UK Government

Energy smart data legislative framework

Consultation on design and implementation

Closing date: 8 January 2027

Department for Energy Security and Net Zero (October 2026)

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General information

Why we are consulting

This consultation seeks views on the government's proposals for the scope, design and implementation of an energy smart data legislative framework for the energy sector. It seeks evidence on the datasets, participants, consumer protections, accreditation arrangements, governance roles, and funding principles needed to enable trusted, secure and interoperable consumer energy data sharing. This will be used to make regulations using powers under the Data (Use and Access) Act 2025.

Consultation details

Issued: 14 October 2026

Respond by: 8 January 2027

Enquiries to:

Digitalisation Strategy, Electricity System Flexibility

Department for Energy Security and Net Zero

7th floor,

3-8 Whitehall Place

London SW1A 2EG

Email: digitalisation@energysecurity.gov.uk

Consultation reference: Energy smart data legislative framework

Audiences:

The government would like to hear from a wide range of stakeholders, including energy suppliers, network companies, system operators, code bodies, authorised third parties, data and digital service providers, consumer groups, technology companies, innovators, academics, regulators and any organisations with an interest in energy, data, digitalisation and consumer protection. This consultation is not limited to these stakeholders - any organisation or individual is welcome to respond.

Territorial extent:

The territorial scope of this publication is GB wide, while recognising that certain energy policy areas are devolved in some jurisdictions. This consultation will inform future policy development by government in areas where it is responsible for energy policy and related matters, and engagement with devolved governments in relation to devolved policy.

How to respond

Respond online at: https://energygovuk.citizenspace.com/energy-security/energy-smart-data-legislative-framework/

or

Email to: digitalisation@energysecurity.gov.uk

Write to:

Digitalisation Strategy, Electricity System Flexibility

Department for Energy Security and Net Zero

7th floor, 3-8 Whitehall Place

London SW1A 2EG

When responding, please state whether you are responding as an individual or representing the views of an organisation.

Your response will be most useful if it is framed in direct response to the questions posed, though further comments and evidence are also welcome.

Confidentiality and data protection

Information you provide in response to this consultation, including personal information, may be disclosed in accordance with UK legislation (the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential please tell us, but be aware that we cannot guarantee confidentiality in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded by us as a confidentiality request.

We will process your personal data in accordance with all applicable data protection laws. See our privacy policy.

We will summarise all responses and publish this summary on GOV.UK. The summary will include a list of names or organisations that responded, but not people's personal names, addresses or other contact details.

Quality assurance

This consultation has been carried out in accordance with the government's consultation principles.

If you have any complaints about the way this consultation has been conducted, please email: bru@energysecurity.gov.uk.

Executive summary

The energy system is undergoing a fundamental transition. The future energy system will be more decentralised, more flexible and more data-driven than today. Consumers will increasingly generate, store and manage electricity through technologies such as smart meters, electric vehicles, batteries, heat pumps and solar panels, assisted by automation. At the same time, energy companies, networks and system operators will rely on ever greater volumes of data to plan and operate devices and the overall system efficiently.

Digitalisation is essential to managing this transformation. It is the process of using data and digital technologies to help consumers, industry and system operators make better decisions and interact more simply and effectively within an increasingly complex energy system. Greater access to high-quality, interoperable data will be critical to enabling flexibility, reducing system costs and energy bills, supporting innovation, and delivering the wider consumer and system benefits needed for the energy transition.

Consumer data, including information about how consumers use energy, the tariffs they are on and the assets they own, can help unlock a new generation of products and services for everyone. For example, this information can help consumers find better tariffs, optimise the use of electric vehicles and batteries, participate in flexibility services for financial benefit, access more tailored energy efficiency advice and make informed decisions about low-carbon technologies such as heat pumps. It can also support greater competition and innovation, and a more efficient wider energy system.

Smart data enables consumers to more easily share their own data securely, with their permission, so that authorised third parties can provide these types of personalised and innovative services. By giving consumers greater control over how their data is accessed and used, smart data can help consumers realise more value from the data they already generate, while creating opportunities for new products, services and business models.

In January 2025, the government launched a call for evidence to assess the potential for introducing a smart data scheme in the energy sector. In July 2025, our government response committed to continuing work to consider potential detailed proposals.[1] This consultation sets out our proposals for an energy smart data legislative framework and seeks views on its scope, design and implementation.

The success of Open Banking has demonstrated how trusted data sharing can help consumers access better products and services, increase competition and reduce barriers to switching, illustrating the potential for similar approaches to help energy consumers identify better tariffs and manage energy costs. Analysis completed on behalf of the government in March 2026 estimated that introducing a smart data regime in the energy sector could

[1] Developing an energy smart data scheme - GOV.UK

contribute £9.5 billion in net social value to the UK between 2028-2043, and annual GDP contributions from an energy smart data regime could reach £2.1 billion by 2043.[2]

Why an energy smart data legislative framework is needed

Accessing and sharing consumer energy data can currently be complex. Data is often held across multiple organisations and accessed through different routes, standards and processes. As digitalisation initiatives continue to develop across the sector, there is a risk that consumers and organisations are required to navigate an increasingly fragmented landscape. This can make it harder for consumers to access data-enabled services, increase costs for service providers, and create barriers to competition, interoperability and innovation.

Work is already underway to construct the operational building blocks of an energy smart data regime:

- The Consumer Consent Service (CCS) is developing the trust framework, consumer permission management, participant accreditation and onboarding arrangements needed to support trusted consumer-authorised data sharing.[3]
- The Smart Data Repository (SDR) and Flexibility Market Asset Registration (FMAR) programmes are improving the availability and accessibility of key consumer energy datasets.[4,5]
- Ofgem's asset visibility work is improving the availability and quality of asset data across the energy system.[6]
- The government's Smart Secure Electricity Systems (SSES) programme is establishing interoperable arrangements for flexibility services, and improving tariff interoperability and access to tariff pricing data.[7]

However, not all of these initiatives by themselves determine which datasets must be made available, which organisations must participate, or the statutory rights, obligations and protections that apply for the benefit of energy consumers.

To bridge that gap, this consultation proposes to use the enabling powers in the Data (Use and Access) Act 2025 to establish, through secondary legislation, a common set of overarching rules, protections, standards and governance arrangements through which consumer energy data can be shared - with the consumer's permission - effectively and efficiently, with appropriate safeguards. The role of the energy smart data legislative framework is therefore to fill remaining gaps using the powers provided by DUAA, while building on rather than duplicating existing capabilities.

[2] Potential economic impact of future Smart Data use cases, UK Gov, March 2026
[3] Consumer Consent Solution, The Retail Energy Code Company, September 2026
[4] Elexon to launch smart data repository this autumn following government decision, Elexon, July 2026
[5] Consultation on the Flexibility Market Asset Registration full design and implementation - Flexibility Markets, Elexon, September 2026
[6] Enhancing asset visibility: Distribution Network Operator options, Ofgem, December 2025
[7] Smart Secure Electricity Systems (SSES) tariff interoperability: code and licence modifications, UK Gov, May 2026

This consultation also builds on the Energy Digitalisation Framework, published in March 2026, which established the strategic direction for a coordinated energy data sharing ecosystem. The Energy Digitalisation Framework sets up the governance for directing and implementing energy digitalisation - including the strategic approval and control of proposed new or changed initiatives - under a new Digitalisation Board chaired by DESNZ.[8] The energy smart data legislation will form part of the implementation of the wider Energy Digitalisation Framework, focusing specifically on ensuring consumer-authorised energy data can be shared effectively and efficiently with authorised third parties.

Energy smart data legislative framework proposals

Our proposed approach is to use the smart data enabling powers in the Data (Use and Access) Act 2025 to provide detailed rules for the energy sector through secondary legislation. The rules will establish common requirements relating to data access, participation by relevant data holders, accreditation of authorised third parties (ATPs), consumer protections, governance and interoperability. The framework is intended to provide both a practical starting point for implementation and an enduring and extensible basis for future expansion where there is a clear case for doing so, as additional datasets, participants and use cases emerge.

We propose that the data of **domestic and non-domestic consumers** should be within scope, alongside authorised third parties (ATPs) that use consumer data to deliver products and services, and the organisations responsible for making relevant datasets available through the legislative framework.

We are proposing to prioritise **three dataset categories** for inclusion in the legislative framework: consumer consumption and metering data, tariff data, and behind-the-meter asset data. These datasets have been prioritised due to their potential to enable a range of high-value consumer use cases, while providing a realistic and deliverable starting point for implementation. The framework would establish obligations on specified data holders to make relevant datasets available through agreed access arrangements.

Building and maintaining **consumer trust and confidence** will be essential to the success of the legislative framework. We are therefore seeking views on the consumer experience, including how consumers identify themselves, authorise access to their data, understand who has access to their data, manage permissions over time, and access effective complaints and redress arrangements if things go wrong. We are also consulting on a set of common customer experience guidelines that would build on the baseline consumer experience requirements being developed through CCS and extend them where necessary to support a single, coherent, user-centred consumer journey across the legislative framework.

To support secure and trusted participation, we propose a **common accreditation approach** for authorised third parties. The CCS trust framework will define the common rules, standards and obligations that participants must meet, while accreditation is the process for assessing and confirming that an organisation meets those requirements. Accreditation would therefore provide assurance that participating organisations meet appropriate standards relating to

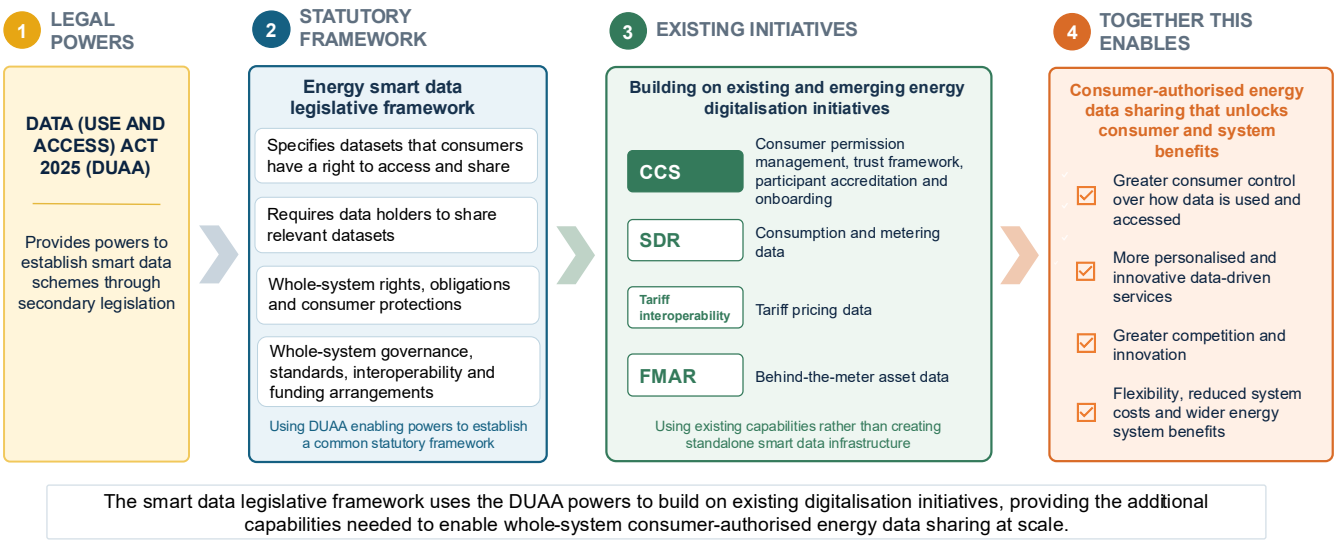
[8] Energy digitalisation framework: a vision for a coordinated and connected energy system, UK Gov, March 2026

security, governance, consumer protection and operational compliance. We are seeking views on how accreditation should operate in addition to the CCS accreditation baseline, including the requirements that should apply, and how assurance obtained through other recognised regimes could be reused where appropriate.

