they believe is now eligible under the extended eligibility criteria, they should first speak to the team at ebars.nonstandardcases@beis.gov.uk. If eligibility is confirmed, they will need to submit a claim for the additional amount.

The claims window is as follows, these are subject to change at DESNZ discretion and dependent on the complexity of claim. It may take longer to process payments than is indicated below.

Claims window	
Claims window opens	End of May
Claims windows closes	11 September

Correcting a claim

If there is an error or a subsequent adjustment to a previous claim, a revised claim should be submitted for that claim period as soon as possible. The difference between the original and revised claim will be netted off. The QEP may need to pay funds back to DESNZ in the event of an initial overpayment that cannot be reconciled through a deduction as there will only be one claim period.

Payment

Only one payment will be made to cover all backdated claims for the period of this scheme. Payment will be made up to 20 working days after a claim has been approved.

Acceptance of claims and payment timings remain at the full discretion of DESNZ.

Providing energy cost support to customers

QEPs are expected to provide to NSCs details of the Energy Cost Support calculations in a timely and transparent manner. The cost support payment applied to NSCs energy consumption does not have to be itemised on invoices but can be provided to customers as invoice backing information, or as a separate communication sent to customers.

VAT is only due on the amount providers actually charge to their customers, so the amount each customer is charged after the price adjustment is the amount on which VAT is due.

As actual metered volumes are settled through the electricity and gas settlement processes and systems, providers are expected to supply appropriate updates to customer detailing changes to the volumes relief has been applied to in each period. This should be reflected in the reconciliation on claims from government.

Any billing errors or errors in relief application should be highlighted to customers and corrected in a timely fashion. Any corresponding error in claims from government should also be corrected.

QEPs are expected to pay the amount to the Customer as soon as reasonably practicable by bank transfer, cheque or other form of payment in cash.

With agreement in writing of the customer the QEP may instead pay the Energy Cost Support to the NSC by the following methods:

- a. application of a credit in the next bill provided by the energy provider to the customer
- b. adjusting the charges for energy in the next bill provided to the customer
- c. adjusting the amount of money taken pursuant to a direct debit or the amount of a standing order
- d. set off against an amount or part of an amount which was owed by the customer to the provider at the time the Energy Cost Support was paid to the provider

Audit

Given the scale of this scheme DESNZ reserves the right to audit the books, records, systems and process of the QEP and NSCs for the purposes of:

- a. ascertaining whether the Scheme Party is in compliance with the Scheme Terms
- b. ascertaining whether pursuant to the Scheme Terms any amount is payable by the Scheme Party to DESNZ
- c. otherwise ensuring the proper accounting for, tracing or control of public money under the scheme

Disputes and complaints

Processes and timelines for handling disputes and complaints are designed to ensure fair, impartial and discretionary handling by the contracting party (DESNZ).

Prior to a dispute being raised, DESNZ expects there to be a period of cooperative compliance which would ensue between themselves and the provider where discrepancies arise. The timeline for this cooperative compliance would be designated by DESNZ at their discretion but will endeavour to give providers every opportunity to fulfil the requirements either during the application process or following successful application but where provider claims submission is considered unsatisfactory.

Dispute

Where cooperative compliance between DESNZ and the provider does not result in a satisfactory resolution, the provider will be informed and if desired, may raise a formal dispute. To ensure appropriate handling of the dispute, the provider will be required to raise this within 30 days. This applies to both:

- a. Where an application is unsuccessful in the first instance or;
- b. An unsuccessful application of claims submission.

DESNZ will then have 45 days to handle the formal dispute and respond to the provider.

As part of the formal disputes process, both provider and DESNZ will be asked to nominate designated senior representatives, with the intention of resolving the outstanding dispute issue at senior level. Upon DESNZ dispute response, if the provider still deems the outcome unjust, then they may request a formal meeting, according to the terms of standard grant contracting.

The formal meeting will require the designated senior DESNZ representative to meet with the providers Chief Executive (or suitable alternative) at the nearest opportunity.

Complaints

The provider has the opportunity to raise a complaint regarding operational considerations at any given time and DESNZ will endeavour to respond to the complaint as soon as possible within 45 days.

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