Consistent with the principles and governance model established by the Energy Digitalisation Framework, we propose that **the energy smart data legislative framework should build on existing and emerging energy digitalisation initiatives** rather than create a new standalone infrastructure. The energy smart data legislative framework establishes the common legislative underpinning and specific rules for utilising these building blocks to fully deliver smart data benefits. Our intention is to ensure that the legislative framework does not duplicate or cut across existing and emerging initiatives. Existing delivery activity should continue to progress, with the legislative framework building on rather than replacing capabilities already under development.

Figure A below shows how the powers of the Data (Use and Access) Act 2025 can be used to establish an energy smart data legislative framework that builds on existing energy digitalisation initiatives. Together, these arrangements will combine existing capabilities with the additional statutory rights, obligations, governance and consumer protections needed to deliver consumer-authorised energy data sharing at scale. We are therefore seeking views on how these arrangements should work together and how interoperability should be achieved across the wider energy data sharing ecosystem.

Figure A: Using DUAA powers to unlock consumer-authorised data sharing at scale



A foundational element of this wider model is the Consumer Consent Service (CCS), which we expect to deliver many of the operational and governance components required for an energy smart data legislative framework. Figure B below provides a detailed illustration of the relationship between CCS and the energy smart data legislative framework.

Figure B: Building on the Consumer Consent Service to deliver a comprehensive energy smart data legislative framework

	Consumer	Authorised third party (ATP)	Consent management systems	Trust framework and data sharing	Data holder	Funding arrangements
Data (Use and Access) Act 2025: Smart data requirements for any sector	**Consumer data in scope** **Consumer experience**	**Scheme accreditation**	**Consumer permission management**	**Trust framework**	**Data sharing obligation**	**Funding**
Existing components for consumer-authorised data sharing in the energy sector	Consumer Consent Service (CCS) Minimum Marketable Product (MMP) scope focused on domestic consumers CCS coverage through consumer experience requirements for ATPs CCS future state roadmap includes non-domestic consumers and wider inclusive journeys	Accreditation scheme will be established in MMP	CCS MMP provides permission management for domestic consumers CCS future state roadmap includes wider permissions for non-domestic consumers and other legal purposes	CCS MMP provides comprehensive trust framework	Existing and emerging arrangements for Elexon to provide Smart Data Repository (SDR) data and suppliers to provide SSES tariff pricing data	Existing business-as-usual (BAU) funding arrangements through industry codes and regulated parties
Additional capabilities required to deliver the energy smart data legislative framework	Provides the mandate for CCS to extend coverage in line with the planned roadmap	Potential passporting of accreditation or equivalent recognition	Provides the mandate for CCS to extend permission management in line with the planned roadmap	Use of CCS trust framework and requirements for interoperability with other trust frameworks	Creation of data sharing obligations for relevant data holders	Potential for new funding routes where existing energy sector funding routes are not suitable or unavailable

The legislative framework will require **sustainable funding arrangements**. Our preferred approach is to build on existing energy sector funding mechanisms where possible, rather than creating a separate smart data funding regime. We are consulting on funding and charging arrangements, including the principles that should guide future funding decisions, such as fairness, proportionality, transparency, consumer protection and support for innovation, while retaining flexibility to evolve arrangements over time as the framework matures.

Finally, we propose **implementing the legislative framework through a phased approach**. Existing initiatives such as CCS, SDR, FMAR and SSES are already progressing and would continue to develop alongside the energy smart data legislative framework. The legislative framework would build on existing capabilities, including using CCS as the baseline for consumer permissions, accreditation and trust framework arrangements, while introducing the additional governance, standards, accreditation and onboarding capabilities needed to deliver the full scope of the energy smart data legislative framework. Many implementation activities would therefore proceed in parallel rather than sequentially.

Through these proposals, the government is seeking to establish the foundations of the trusted, interoperable and future-ready legislative requirements for consumer-authorised energy data sharing. Such a legislative framework will provide a clear legal basis for participation, support common standards and consumer protections, reduce fragmentation, encourage innovation and support greater interoperability both within the energy sector and across the wider economy.

1. Policy context

1.1 The changing energy system

The government is committed to delivering clean power across Great Britain while supporting a more affordable, secure and resilient energy system. Achieving this ambition will require significant growth in low-carbon electricity generation, alongside the deployment of new technologies such as electric vehicles, heat pumps, battery storage and smart appliances. As these technologies become more widespread, consumers will play an increasingly active role in how energy is generated, stored and used.

A clean power system will also need to be more flexible. Future electricity demand and generation are expected to become more variable as more renewable generation comes onto the system and more consumers adopt technologies that can adjust when they consume, store or export energy. Flexibility can help reduce system costs, make more efficient use of electricity networks and generation assets, and support a more affordable transition to a low-carbon energy system. Enabling consumers and businesses to participate in this increasingly flexible energy system will be essential to delivering the government's wider energy objectives and creating opportunities for consumers to save money.

To deliver these objectives, the government published the Clean Flexibility Roadmap in July 2025, setting out the collective plan of government, Ofgem and the National Energy System Operator (NESO) for delivering a flexible electricity system.[9] The Roadmap's July 2026 update further underlined the importance of data, digitalisation and consumer participation in enabling flexibility across the electricity system.[10]

Realising the benefits of flexibility for consumers will depend on better access to, and use of, data. Data allows consumers to access products and services that help them manage energy use, while enabling organisations to develop innovative services, support consumer choice and help optimise the operation of the wider energy system. As a result, improving how energy data is made available, accessed, shared and used is an essential element of delivering a clean, flexible and affordable energy system.

1.2 The government's Smart Data Strategy

The growing importance of data in delivering a flexible, affordable and low-carbon energy system sits within a wider government ambition to unlock the value of data across the UK economy. Beyond energy, the government's objective is to create the conditions for consumers and businesses to benefit more easily from the data they generate.

[9] Clean flexibility roadmap, UK Gov, July 2025
[10] Clean flexibility roadmap: July 2026 update, UK Gov, July 2026

Data is a strategic national asset and central to the UK's economic strategy. Smart data enables consumers to share their own data securely, at their request, with authorised third parties (ATPs). ATPs can then use that data to provide products and services that help consumers make more informed decisions, access more personalised services, and realise greater value from the data they already generate.

Open Banking has demonstrated the transformative potential of better data sharing, enabling consumers to share their banking data securely with ATPs and access more innovative, valuable products and services. Adoption has accelerated: From 1 in 17 consumers and businesses using Open Banking in March 2021, to more than 1 in 5 UK consumers and small businesses in 2025 - reaching 19 million total users in August 2026.[11,12] There are around 300 regulated providers offering Open Banking-enabled services.[13] In 2022, 82 firms alone had raised over £2 billion of private funding and created 4,800 jobs since the introduction of Open Banking regulations in 2018.[14]

The government wants to build on this success by extending the principles of smart data to other sectors of the economy where greater data sharing could deliver benefits for consumers, businesses and the wider economy.

To support this ambition, the government introduced the Data (Use and Access) Act 2025 (DUAA) to harness the value of data across the economy.[15] DUAA provides a statutory framework for smart data, giving the Secretary of State powers to introduce data sharing schemes through secondary legislation. This includes powers to specify which datasets must be shared, who can access them, the conditions for access, and the standards that apply.

These DUAA powers provide an opportunity to build on existing digitalisation activity and establish a coherent legislative framework for consumer-authorised data sharing in the energy sector. Our objective is to use DUAA to provide the statutory framework needed to connect and coordinate existing initiatives, while addressing gaps that cannot be resolved through voluntary or industry-led arrangements alone. This consultation therefore seeks views on how those powers should be used to create a legislative framework for consumer-authorised energy data sharing.

DUAA forms a key part of the government's wider Smart Data Strategy, which aims to support a thriving UK data economy and establish interoperable smart data ecosystems across multiple sectors. The government envisages a future in which improved access to data attracts substantial private investment, delivers wide-ranging economic benefits and contributes to a world-leading UK data economy.[16]

[11] OBL Impact Report 7, OBL, May 2025
[12] API performance stats - Open Banking, OBL, June 2026
[13] Open Banking Regulated Providers, OBL, May 2026
[14] The £4bn Open Banking Ecosystem, Startup Coalition, March 2023
[15] Data (Use and Access) Act, UK Gov, June 2025
[16] Smart Data Strategy, UK Gov, March 2026

To achieve this, the government aims to establish at least 20 interoperable smart data schemes by 2035 and recently published a multi-sector call for evidence.[17] Interoperability and coordination between sectors will be essential, as many of the most valuable consumer use cases will rely on combining data from more than one sector. DESNZ will work with the Department for Business, Innovation, Science and Trade (BIST) as the department responsible for the government's wider cross-sector smart data strategy, and with government departments developing smart data arrangements in other sectors to support consistent approaches and cross-sector interoperability where appropriate.

1.3 The current energy digitalisation landscape

The energy sector is particularly well placed to benefit from this smart data approach. As consumers increasingly interact with smart meters, electric vehicles, heat pumps, batteries, solar panels and other digital technologies, the volume and value of consumer energy data continues to grow. Unlocking access to this data in a consistent, secure and consumer-centred way could support a new generation of products and services that help consumers manage energy costs, participate in flexibility services, and make more informed decisions about their energy use.

Data sharing in the energy sector is not starting from a blank slate. Significant work is already underway across government, Ofgem and industry to improve how energy data is accessed, shared and used. A range of initiatives are being developed to address specific challenges and opportunities within the energy system, including the Consumer Consent Service (CCS), Data Sharing Infrastructure (DSI), Smart Data Repository (SDR), Flexibility Market Asset Registration (FMAR), Smart Secure Electricity Systems (SSES) tariff interoperability programme, work to improve asset visibility, and wider programmes to support common standards and interoperability across the sector.

These initiatives are creating important building blocks for a more digitalised energy system. They are establishing the infrastructure, processes, standards and services needed to support the secure exchange of energy data and will form an important foundation for future consumer-authorised data sharing. Many of the datasets, services and capabilities that could support an energy smart data legislative framework are already being developed through these programmes. While DSI forms part of the wider digitalisation landscape and supports broader energy data sharing objectives, consumer-authorised data sharing is not included in the scope of the DSI minimum viable product (MVP) and DSI is therefore not in scope of this consultation.[18]

Recognising the growing number of digitalisation initiatives across the sector, the government and Ofgem published the Energy Digitalisation Framework in March 2026.[19] The Framework sets out a shared vision for a coordinated and interoperable energy data sharing ecosystem, together with the governance arrangements needed to deliver it. It establishes how different

[17] Smart Data: multi-sector call for evidence, UK Gov, July 2026
[18] Data Sharing Infrastructure (DSI) | National Energy System Operator
[19] Energy digitalisation framework: a vision for a coordinated and connected energy system, UK Gov, March 2026

initiatives relate to one another, identifies the roles required to coordinate activity across the sector, and seeks to ensure that digitalisation programmes are delivered in a coherent and consistent way.

The Energy Digitalisation Framework therefore provides the broader strategic and governance context within which energy smart data is being developed.

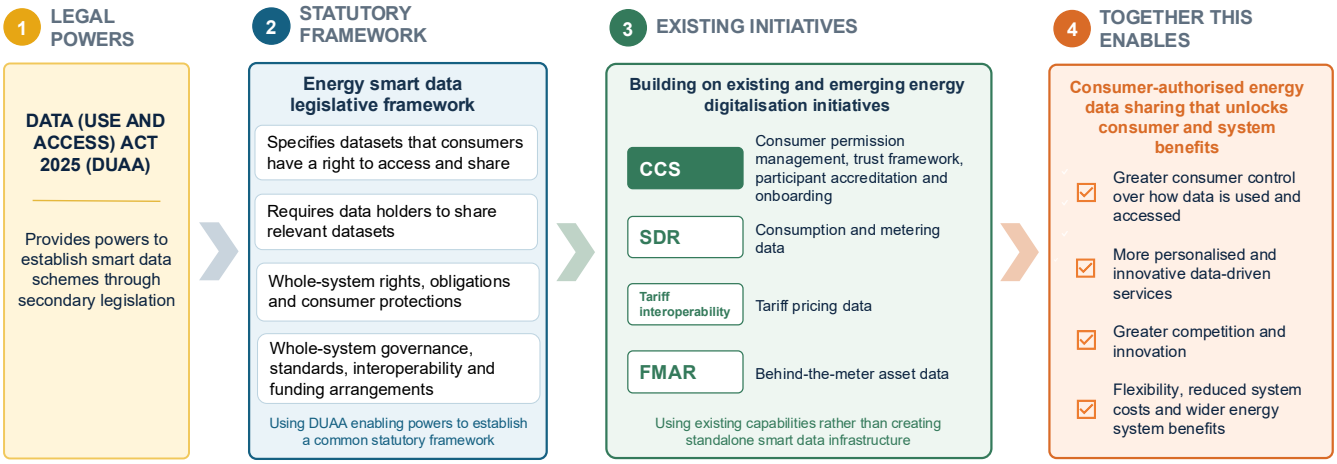
1.4 Smart data within the wider energy digitalisation landscape

The Data (Use and Access) Act 2025 (DUAA) provides powers to establish smart data schemes through secondary legislation. These powers can be used to specify which datasets must be shared, which organisations must participate and the oversight arrangements that apply to that sharing.

The government does not intend to create standalone energy smart data infrastructure. Significant work is already underway across the energy sector to develop the capabilities needed to support consumer-authorised data sharing. In particular, RECCo's Consumer Consent Service (CCS) is developing common arrangements for consumer permission management, participant onboarding, accreditation and trusted participation that will be required for smart data implementation. Other initiatives, including the Smart Data Repository (SDR), the SSES tariff interoperability programme, Flexibility Market Asset Registration (FMAR) programme and wider asset visibility activity, are improving the availability, consistency and governance of energy data.

However, these initiatives do not by themselves establish a statutory energy smart data regime. Not all initiatives determine which datasets must be made available, which organisations are required to participate, or the common rights, obligations and consumer protections that should apply across the wider ecosystem. We therefore propose using powers under DUAA to establish an enduring energy smart data legislative framework which builds on existing digitalisation initiatives while providing the additional statutory framework required for consumer-authorised data sharing at scale. This is illustrated by Figure 1 below.

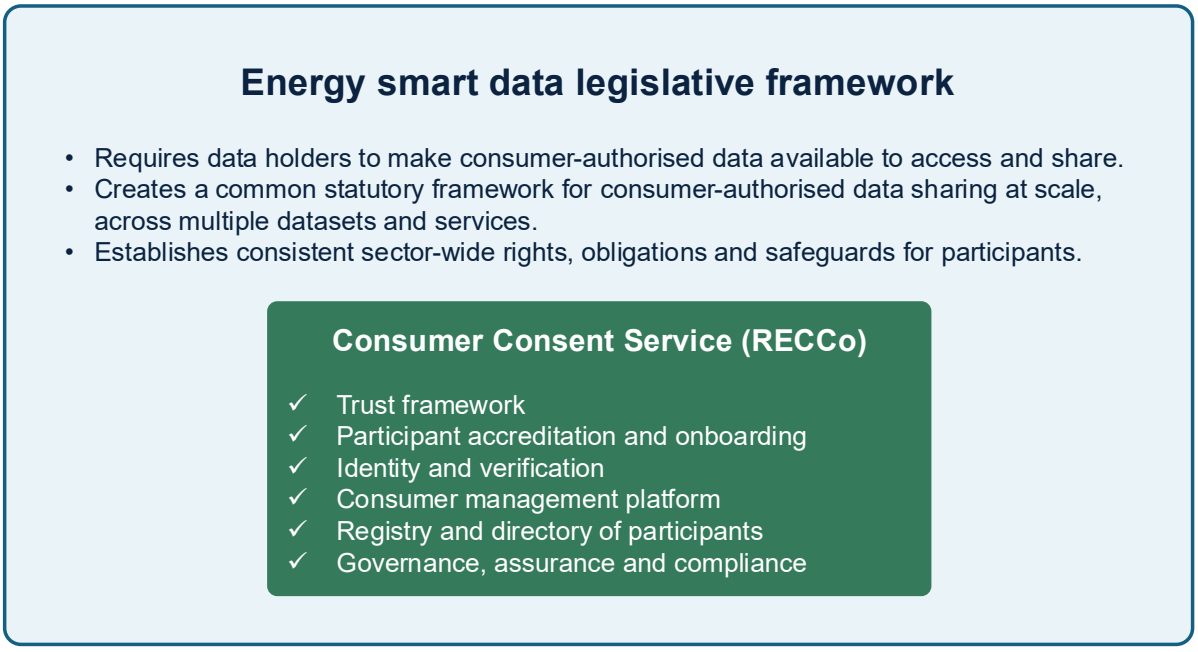
Figure 1: Using DUAA powers to unlock consumer-authorised data sharing at scale



The smart data legislative framework uses the DUAA powers to build on existing digitalisation initiatives, providing the additional capabilities needed to enable whole-system consumer-authorised energy data sharing at scale.

In particular, CCS will deliver many of the operational and governance components required for an energy smart data legislative framework. However, the CCS minimum marketable product (MMP) will not provide all the capabilities required to deliver the smart data proposals in this consultation (for example, mandatory participation for all specified data holders). The energy smart data legislative framework is therefore intended to build on CCS as the baseline, while using DUAA powers to fill the remaining gaps through a wider statutory framework to establish the additional operational requirements that CCS will need to support over the long-term to deliver full smart data legislative framework capabilities. This is illustrated in Figure 2 below.

Figure 2: Relationship between the energy smart data legislative framework and the Consumer Consent Service



The legislative framework also provides an opportunity to align energy with the government's wider smart data agenda. By establishing common approaches to accreditation, governance, standards and consumer protections, the legislative framework can help lay the foundations for interoperability with future smart data initiatives in other sectors of the economy. This will support the development of more coherent and cross sector consumer services over time, while ensuring that consumers remain at the centre of how their energy data is accessed and used.

Reflecting this broader role, this consultation uses the term ‘energy smart data legislative framework’ rather than ‘energy smart data scheme’. The intention is not to create a single standalone data-sharing initiative, but to establish a common framework through which multiple datasets, services and data-sharing arrangements can develop in a coordinated and interoperable way. Over time, this legislative framework could provide a basis for expanding the range of datasets, participants and use cases within scope, while ensuring that data sharing continues to operate under a consistent set of rules, protections and governance arrangements.

Throughout this consultation, ‘customers’ refers to all end-users of energy, including domestic households and non-domestic organisations such as businesses, charities and public sector bodies. For the purposes of this consultation, we refer to this broad group of customers as ‘consumers’ throughout.

1.5 Why an energy smart data legislative framework is needed

Energy data journeys often span multiple datasets, organisations and services creating a need for common arrangements that support interoperability and a consistent consumer experience.

The energy smart data legislative framework could provide a coherent basis for consumer data sharing by applying the common legislative, governance and consumer protection framework described above to participating organisations, datasets and services.

Crucially, it would support better outcomes for consumers - reducing friction and making it easier to navigate the energy system, compare options and access services that meet their needs. It would also create a fairer and more predictable environment for organisations that would otherwise need to navigate multiple access arrangements and bespoke agreements.

Government intervention is needed to deliver this coherence and to require relevant organisations to participate as data holders. Voluntary arrangements cannot guarantee that these organisations will make the required datasets available, or that all participants will follow common and enforceable requirements. Individual initiatives can establish access arrangements for particular services or datasets, but they cannot on their own impose consistent obligations across the wider ecosystem, particularly where participants fall outside existing energy regulatory arrangements. Using DUAA powers would allow the legislative framework to require data holder participation, set common standards and consumer

protections, and provide statutory oversight and enforcement where those requirements are not met.

Benefits for consumers

Energy data can help consumers make more informed choices about how they use energy, which tariffs suit them, and which products or services could reduce their costs or support low-carbon choices. However, consumers today cannot always access these benefits easily.

At present, consumers who want to use data-enabled energy services often need to navigate multiple data access arrangements, consent processes and technical barriers. As new digitalisation initiatives emerge, there is a risk that these consumer journeys become increasingly fragmented, making it harder for consumers to understand and use their own data to make informed decisions, and harder for service providers to develop services that work consistently across the energy system.

While the Consumer Consent Service (CCS) is helping to create a more consistent approach to managing consumer permissions, it does not by itself require data holders to make data available or establish common arrangements for how consumer energy data is shared. An energy smart data legislative framework could address this by establishing consistent requirements for the sharing of specified datasets, including obligations on relevant data holders to provide data through agreed interfaces and standards. This would help create a more interoperable and scalable approach to consumer-authorised data sharing, while providing a foundation for additional datasets, participants and use cases to be brought within scope over time. This is illustrated in Figure 3 below.

Figure 3: Building on the Consumer Consent Service to deliver a comprehensive energy smart data legislative framework

	Consumer	Authorised third party (ATP)	Consent management systems	Trust framework and data sharing	Data holder	Funding arrangements
Data (Use and Access) Act 2025: Smart data requirements for any sector	**Consumer data in scope** **Consumer experience**	**Scheme accreditation**	**Consumer permission management**	**Trust framework**	**Data sharing obligation**	**Funding**
Existing components for consumer-authorised data sharing in the energy sector	Consumer Consent Service (CCS) Minimum Marketable Product (MMP) scope focused on domestic consumers CCS coverage through consumer experience requirements for ATPs CCS future state roadmap includes non-domestic consumers and wider inclusive journeys	Accreditation scheme will be established in MMP	CCS MMP provides permission management for domestic consumers CCS future state roadmap includes wider permissions for non-domestic consumers and other legal purposes	CCS MMP provides comprehensive trust framework	Existing and emerging arrangements for Elexon to provide Smart Data Repository (SDR) data and suppliers to provide SSES tariff pricing data	Existing business-as-usual (BAU) funding arrangements through industry codes and regulated parties
Additional capabilities required to deliver the energy smart data legislative framework	Provides the mandate for CCS to extend coverage in line with the planned roadmap	Potential passporting of accreditation or equivalent recognition	Provides the mandate for CCS to extend permission management in line with the planned roadmap	Use of CCS trust framework and requirements for interoperability with other trust frameworks	Creation of data sharing obligations for relevant data holders	Potential for new funding routes where existing energy sector funding routes are not suitable or unavailable

By making it easier for consumers to share their energy data safely and consistently, smart data can help organisations use energy data to deliver practical support to consumers and offer tailored products and services based on their circumstances and needs.

Use case: Reducing household bills through tariff optimisation

Sarah is a homeowner in Manchester. She has a smart meter, but limited time to actively manage her energy usage.

Scenario
Sarah consents to share her electricity consumption data and current tariff information with an authorised smart data third party app. The energy smart data legislative framework requires the relevant data holders to make these datasets available to the authorised service with Sarah's permission. This means the service can use CCS to access Sarah's tariff information from her supplier, electricity consumption data from Elexon, and gas consumption data from the relevant data holder when available. After receiving her actual energy consumption patterns and comparing them to her tariff pricing, the app identifies that her current tariff is poor value for the way she uses energy.

The app compares available tariffs, estimates likely costs based on her actual usage, and identifies that Sarah's energy consumption is poorly suited to her flat-rate tariff. It matches her profile to a time-of-use tariff with cheaper off-peak rates and identifies ways to shift some electricity use to lower-cost periods, suggesting that Sarah could save up to £200 per year.

Sarah switches to the better tariff. She authorises the app to continue to track her consumption against tariff thresholds, alert her if a better tariff becomes available, and suggest small behavioural nudges (for example, running appliances overnight).

Outcome

- Lower energy bills without having to actively monitor the market.
- More personalised recommendations based on actual energy use.
- Greater consumer confidence that decisions are based on reliable data rather than estimates.
- Increased competition between suppliers and innovation in consumer energy services.

Enforcing access to energy data that data holders might not currently share - as well as improving access to that data that might already be available - could help consumers understand their energy use, compare tariffs based on actual consumption, assess whether a heat pump, battery or time-of-use tariff is right for them, and receive more accurate energy efficiency or retrofit advice. It could also help consumers participate more easily in flexibility services, such as shifting demand to cheaper or cleaner periods. It could also facilitate the

combination of energy data with data from other sectors such as financial data, for example, allowing consumers easier access and assessment of green finance products.

Smart data can also support businesses and other non-domestic consumers. Better access to trusted energy data could help small and medium-sized enterprises understand and manage their energy costs, access green finance, identify suitable efficiency upgrades, improve carbon reporting, participate in flexibility services, and access a wider range of tailored energy products and services.

Benefits for the energy system

Improved consumer data sharing supports a more flexible, affordable and low-carbon energy system. Better access to actual consumption, tariff and asset data allows consumers to better select the flexible tariffs most suitable to them, supporting the flexible demand needed for clean power and net zero. This can support more efficient deployment and use of distributed energy assets in homes and businesses, better forecasting of demand, and greater participation in flexibility markets.

In addition, a more consistent framework for consumer-authorised data sharing would reduce duplication and fragmentation across the sector. At present, data access routes and standards are not always consistent, which makes it harder for consumers to use data-enabled services and harder for authorised third parties to develop and scale new products and services. A clearer framework would support innovation, competition and consumer trust by setting common rules, standards and protections.

1.6 Delivery principles

The Energy Digitalisation Framework specifies the delivery principles that must shape the design and implementation of all energy digitalisation programmes. Applying this common set of principles will help ensure the smart data legislative framework aligns with the wider energy data ecosystem, supporting interoperability, reducing duplication and enabling seamless integration across the sector.

Energy Digitalisation Framework: Principles

A coordinated and coherent digitalised energy system must be:

Trusted and secure: Prioritise the security and protection of consumer and system data to protect our national infrastructure and generate high levels of consumer trust.

Interoperable: Interoperable by design, using common, open and recognised data standards and protocols across the energy system and beyond, aligning with wider UK economy and international data sharing frameworks where relevant.

Simple, accessible and user friendly: Simple processes for both energy consumers and other system users, enabling easy understanding, access and use.

Responsive and future proof: Responsive to planned system transformation, while adapting and evolving dynamically to support future applications and use cases.

Efficient and cost effective: Delivery that maximises efficiency and minimises cost, with interventions that drive maximum value for energy consumers, avoiding duplication and commercial capture, and leveraging existing assets where possible.

Innovative and competition driven: Enabling new and existing firms to develop new products, services and business models in the energy sector and the wider economy.

Deliverable: Programmes must be practical, achievable and delivered in a timely manner, ensuring that consumer and system benefits are realised without unnecessary delays or costs.

1.7 Why we are consulting now

In January 2025, we published a call for evidence seeking views on the opportunities, barriers and risks associated with developing an energy smart data scheme. A large majority of respondents (76%) supported development of a smart data scheme, and in our government response we committed to continuing work to consider potential proposals.[20]

Since then, DUAA has provided the statutory powers needed to establish a smart data regime through secondary legislation, while CCS and relevant data services have continued to develop the operational capabilities on which that regime could build. This creates an opportunity to establish the legislative direction now, so that the statutory framework and developing operational arrangements can be designed coherently, and unnecessary duplication or divergence can be avoided.

This consultation therefore seeks views on the proposed direction, scope and design of an energy smart data legislative framework, including its governance, consumer protections, interoperability and implementation.

Responses to this consultation will inform further policy development on how the DUAA powers should be used and how the energy smart data legislative framework should build on CCS and other existing capabilities, before detailed legislative and operational arrangements are developed.

[20] Developing an energy smart data scheme, UK Gov, July 2025

2. An energy smart data legislative framework

This chapter sets out the proposed scope and design of the energy smart data legislative framework. It covers the participants, datasets, consumer protections, accreditation arrangements and interoperability requirements that would constitute the framework.

Our priority is to establish a practical and deliverable legislative framework under the Data (Use and Access) Act 2025 (DUAA), focused on the participants, datasets and statutory requirements needed to enable priority consumer use cases. This provides a proportionate starting point while creating an enduring and extensible legislative framework through which additional datasets, participants and use cases can be brought into scope over time without redesigning the overall approach.

For this reason, we propose an initial scope focused on a defined set of participants, datasets and capabilities, rather than seeking to include all potential use cases from the outset. As the wider smart data and energy digitalisation ecosystem matures, we may consider whether there is a case for expanding the scope of the legislative framework in future.

2.1 Participants

Establishing an energy smart data legislative framework requires clarity about who can participate, who must participate, and the responsibilities that apply to each. This section sets out our proposed approach for consumers and authorised third parties (ATPs). The participation of data holders is covered in section 2.2.

Domestic and non-domestic consumers

We propose that specific datasets relating to both domestic and non-domestic energy consumers should be within scope of the energy smart data legislative framework. Consumers across both markets can face barriers in accessing and making effective use of their own energy data, which limits their ability to make informed decisions about tariffs, energy services and investments in low-carbon technologies.

We therefore consider that both domestic and non-domestic consumers should be able to participate in the energy smart data legislative framework if they choose to. The legislative framework should provide a consistent basis for consumers to access and share their energy data, and benefit from trusted, data-enabled services. Section 2.3 sets out our further proposals on consumer experience, including consent, accessibility and consumer protections.

1. **Do you agree that both domestic and non-domestic consumers should be within scope of the energy smart data legislative framework? Are there specific groups that should be excluded (for example, very large non-domestic consumers)? Please explain your reasoning.**

2. Are there any consumer groups that should be excluded, treated differently or subject to specific requirements or safeguards (for example, landlords, tenants, multi-occupancy properties)? Please explain your reasoning.

Use case: Helping small businesses manage energy costs

Grace runs a small bakery business which operates early mornings and relies on energy-intensive ovens and refrigeration. Grace has no time to actively manage energy contracts or analyse usage data.

Scenario

Grace chooses to share her energy consumption data and tariff information with an authorised energy advice service. The energy smart data legislative framework requires the relevant data holders to make these datasets available to the authorised service with Grace's permission. This means the service can use CCS to access Grace's tariff information from her supplier, electricity consumption data from Elexon, and gas consumption data from the relevant data holder when available. This allows the energy advice service to combine data from multiple sources to provide tailored recommendations.

Using the bakery's actual operating patterns, the service identifies that Grace's current energy contract is poorly suited to how her business uses energy. It also highlights opportunities to reduce costs through small operational changes and adopting products and services that better match the bakery's needs.

The service recommends a more suitable time-of-use or flexible SME tariff, identifies opportunities to reduce electricity demand (for example, staggering oven start times), and highlights options such as battery storage and participation in flexibility programmes.

By continuing to monitor Grace's actual energy use over time, the service can provide a forward-looking view of future energy costs, benchmark performance against similar businesses, and recommend contract changes as market conditions evolve.

Outcome

- Lower energy costs with minimal disruption to business operations.
- Reduced administrative burden on Grace.
- Access to new products, services and flexibility opportunities tailored to the needs of Grace's bakery.
- Greater confidence that Grace's decisions are based on actual usage rather than generic assumptions.
- Increased competition and innovation in the SME energy services market.

Authorised third parties (ATPs)

We propose that ATPs should be able to participate in the energy smart data legislative framework where they are accredited and meet the required governance, security and technical standards. An ATP is a provider of a product or service that is accredited to access consumer information, or act on a consumer's behalf with their permission. ATPs differ from data holders because their participation in the framework is voluntary rather than mandatory, and their primary purpose is to use energy data to deliver services that create value for consumers.

We expect ATPs to play a central role in delivering the benefits of the legislative framework. By using consumer-authorised access to energy data, ATPs can develop innovative products and services that help consumers better understand, manage and optimise their energy use. ATPs can also drive competition, support innovation and enable new business models across the energy sector.

Participation should not be limited to existing regulated energy businesses. ATPs could include established energy sector organisations expanding their digital offers, as well as new entrants, technology providers, or organisations already providing similar services in other sectors, seeking to develop consumer-focused services. Established providers can draw on their existing expertise, infrastructure and scale to deliver more advanced services, while start-ups can introduce disruptive models that unlock new value streams and bring fresh approaches to consumer participation. Data holders could also act as ATPs where they use additional datasets to enhance the services they offer. Allowing participation from a broad range of organisations could help promote innovation and maximise the value consumers get from their energy data.

To protect consumers and maintain confidence in the framework, participation must take place within a trusted and accountable environment with appropriate security and compliance standards. We therefore propose requiring that all participating ATPs are either incorporated in the UK or are registered overseas companies (with a UK establishment) and meet the relevant accreditation requirements. A UK establishment is a place of business or branch of an overseas company in the UK.[21] We do not propose allowing individuals or sole traders to participate as ATPs, as they are not subject to the same corporate governance, accountability and liability arrangements.

Further information on the proposed accreditation model, including assurance processes and participation requirements for ATPs is set out in section 2.4.

3. Do you think that participating ATPs should include organisations outside the current energy regulatory perimeter? Please explain your reasoning.

4. Do you agree that participation as an ATP should be limited to organisations incorporated in the UK or registered overseas companies (with a registered UK

[21] Overseas companies registered in the UK, UK Gov, April 2026

establishment)? Or should participation also be open to other overseas organisations? Please explain your reasoning.

2.2 Datasets

Use case: Helping consumers choose the right low-carbon solution

Michael owns an older, solid-wall house heated by a gas boiler. He is considering installing a heat pump but is unsure how it will perform in his home and whether the costs will outweigh the benefits.

Scenario
Michael consents to share his gas and electricity consumption. The energy smart data legislative framework requires the relevant data holders to make these datasets available to the authorised service with Michael's permission. This means the service can use CCS to access Michael's tariff information from his supplier, electricity consumption data from Elexon, and gas consumption data from the relevant data holder when available. In addition, Michael provides some basic information about his property and heating system, to an authorised smart data service.

Rather than relying on assumptions based on his property type alone, the service uses data about Michael's actual energy use and heating patterns, combined with contextual data like weather data, to develop a more tailored understanding of how his home performs in practice.

Using this information, the service provides an initial assessment of a heat pump's likely performance, based on factors such as overall heating demand and seasonal energy use. It compares potential running costs under different tariffs and highlights where further investigation could help build a clearer picture of the home's characteristics and heating requirements.

The analysis shows potential heat pump performance and opportunities to reduce both energy costs and carbon emissions. It suggests next steps, including a home survey or the collection of additional data to further refine recommendations. The service also helps Michael identify relevant grants, installers and support schemes, and can continue to monitor performance once improvements are made.

Outcome

- More informed decisions based on actual energy use rather than generic assumptions.
- Greater confidence in deciding whether to pursue more detailed assessment of low-carbon heating options.
- Earlier identification of homes that may benefit from further investigation, advice or support.
- Reduced barriers to exploring low-carbon technologies and home decarbonisation options.

Examples such as Michael's above typically rely on combining multiple sources of consumer energy data, including consumption data, tariff information and information about low-carbon technologies. This reinforces views from many respondents to the smart data call for evidence, who emphasised the importance of prioritising core datasets capable of enabling high-value use cases.

Our preferred approach is that the energy smart data legislative framework should initially focus on datasets that are already central to consumer choice, system operation and flexibility, and where there is a clear pathway to unlocking consumer and system value.

We therefore propose the following dataset categories form the initial scope of the legislative framework:

- Consumer consumption and metering data
- Tariff data
- Behind-the-meter asset data.

These dataset categories are consistent with the wider data domain model established by the Energy Digitalisation Framework. They also reflect areas where there is already significant sector activity to increase data availability, access, and quality, providing a clear and feasible route to implementation.

This is not intended to be an exhaustive list of all datasets that could fall within scope in future. We consider these dataset categories to be foundational to unlocking a wide range of high value consumer use cases. Some of these datasets are already subject to existing or emerging regulatory arrangements. The purpose of their inclusion in the legislative framework is not to duplicate existing initiatives, but to provide a coherent and interoperable long-term structure for how consumer energy data is defined, governed, accessed and reused across the sector.

We recognise that additional datasets, such as those relating to smart appliances and home energy management services, may also enable valuable consumer use cases in future. As the wider energy digitalisation ecosystem matures, we may consider whether there is a case for expanding the scope of the energy smart data legislative framework. Any such expansion would be subject to further policy development and consultation.

The dataset categories described below are supported by a range of existing and emerging services and arrangements that support access to specific energy datasets within a specific energy data domain. Throughout this consultation, we refer to these collectively as 'domain-level services'.

Consumer consumption and metering data

Consumption and metering data are foundational datasets for a wide range of consumer use cases. This data can help consumers and ATPs better understand how energy is used, identify opportunities to cut bills, support tariff comparison and switching, enable automated optimisation services, and improve participation in consumer-led flexibility and other smart services.

For the purposes of this consultation, consumer consumption and metering data includes:

- Meter reads and consumption data for domestic and non-domestic electricity and gas meters, including traditional, advanced and smart meters for both import and export.
- Meter asset data, including metering asset identifiers, device type and installation or operational status, MPAN, MPRN, site identifiers.
- Other metering data needed to support interpretation and operational use, including voltage data and meter alerts where relevant.
- Settlement data and supporting metering data, including validated and estimated data used for settlement and related market processes.
- Associated metadata and supporting data needed to validate, process and interpret metering data accurately and consistently.

Access to consumption and metering data is already supported through existing and emerging arrangements. For example, ATPs can access smart meter consumption data through the Smart DCC Other User framework, or consumers can access directly from their energy supplier, while Elexon is developing the Smart Data Repository (SDR) to facilitate access to consumption and metering data held within settlement systems.

However, access to data remains fragmented across different systems and routes, with varying technical, commercial and operational requirements. These factors create barriers for new market entrants and make it more difficult to develop services at scale that operate consistently across consumers, datasets and use cases. An energy smart data legislative framework could help address these challenges by providing a more consistent and scalable approach to accessing this data.

Our proposal is that the energy smart data legislative framework should include consumption and metering data made available through Elexon's SDR. The initial scope of SDR does not include gas consumption data. We therefore expect the legislative framework to incorporate gas consumption data once an appropriate route for sharing that data has been identified. We do not propose including other existing electricity and gas consumption data sharing arrangements, such as the DCC Other User framework, within the energy smart data legislative framework.

Tariff data

Tariff data is essential to one of the clearest consumer-facing smart data use cases: helping consumers compare available deals and find the best tariff or service for their needs. Standardised access to tariff data can also support innovation in switching, comparison, home energy management and optimisation services.

We propose that the energy smart data legislative framework includes standardised tariff pricing and related information needed to support comparison and optimisation services. This could include both tariff pricing information that is available to consumers and ATPs, and customer-specific tariff information relating to the tariff currently held by a consumer:

- Tariff identifiers and tariff structure information for import and export tariffs.
- Unit rates, standing charges and other core pricing components including dynamic tariff pricing information and real time price signals.
- Eligibility conditions, contractual terms and other ancillary information required to interpret tariff offers correctly.
- Supporting metadata needed to identify the circumstances in which a tariff applies, such as location, payment method or other relevant features where these affect price or availability.
- Current customer tariff and historical tariffs.
- Available tariffs, contract offers and contractual terms.

The government's Smart Secure Electricity Systems tariff interoperability programme is establishing a framework for standardising how suppliers share tariff pricing data with consumers and ATPs via the Tariff Interoperability Application Programming Interface (API). It currently requires the availability of information relating to charges for the supply of electricity to domestic and certain non-domestic premises, together with export tariffs, under standardised Retail Energy Code requirements. Those requirements cover the data items to be shared, ancillary information, the mechanism and format for data sharing, performance expectations and access arrangements.[22]

We do not propose duplicating existing tariff interoperability arrangements and expect industry to continue delivering those requirements to current timescales. While tariff interoperability establishes how tariff data is made available, the energy smart data legislative framework would provide a coherent long-term framework across tariff, consumption and asset data. This would build on the existing delivery approach for tariff interoperability, using the Consumer Consent Service (CCS), while providing a common basis for consumer-authorised energy data sharing to evolve over time. This would support greater interoperability across datasets and enable a wider range of consumer-facing services over time.

Behind-the-meter asset data

The increasing deployment of low carbon technologies in homes and businesses means that data about these assets is becoming increasingly important - both for consumers and the wider energy system. This includes assets such as electric vehicle charge points, batteries, heat pumps, solar PV and other distributed energy assets. Access to this data can support a range of consumer use cases, including home and business energy optimisation, technology matching, flexibility participation and more personalised energy advice.

For the purposes of this consultation, behind-the-meter asset data includes core information needed to identify, describe and use relevant distributed energy assets safely and effectively. This includes:

[22] Smart Secure Electricity Systems (SSES) tariff interoperability: code and licence modifications, UK Gov, May 2026

- Asset identifiers and links to the relevant premises or meter point.
- Asset type, technical characteristics and operational capabilities.
- Installation and operational status.
- Data needed to support market participation, consumer services or optimisation use cases.
- Associated metadata needed to validate and interpret asset records consistently across participants.

There are several existing and emerging initiatives that will improve the availability, quality and consistency of behind-the-meter asset data across the energy sector. The government is delivering a strategic approach to improving asset visibility, including a commitment to seek primary legislation for an asset registration obligation, and work to reduce the administrative burden on installers of distributed energy assets.[23] This work intends to drive improved rates of Distribution Network Operator (DNO) asset registration, and more complete national asset datasets as a result.

Ofgem's complementary work on licence conditions for DNOs to maintain asset registers is expected to improve the quality and consistency of asset data storage.[24] Beyond that, the Flexibility Market Asset Registration (FMAR) programme being delivered by Elexon is establishing a coordinated approach to registering distributed energy assets participating in flexibility markets, so that relevant asset data needed for national and local flexibility markets can be collected, maintained and accessed consistently.[25]

The SSES programme is also developing a Consumer Led Flexibility Companion Specification that sets the requirements for interoperable flexibility services. The Companion Specification, which covers some of the data categories described above, is currently planned to form part of the Phase 2 Energy Smart Appliances Regulations and the Balance and Settlement Code. If introduced, energy smart appliances placed on the market will be required to comply with those requirements.[26,27] This could provide an additional route for accessing relevant asset data should flexibility service providers or manufacturers be brought within scope of the legislative framework in the future.

Taken together, these initiatives will improve the availability, quality and consistency of behind-the-meter asset data across the sector. We do not propose duplicating these initiatives. Instead, the legislative framework would provide a common and consistent mechanism through which consumers can authorise access to relevant asset data made available through these arrangements, helping unlock consumer-facing services and benefits. We do not intend to

[23] Improving the visibility of distributed energy assets: call for evidence government response, UK Gov, December 2025
[24] Enhancing asset visibility: Distribution Network Operator options, Ofgem, December 2025
[25] Flexibility assets and registration - Flexibility Markets, Elexon, August 2026
[26] Smart Secure Electricity Systems Programme (SSES): Enduring Governance - government response, UK Gov, November 2025
[27] SSES Technical Governance Group - SSES

create a separate asset registration system or require other entities such as device manufacturers or operators to make asset data available at this stage.

Our proposal is that the legislative framework should include data from FMAR, and be able to accommodate the inclusion of data from any DNO asset registers that may be established following Ofgem's asset visibility work.

5. Do you agree that consumer consumption and metering data, tariff data, and behind-the-meter asset data provide an appropriate and deliverable foundation for the initial scope of the energy smart data legislative framework? If not, what alternative prioritisation would you propose? Please explain your reasoning.

6. **Do you agree with the proposed scope of the datasets described in section 2.2? Are there any data items that should be added, removed or treated differently? Please explain your reasoning, including any data quality, interoperability or implementation considerations that should be taken into account, including any risks that may arise when datasets are combined.**

7. Are there additional datasets that you consider important for enabling high-value consumer use cases? Please provide examples and explain your reasoning.

Use case: Unlocking value from solar and battery storage

Priya and David live in a semi-detached home with rooftop solar PV and a home battery.

Scenario
Priya and David choose to share their solar generation data, battery performance data and electricity consumption data with an authorised third-party energy optimisation service. The energy smart data legislative framework requires the relevant data holders to make this data available to the authorised service with their permission. This means the service can use CCS to access Priya and David's electricity consumption data from Elexon, and asset information from the relevant data holder. The service uses broader contextual information including solar generation forecasts, real-time wholesale and retail tariff data, and household demand profiles.

Using this information, the service develops a detailed understanding of how their home generates, stores and uses electricity. It identifies opportunities to reduce costs and increase the value of their low carbon technologies.

The service recommends a more suitable dynamic export tariff and automatically optimises when the battery charges, discharges and exports electricity. This allows Priya and David to make better use of the electricity they generate and maximise the value of any surplus energy exported to the grid.

Outcome

- Lower household energy costs and more money from exporting electricity to the grid.
- Improved return on investment from solar panels and battery storage.
- Greater participation in flexibility services, creating new opportunities to earn money from supporting the electricity system.
- Reduced strain on the electricity system by aligning energy use and exports with system needs.

Data holders

Under DUAA, a data holder is defined, in relation to customer or business data, as a trader that supplies or provides goods, services or digital content in the course of business, or a person who processes that data in the course of business.

For the purposes of the energy smart data legislative framework, the organisations required to participate as data holders will depend on which datasets are brought within scope and the routes through which those datasets are made available.

As described in section 2.2, our proposed initial dataset categories would be made available through a defined set of existing and emerging data sharing arrangements. We therefore

expect the initial data holders within scope to be the organisations responsible for making those datasets available through those arrangements. In practice, this means that:

- Elexon is the responsible data holder for access to consumption and metering data through the Smart Data Repository (SDR).
- Elexon is the responsible data holder for access to behind-the-meter asset data made available through the Flexibility Market Asset Registration (FMAR) programme.
- Energy suppliers required to provide tariff pricing data under the tariff interoperability programme are the responsible data holders for access to that data, supported by RECCo governance and wider Consumer Consent Service (CCS) arrangements.
- Where additional datasets are brought into scope in future, the responsible data holder would be the organisation responsible for making those datasets available through the relevant access route designated under the legislative framework.

We do not currently expect all organisations that create, hold or use energy data to participate as data holders. While some energy suppliers would be required to participate under tariff interoperability arrangements, our preferred approach is not to place obligations on every supplier, network operator, flexibility provider, installer or device manufacturer. Instead, we propose to place obligations on the organisations responsible for making datasets within scope available through the agreed access routes set out in section 2.2. However, this position may evolve over time as the scope of datasets, data-sharing arrangements and legislative framework requirements develop.

Unlike ATPs, whose participation in the legislative framework would be voluntary, organisations mandated to participate as data holders (as specified above) would be required to make datasets within scope available in accordance with framework requirements. We consider this necessary to ensure that consumers can authorise the sharing of their energy data consistently across the sector. Without mandatory participation, there would be a risk of inconsistent coverage, reduced interoperability and an uneven consumer experience.

Data holders required to participate in the legislative framework would need to meet a set of obligations relating to the secure, reliable and interoperable sharing of energy data. This includes making required datasets available in accordance with agreed standards and complying with the governance, security and operational requirements established through the framework.

Information on technical, interoperability and governance arrangements is set out in sections 2.4, 2.5 and 3.

8. Do you agree that organisations responsible for making available datasets within scope of the energy smart data legislative framework should be required to participate and make that data available in line with legislative framework requirements? Please explain your reasoning.

9. Are there any circumstances in which organisations required to participate as data holders should be exempt from these requirements, or subject to modified requirements? Please explain your reasoning.

Business impact

Businesses, including small and micro businesses (SMBs), may be affected by the energy smart data legislative framework in a number of ways. Some businesses may choose to participate as ATPs, some may provide services or capabilities that support participation in the framework, and others may benefit as non-domestic consumers using smart data-enabled services.

We recognise that some requirements - such as technical integration, data standards, accreditation, assurance, governance, reporting and ongoing conformance - may create implementation costs or administrative burdens. These costs may not always scale proportionately with organisation size, meaning smaller organisations could face a greater relative burden even where their absolute costs are lower.

We are therefore seeking evidence on the likely scale and drivers of costs for businesses as a whole and SMBs in particular, including how these may vary by organisation size, role and technical readiness and business model, and whether further mitigations may be needed.

Potential mitigations could include proportionate requirements, phased implementation, simplified onboarding, reuse or passporting of assurance, standardised technical interfaces, additional support or tailored funding arrangements.

10. Are there specific impacts that the energy smart data legislative framework could create for certain business groups such as small and micro businesses? Please provide evidence where possible, including whether any impacts may be disproportionate and how they could be mitigated.

2.3 Consumer experience

Building consumer trust and adoption

Building consumer trust will be essential to the success of the energy smart data legislative framework. Trust depends on how the legislative framework supports consumers throughout the full lifecycle of their interaction with smart data services. This includes how consumers discover services, identify themselves and authorise access, how their data is used over time, how they review and manage permissions, and how they withdraw, exit or seek redress if problems arise.

For this reason, we consider that consumer experience should be regarded as a lifecycle issue rather than a single consent interaction. Consumers should be able to understand who they are dealing with, what data is being shared, for what purpose and for how long, and what choices remain available after initial consent is given. Consumers should be able to manage

their permissions over time, including where services are long-lived, involve multiple actors, or rely on repeated access to data.

This is particularly important in the energy sector, where consumer relationships can be long term, data sharing arrangements may persist over time, and services may involve multiple organisations. It is also relevant to use cases related to vulnerability, assisted access and low digital confidence, where poor consumer experience design can create confusion, exclusion or a loss of trust. A legislative framework that works well only at the point of onboarding - but becomes unclear or difficult to navigate later - is unlikely to sustain consumer confidence or widespread adoption.

We therefore propose that the energy smart data legislative framework should support a clear and consistent consumer journey across the key stages of participation: entry and awareness, identification and onboarding, consent and authorisation, data sharing and ongoing use, ongoing management, and withdrawal or exit, with accessible redress available where issues arise.

The Consumer Consent Service (CCS) being developed by RECCo will be an important component for granting, reviewing and revoking consumer consent. RECCo is currently developing baseline standards for CCS consumer experience. We recognise that consumer journey design should be coordinated across the sector so that consent arrangements, user experience standards and accountability mechanisms operate coherently over time.

We propose to introduce a set of customer experience guidelines (CEGs) that all ATPs participating in the legislative framework would be required to follow, and build upon the baseline already being developed by RECCo through its CCS work. These guidelines would promote a consistent, clear and trustworthy experience for all participating consumers, regardless of which provider they use. A mandatory approach would help ensure that consumers are given clear information, remain in control of their data, and can navigate key steps such as granting, managing and withdrawing consent in a simple and accessible way. It would provide greater consistency and certainty for industry by establishing a common sector-wide baseline for consumer journeys, helping to reduce unnecessary divergence between providers and support consumer confidence and adoption.

Not all consumer journeys are simple one-to-one interactions between an individual consumer and a single provider. Energy consumers may rely on trusted third parties or representatives acting on their behalf, such as carers, legal representatives or family members. Non-domestic consumers may also act through authorised representatives. Some data sharing journeys may involve shared or overlapping interests - for example, in rented properties, multi-occupancy settings, or situations where more than one party has a legitimate relationship to the property, account or asset.

We therefore propose that delegation and other multi-party scenarios are considered as part of normal legislative framework design rather than exceptional edge cases. Consumers should be able to understand when another person is acting on their behalf, what authority that person has, and how that authority can be reviewed, limited or withdrawn. Where relevant, the

framework should also support clear rules and user journeys for delegated permissions and shared access arrangements.

The detailed design of these pathways should be developed alongside CCS and wider customer journey standards, so that delegated and assisted access is secure, proportionate and easy for consumers to understand.

Standardised consumer experiences in Open Banking

Open Banking encountered challenges during early development because banks adopted different authentication and consent journeys, creating friction, inconsistent consumer experiences, and causing many consumers to abandon the process before successfully sharing their data.[28,29]

In response, banks, regulators, fintechs and consumer groups co-designed consumer experience guidelines (CEGs) covering the end-to-end customer journey. This led to a mandated, uniform high-quality standard for customer journeys, making it easier for consumers to connect to data sharing services, improving customer satisfaction and helping establish Open Banking CEGs as a global benchmark.

Drawing on the Open Banking experience, we propose that smart data CEGs should cover the following areas:

- **Consumer control and transparency:** Consumers should be able to grant, manage and withdraw permissions easily, understand the effect of doing so, and have visibility of who has access to their data, what it is being used for, and any onward sharing arrangements. Where appropriate, dashboards or equivalent tools should support ongoing visibility and control, enabling consumers to understand which organisations currently have access to their data and take action to modify or revoke access. These tools and controls should operate coherently with CCS.
- **Clear information and informed decision-making:** Consumers should be able to understand what they are agreeing to before any data is shared. ATPs should explain clearly what service is being provided, what data will be accessed, how that data will be used, the duration of access and any important implications, limitations or consequences associated with participation.
- **Simple and accessible journeys:** Consumer journeys should be straightforward, proportionate and accessible, including for consumers in vulnerable circumstances, consumers with lower digital confidence, and those who require assisted support.
- **Trust and confidence:** Consumer journeys should provide confidence that data is being accessed, shared and used appropriately within a trusted framework. Consumers should be able to understand the safeguards, protections and standards that apply

[28] Open Banking, Preparing for lift off, ODI/Fingleton, July 2019
[29] Improving Customer Journeys, OBIE, August 2020

when their data is shared, particularly where services involve ongoing or repeated access to consumer data.

- **Consistency across providers:** ATPs should meet a common baseline so that consumers encounter a recognisable level of clarity, usability and protection across the framework, even where providers retain flexibility in branding or service design.

Not every smart data consumer journey will require the same level of assurance, friction or control. We therefore propose that the design of consent journeys, customer-facing controls and wider consumer protections should be proportionate to the level of risk and potential harm associated with the underlying use case.

Higher-risk scenarios may justify stronger identity checks, additional disclosures or enhanced controls - for example, where services involve sensitive personal data, delegated authority, long lived permissions, significant financial consequences, or consumers in vulnerable circumstances. Lower-risk scenarios may justify a lighter touch approach, particularly where the data being shared is lower risk, the action is simple and easily reversible, or additional steps would create unnecessary burden or deter participation.

RECCo's CCS development includes defining baseline consumer experience requirements. We expect the CEGs proposed in this consultation to build on those requirements, providing a consistent framework-wide baseline while extending them where necessary to support the broader scope, governance arrangements and consumer protections proposed under the energy smart data legislative framework.

11. Do you agree that the energy smart data legislative framework should include a mandatory set of Customer Experience Guidelines (CEGs) for authorised third parties? Please explain your reasoning, including any views on the proposed areas for inclusion and whether any aspects should be mandatory, optional or treated differently.

12. What is the best way to integrate ATP-designed consumer journeys with the Consumer Consent Service (CCS)? In particular, which elements of the consumer journey should be standardised or centrally supported, and which should remain flexible for ATPs to design?

13. How should the legislative framework support delegated, assisted and multi-party access arrangements, including where consumers act through authorised representatives or where multiple parties have a legitimate relationship to the account, premises or asset? Are there additional consumer scenarios or user groups that should be considered?

14. Do you agree that a proportionate, risk-based approach should apply to the design of consent journeys, customer-facing controls and wider consumer protections? If so, what factors should determine the level of risk associated with a particular use case?

Privacy protections

Consumers need confidence that their data will be handled lawfully, securely and only for agreed purposes. Without this, trust can quickly erode, leading to disengagement and lower adoption.

Under the energy smart data legislative framework, consumer data would only be shared where the consumer has authorised that sharing. This helps ensure that consumers remain in control of whether and how their data is shared.

Any processing of personal data under the legislative framework would need to comply with UK GDPR, including the requirement for organisations to identify an appropriate lawful basis for processing. We do not expect consent to be the sole lawful basis for all services and interactions, as a range of lawful bases are already used across the energy sector. For example, suppliers commonly rely on contractual necessity, organisations may rely on legitimate interests for activities such as analytics or fraud detection, and network operators often rely on legal obligations to comply with statutory duties.

The legislative framework will need to accommodate this diversity while maintaining consistent levels of transparency, protection and consumer confidence, regardless of the lawful basis being relied upon.

Dispute resolution and redress

Effective complaints, dispute resolution and redress arrangements will be essential to maintaining consumer trust and confidence in the smart data legislative framework. Effective redress is not only about resolving complaints once a service has failed. Consumers may need support at different points in their journey, including during onboarding, when granting or managing permissions, while using a service, or after permissions have been withdrawn or a service has ended.

As energy consumer data sharing becomes more complex and involves multiple participants, consumers may find it difficult to determine who is responsible for resolving a problem or where to direct a complaint. We therefore consider it important that consumers have a clear starting point for complaints and are not expected to understand underlying governance or technical arrangements to get help.

These issues may be particularly relevant in an energy-specific context where services involve multiple organisations or depend on data from more than one source, where a consumer's relationship with a supplier or service provider continues after a third-party service ends, or where shared infrastructure such as CCS supports the management of permissions.

We therefore propose that accountability and post-permission responsibilities should be reflected in both the legislative framework rules and consumer experience guidelines, rather than being addressed solely through contractual arrangements between participating organisations. Consumers should be able to understand who is responsible for a service,

where to seek support, and what happens when access permissions are withdrawn or a service ends.

For example, a consumer may receive an incorrect tariff recommendation from an ATP because the consumption or tariff data used was inaccurate, incomplete or not transferred correctly, or because a permission managed through CCS was not applied correctly. Resolving the complaint could therefore involve the ATP, the relevant data holder or CCS, but the consumer should not have to identify where the failure occurred before they can obtain help or redress.

Alternative Dispute Resolution (ADR) would form an important part of this. The Energy Ombudsman currently handles disputes between domestic and non-domestic energy consumers and a wide range of market participants, including energy suppliers, heat network suppliers, gas and electricity networks and energy brokers. The Ombudsman Association has established principles for handling cross-sector complaints, including the use of a lead ombudsman to coordinate cross-sector activity where appropriate. Government guidance is that the remit of existing ombudsmen should be expanded, where possible, rather than creating new bodies.[30]

Existing participants and services may already be subject to complaints and dispute resolution arrangements. We are interested in views on how ADR under the legislative framework should interact with those existing arrangements.

In line with this approach, we propose appointing the Energy Ombudsman as the ADR body for the energy smart data legislative framework. The Information Commissioner's Office (ICO) would retain its statutory role in overseeing compliance with UK data protection law and remain responsible for complaints relating to privacy breaches or unlawful processing. Together, these arrangements will provide consumers with a clear and effective system of redress, ensuring they have straightforward routes to raise concerns about data use and participation. The Energy Ombudsman would not replace the ICO's role in relation to privacy breaches, unlawful processing or wider compliance with UK data protection law.

In future, where cross-sector use cases develop and ADR is required, we expect relevant ombudsmen to work together to manage redress in complex, multi-party scenarios.

15. Do you agree that the Energy Ombudsman should be the ADR body for the energy smart data legislative framework? Please explain your reasoning, including any views on how ADR under the legislative framework should interact with existing complaints and dispute resolution arrangements.

16. How should accountability, liability and redress operate where multiple participants are involved in delivering a service?

[30] Guidance on new Ombudsmen scheme, UK Gov, May 2022

2.4 ATP accreditation

Authorised third party (ATP) accreditation will be a central component of the energy smart data legislative framework. Its purpose is to ensure that only organisations that have met the required standards can participate as ATPs and access data through the legislative framework.

The trust framework and accreditation perform related but distinct functions. The trust framework sets the common rules, standards and obligations for participation, while accreditation is the process through which an organisation is assessed against those requirements and approved to participate. An accredited ATP would then remain subject to the trust framework's ongoing assurance and compliance arrangements.

Accreditation should give consumers, data holders and other participants confidence that ATPs have appropriate technical, organisational, security and consumer protection arrangements. It should also create a predictable and proportionate route for ATPs to enter the market, reducing the need for bespoke agreements and repeated onboarding processes across different data holders or services.

Accreditation should not be treated as a one-off approval process, and should instead operate as part of an ongoing assurance lifecycle. This means that ATPs would need to meet requirements at the point of onboarding, maintain compliance with those requirements over time, and be subject to appropriate monitoring, reassessment, suspension or revocation where necessary. This will help ensure that trust in the legislative framework is maintained after initial accreditation has been granted.

Common ATP accreditation baseline

There are currently several accreditation, onboarding or access-control approaches in use or under development in the energy sector, including arrangements linked to the Smart Energy Code, Elexon's Smart Data Repository and the Consumer Consent Service (CCS). While these arrangements have each developed for a specific purpose, the overall landscape creates duplication, additional cost and complexity for organisations seeking to provide consumer-facing data services.

The Energy Digitalisation Framework identifies common accreditation as a core component of interoperability. In line with that approach, we propose establishing a common accreditation baseline for ATPs participating in the legislative framework. This would establish a consistent minimum set of requirements for participation, while allowing additional requirements to apply based on, for example, the role of the ATP, the dataset accessed, the use case, or the level of risk.

A common baseline would help reduce duplication and support a more level playing field for ATPs, including smaller innovators and new entrants. It would also provide relevant data holders and consumers with greater confidence that ATPs are being assessed against a consistent set of requirements across the legislative framework.

We propose that the accreditation model should be proportionate to the level of risk involved. Additional requirements may be appropriate where an ATP accesses more sensitive data, seeks long-lived or repeated access, handles delegated authority, enables automated decision-making, or provides services to consumers in vulnerable circumstances. Lower-friction approaches may be appropriate where risks are lower or equivalent assurance has already been demonstrated through another recognised regime.

Our initial view is that this common accreditation baseline should build on the accreditation arrangements being developed through CCS, rather than creating a separate accreditation regime for smart data. Where additional requirements are needed to support the scope of the legislative framework, these should be introduced as extensions to the CCS baseline wherever possible. This would help reduce duplication, support interoperability and provide participants with a single, coherent route to accreditation.

17. Do you agree that accreditation should be based on a common sector-wide baseline, building on the accreditation arrangements developed through CCS, with proportionate additional requirements depending on the ATP's role, dataset accessed, use case or the level of consumer risk? Please explain your reasoning.

18. What are the key elements that should be included within the common accreditation baseline?

Accreditation requirements

ATPs will often be consumer-facing organisations, and the standards they adhere to will play an important role in shaping consumer trust and confidence in the legislative framework. We therefore propose that ATP accreditation should comprise consumer protection and conduct requirements, alongside technical and organisational controls.

Accreditation may therefore assess a range of areas, including organisational governance, information security, consumer protection, conduct and transparency requirements. This may include requirements relating to clear consumer communications, compliance with customer experience guidelines, secure handling of permissions, support for withdrawal and exit, complaints handling, onward sharing controls, and cooperation with redress processes. Where ATPs provide services involving delegated, assisted or multi-party access, accreditation may also need to consider whether they can manage those arrangements securely and transparently.

These requirements should be proportionate to the role, activities and level of risk associated with the ATP. We propose that consumer protection should be built into the accreditation model from the outset, rather than treated solely as a matter for separate enforcement after harm has occurred.

Accreditation, permissions and operational status

We consider that accreditation should be distinguished from role-based permissions and operational status. These concepts are related, but perform different functions.

- **Accreditation** establishes that an ATP has met the baseline requirements to participate in the legislative framework.
- **Role-based permissions** determine what the ATP is allowed to do within the legislative framework, including which datasets it can access, for what purposes and under what conditions.
- **Operational status** confirms whether the ATP can currently operate. For example, whether it is active, suspended, withdrawn or otherwise not permitted to make requests at a particular point in time.

This distinction is important because participation in the legislative framework will need to be both trusted and controlled. An ATP may be accredited in principle, but only permitted to access certain categories of data or operate in relation to certain use cases. Similarly, an ATP may have been accredited previously but no longer be active or authorised to make requests. Data holders and shared infrastructure services will need reliable ways to confirm an ATP's current accreditation status, permissions and operational status at the point of access.

We expect that these status and permission signals would need to be available in a clear and machine-readable form, where appropriate. This would support automated checks, reduce manual processes, and ensure that access can be stopped promptly where an ATP is suspended, withdrawn or no longer authorised.

19. Do you agree that the legislative framework should allow for the distinction between accreditation, permissions and operational status? Please explain your reasoning.

20. What information about an ATP's status should be available to data holders and other participants at the point of access?

Delivering accreditation through the energy digitalisation governance model

Smart data accreditation arrangements should align with the governance model established by the Energy Digitalisation Framework and build on accreditation arrangements being developed through CCS, rather than duplicating existing energy digitalisation arrangements.

We propose that accreditation should combine a common sector-wide baseline with domain-level delivery where appropriate. Some requirements - such as organisational identity, security, governance, consumer protection and compliance with common standards - should be applied consistently across the legislative framework. Other requirements may be specific to a particular data domain, service or interface, and may therefore require domain-specific assessment or assurance.

Domain coordinators could therefore have an important role in onboarding, assurance and conformance activities, relating to their respective domain-level services, standards or data products. The digitalisation coordination function (once established) could support sector-wide consistency across domains, help avoid duplication, maintain coherence between accreditation approaches and ensure that accreditation arrangements support wider interoperability objectives.

Further information on the proposed roles and responsibilities of the digitalisation coordination function (once established) and domain coordinators is set out in section 3.

Passporting accreditation

We recognise that many organisations may operate across multiple regulated environments or future non-energy smart data schemes. Requiring those organisations to repeat equivalent accreditation checks in each sector could create unnecessary cost and delay, particularly where the same assurance has been demonstrated elsewhere.

We are therefore interested in whether accreditation or assurance from other regimes should be recognised or reused through passporting, where protections are demonstrably comparable. This could include reusing evidence relating to organisational identity, information security, governance controls or existing regulatory authorisations.

We are considering three passporting models:

- An **equivalence mapping approach** that creates cross-sector requirement tables. This would compare accreditation requirements across sectors and identify where they are aligned, allowing ATPs to demonstrate compliance through recognised equivalences rather than repeating full assessments.
- A **home regulator model** where accreditation from a primary regulator is recognised across sectors. Under this approach, an organisation with valid accreditation in its home sector could be automatically recognised in other sectors.
- A **hybrid approach** that combines mapping with targeted checks for sector-specific risks. This model would allow broad reliance on accreditation earned elsewhere, while still requiring proportionate additional checks where a sector has unique considerations to address.

Each approach involves different trade-offs between simplicity, consistency, administrative burden and the ability to address sector-specific risks. We are interested in stakeholder views on which approach is likely to deliver the most proportionate and effective outcome.

However, passporting should not mean that energy-specific risks are ignored. Even where an ATP has been accredited elsewhere, additional checks may still be needed in relation to energy-specific data, consumer protections, consent arrangements, domain-level standards or the handling of vulnerable consumers and delegated access.

We are therefore minded to explore a hybrid approach that combines relevant assurances from another recognised regime where appropriate, with targeted additional checks where necessary to address energy-specific requirements. This would support interoperability and reduce duplication while maintaining confidence in the integrity of the smart data legislative framework. Equivalence between regimes would need to be assessed against clear criteria and reviewed over time, particularly where requirements, standards or monitoring arrangements change.

21. Do you agree that the energy smart data legislative framework should recognise equivalent accreditation or assurance outcomes from other smart data schemes or regulated regimes where protections are comparable?

a. If so, which of the passporting models described above do you consider most appropriate and why?

b. What energy-specific requirements should still apply?

22. Which elements of accreditation are most likely to create cost, complexity or barriers to participation, particularly for smaller organisations, and how might these be reduced without undermining consumer protection or trust?

2.5 Technical frameworks and interoperability

Existing infrastructure

The energy smart data legislative framework will be developed within the wider landscape of significant energy digitalisation activity already underway. In particular, the framework will need to align with the Consumer Consent Service (CCS), and relevant domain-specific data services being developed.

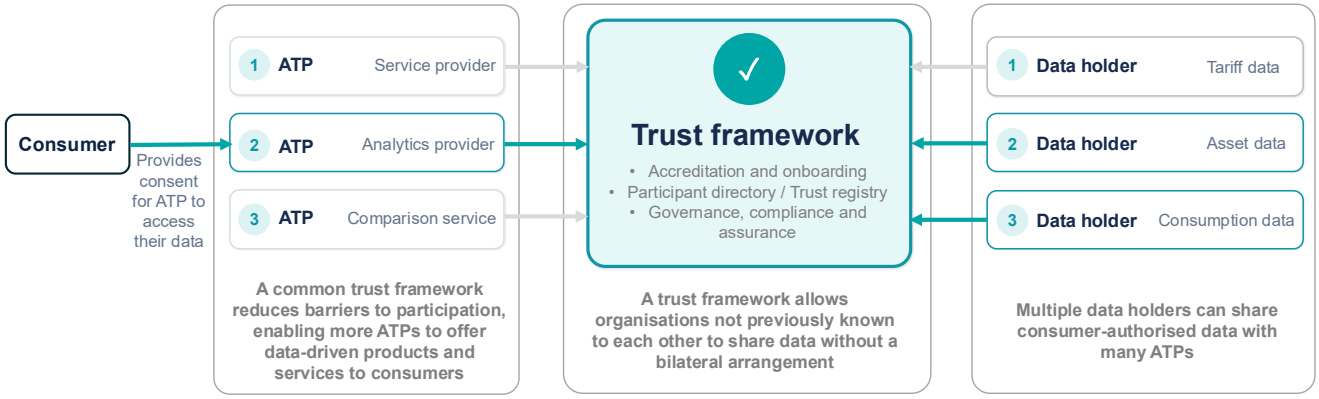
CCS is being developed to enable consumers to grant, manage and revoke consent for access to their energy data. Domain-level services, such as Flexibility Market Asset Registration (FMAR) and the Smart Data Repository (SDR), support access to particular energy sector datasets. These services address different but complementary parts of the data sharing landscape. Together, these arrangements form an increasingly important part of the energy data sharing ecosystem. The legislative framework will need to reflect this wider context.

A key component of the legislative framework is the use of a trust framework to support secure, scalable and interoperable data sharing. Without a common trust framework, organisations wishing to exchange data would typically need to establish separate bilateral agreements and assurance arrangements with each organisation they interact with. As the number of participants grows, this approach becomes increasingly complex, costly and difficult to scale. A trust framework provides a common set of rules, standards, obligations and assurance requirements that participants must meet in order to take part in the legislative framework.

This enables data holders and ATPs that may have had no prior relationship to share data with confidence, provided both parties have been accredited against the trust framework and comply with its requirements. By establishing a shared basis for trust, security and accountability, the legislative framework supports many-to-many data sharing arrangements, reducing barriers to participation while maintaining appropriate protections for consumers and their data.

We expect the trust framework being developed for CCS to provide this capability for the legislative framework, helping to create a consistent and scalable approach to trusted consumer-authorised data sharing across the sector.

Figure 4: Trust frameworks enable scalable data sharing



Building on existing energy infrastructure and services

Our preferred approach is that the energy smart data legislative framework should build on and align with existing and emerging energy data sharing arrangements, rather than creating a separate or duplicative smart-data-specific infrastructure.

This approach is consistent with the Energy Digitalisation Framework, which aims to reduce fragmentation, improve interoperability and provide clearer responsibilities across energy digitalisation activity. It should also help avoid unnecessary cost and complexity by making use of capabilities that are already being developed or operated across the sector.

We do not propose that the legislative framework should replace existing arrangements such as CCS or relevant domain-level services. Instead, the legislative framework should provide a clear statutory and governance basis for consumer-authorised data sharing using DUAA. CCS will provide the common mechanism for managing consumer permissions and data exchange, while relevant domain-level services will continue to support access to datasets within scope. The legislative framework would establish the common requirements governing which datasets must be made available, which organisations must participate, and the protections, obligations and governance arrangements that apply. Our objective is to ensure that the relevant arrangements operate coherently, with clear rules, responsibilities and user journeys for consumers, data holders and authorised third parties.

The practical implementation of these arrangements should be developed through the appropriate governance routes, including the digitalisation coordination function (once established), domain coordinators, relevant delivery bodies and industry engagement.

23. Do you agree that the energy smart data legislative framework should build on and align with existing data sharing infrastructure and services - including CCS and relevant domain-level services - rather than creating separate smart-data-specific infrastructure? Please explain your reasoning.

Interoperability within energy and across sectors

An energy smart data legislative framework that builds on multiple services and arrangements must be interoperable. This requires more than compatible technical standards, it also requires common or consistent approaches to data sharing processes and governance.

Within the energy sector, interoperability will be particularly important where consumers, data holders and ATPs interact with more than one service or dataset. Effective interoperability can reduce duplication, simplify participation and support more seamless user journeys.

The legislative framework should also be designed with cross-sector interoperability in mind. Over time, energy smart data services may interact with smart data schemes in other sectors - for example, where energy data is combined with finance, property or transport data to support more joined-up, personalised services.

We therefore consider that, where possible, the legislative framework should promote common or aligned approaches in areas such as:

- Accreditation and onboarding
- Consent and revocation
- Security and assurance requirements
- Data standards and common terminology
- Operational monitoring and accountability

This should allow different parts of the energy data-sharing ecosystem to work together without requiring every service to be delivered through a single platform. It should also help avoid unnecessary duplication for ATPs, data holders and delivery bodies.

24. What interoperability outcomes should the energy smart data legislative framework prioritise to ensure that CCS and relevant domain-level services work together effectively for consumers and market participants, both within the energy sector and across sectors (where relevant)? Please identify any significant barriers, dependencies or trade-offs we should consider.

3. Roles and responsibilities

3.1 Governance context

This chapter considers the governance arrangements needed to support the energy smart data legislative framework. It explains the statutory roles envisaged by the Data (Use and Access) Act 2025 (DUAA) and seeks views on how those roles could be delivered in the energy sector, through the governance model established by the Energy Digitalisation Framework. These governance arrangements will support delivery of the accreditation and assurance requirements described in section 2.

DUAA provides the Secretary of State with the powers to establish smart data schemes through secondary legislation. These powers enable regulations to set the detailed rules, standards and governance arrangements needed for a sector-specific legislative framework, including who must share the data, who may access it, the conditions and standards that apply, how compliance is monitored, and how the scheme is enforced. Regulations may also establish statutory roles such as decision-makers, interface bodies and enforcers.

The Energy Digitalisation Framework established a governance model to more effectively deliver energy digitalisation. This includes domain coordinators, who are responsible for driving coherence within data domains, including standards, data quality, operational reporting and simplified access to domain data.

The Energy Digitalisation Framework established four data domains. The metering data domain and the behind-the-meter asset data domain are both coordinated by Elexon. The consumer data domain is coordinated by RECCo. The core energy system data domain is coordinated by NESO. These roles provide an important foundation for the legislative framework, because many of the datasets and services that may fall within scope of smart data will sit within, or interact with, these domains.

Alongside the data domain model, the Energy Digitalisation Framework proposes an independent digitalisation coordination function. This function is intended to provide sector-wide architectural coherence, technical direction, common standards, interoperability and sequencing across digitalisation initiatives. It is intended to act as the link between the government's strategic oversight and the activities of domain coordinators, delivery bodies and industry. DESNZ will consult separately on the form, role and responsibilities of this function later this year.

The government's preferred approach is to implement the energy smart data legislative framework using these existing and emerging energy digitalisation governance structures, rather than creating a separate governance model for consumer-authorised data sharing. This should help reduce duplication, support interoperability, and provide clearer responsibilities across the energy data sharing ecosystem.

We recognise that some aspects of the future governance model remain subject to further development, including the detailed design of the digitalisation coordination function. We are therefore seeking views on the proposed allocation of statutory roles and functions at a level sufficient to inform policy development, while recognising that some operational detail will need to be developed further through subsequent governance and implementation decisions.

The following sections describe the key statutory roles established under DUAA and set out the government's proposed allocation of those roles within the energy digitalisation governance model.

3.2 Statutory roles under the Data (Use and Access) Act 2025

For the purposes of this consultation, three statutory roles are particularly relevant: the decision-maker, the interface body and the enforcer. DUAA provides for these roles but does not determine which organisations should perform them in a given sector or scheme, or how those functions should interact with any existing sectoral arrangements.

Decision-maker

The decision-maker is responsible for accreditation and approval decisions under the energy smart data legislative framework. This includes decisions about whether a person or organisation may be authorised to access customer or business data, and under what conditions.

DUAA also allows regulations to set out how decision-makers are appointed, how decisions may be suspended or revoked, how compliance with conditions may be monitored, and what review, appeal or complaints arrangements should apply. DUAA allows decision-maker functions to be exercised by more than one person or body, including jointly or concurrently.

Interface body

The interface body is responsible for the practical operation of data sharing arrangements. This may include establishing or operating interfaces used for sharing data, setting standards or arrangements relating to those interfaces, and maintaining or managing them over time. The role is therefore broader than the operation of a technical platform alone. It may include functions relating to onboarding, access arrangements, standards, monitoring of interface use, complaints and publication of relevant information.

Enforcer

The enforcer is the public authority responsible for monitoring and enforcing compliance with regulations and requirements in the legislative framework. Enforcement functions may include monitoring compliance, investigating non-compliance, issuing compliance notices, imposing penalties where provided for in regulations, and publishing information about enforcement activity. These functions are distinct from operational monitoring, technical assurance or conformance activity that may be carried out elsewhere within the smart data legislative framework.

These statutory roles are governance functions intended to provide oversight, accountability and enforcement. As such, they are distinct from the operational services and infrastructure that may support the framework in practice. For example, the Consumer Consent Service (CCS) and domain-level services may facilitate data sharing and support the operation of the framework. However, separate decisions are required about which organisations should become decision-makers, interface bodies or enforcers.

3.3 Proposed allocation of DUAA roles

The table below sets out the government's proposed high-level allocation of DUAA statutory roles within the energy smart data legislative framework.

DUAA role	Proposed allocation
Decision-maker	Decision-maker functions should be delivered through a coordinated, hybrid model comprising the digitalisation coordination function (once established) and relevant domain coordinator(s), depending on the nature of the decision being made.
Interface body	Domain coordinators should perform interface body functions where those functions relate to domain-specific interfaces, standards, access arrangements, onboarding or operational processes. Where functions are cross-industry or cross-sectoral, these should be undertaken by the digitalisation coordination function (once established).
Enforcer	Ofgem should act as the enforcer for the energy smart data legislative framework. It is already the regulator for the GB energy sector with established experience in monitoring compliance, investigating non-compliance and taking enforcement action across energy markets.

DUAA statutory roles should be applied in a way that is legally clear, operationally workable and aligned with the governance model established by the Energy Digitalisation Framework. **We therefore propose that these roles should be delivered through a combination of sector-wide coordination, domain-level delivery and statutory regulatory enforcement.**

Decision-maker

Our initial view is that a hybrid model may provide the most appropriate approach, with decision-making responsibilities shared between the digitalisation coordination function (once established) and relevant domain coordinators.

This reflects the fact that some legislative framework decisions may require a consistent sector-wide approach, while others may be closely linked to domain-specific services, standards or operational requirements. For example, decisions relating to accreditation, equivalence and cross-domain consistency may sit most naturally at sector-wide level. Decisions relating to participation in specific domain services or compliance with domain-specific requirements may sit more naturally with the relevant domain coordinator.

We think a hybrid decision-making model could help manage this complexity, by combining overall accountability with domain-level expertise.

We also considered DESNZ and Ofgem as alternative candidates for the decision-maker role, but determined these organisations may be less suited to technical and operational decision-making, given their respective roles as strategic policy lead and regulator.

25. Do you agree with the hybrid decision-making model? If not, what alternative approach should be taken? Please explain your reasoning.

26. Under a hybrid decision-making model where responsibilities are distributed, what governance arrangements and dispute resolution would be needed to ensure decisions can be made efficiently?

Interface body

We propose that domain coordinators should perform interface body functions where those functions relate to domain-specific interfaces, standards, access arrangements or operational processes. This reflects the role of domain coordinators under the Energy Digitalisation Framework in driving coherence within their domains, improving access to data, and coordinating with delivery bodies and data holders.

In practice, this means that domain coordinators may be well placed to undertake interface body functions connected to the datasets and services within their respective domains. The precise allocation of responsibilities will depend on the relevant data, services and delivery arrangements.

However, some interface body functions may require a broader sector perspective. These may include functions relating to cross-domain interoperability, common standards, coordination between domains, or the resolution of issues that cut across multiple domains. We expect these cross-domain functions would sit most naturally with the digitalisation coordination function (once established), subject to the outcome of our separate consultation on its role and responsibilities.

This approach seeks to balance domain expertise with sector-wide coherence, enabling domain coordinators to lead within their area of responsibility while maintaining consistent approaches across the wider energy data sharing ecosystem.

27. Do you agree that interface body functions should be delivered primarily through domain coordinators, with cross-domain functions undertaken by the digitalisation coordination function? If not, what alternative approach would you suggest? Please explain your reasoning.

Enforcer

We propose that Ofgem should act as the enforcer for the energy smart data legislative framework. DUAA allows regulations to specify a public authority responsible for monitoring and enforcement. Ofgem is already the regulator for the GB energy sector with established experience in monitoring compliance, investigating non-compliance and taking enforcement action across energy markets. Appointing Ofgem as enforcer would build on existing regulatory capability, while maintaining a clear separation between operational delivery and regulatory oversight.

28. Do you agree that Ofgem should act as the enforcer for the energy smart data legislative framework? Please explain your reasoning, including any views on the enforcement powers, safeguards, guidance or appeal routes that should apply.

This proposed allocation reflects the government's objective of delivering a legislative framework with a strong statutory foundation under DUAA, while using the existing governance model established by the Energy Digitalisation Framework. It seeks to combine sector-wide coordination, domain-level expertise and independent regulatory oversight. We welcome views on whether this proposed allocation provides sufficient clarity, accountability and interoperability, and whether any functions should be allocated differently.

29. How should the energy smart data legislative framework ensure clear accountability and effective escalation where responsibilities are distributed across multiple organisations?

30. Do you have views on the feasibility, complexity or cost implications of the functions proposed for the decision-maker, interface body and enforcer roles? Please identify any functions that may be particularly resource-intensive or challenging to deliver and explain why.

3.4 Accountability, complaints and redress

Our proposed governance model for the energy smart data legislative framework involves a number of organisations performing different functions. Some functions may be exercised at sector-wide level, some at domain level, and others delivered through operational services and infrastructure. It will therefore be important that accountability remains clear for consumers, authorised third parties, data holders and delivery bodies.

The legislative framework will need to specify clear responsibilities, decision-making processes, review mechanisms and escalation routes. This will be particularly important where decisions affect accreditation, permissions, suspension, revocation or access to data sharing services. Participants should be able to identify which organisation is responsible for a particular decision and how concerns may be raised or challenged.

We recognise that some issues may involve multiple organisations. For example, a participant's experience may involve domain coordinators, operational or shared services, data holders or other delivery bodies. The legislative framework should therefore provide clear

escalation routes and mechanisms for coordination where responsibility spans more than one organisation, ensuring that accountability remains straightforward for users even where delivery arrangements are distributed.

Consumer-facing complaints and redress are discussed in section 2.3, including our proposal to appoint the Energy Ombudsman as the Alternative Dispute Resolution body for the legislative framework.

The Energy Ombudsman's role would be distinct from Ofgem's enforcer role. The Energy Ombudsman would consider individual consumer complaints and provide redress where appropriate, while Ofgem would be responsible for monitoring and enforcing compliance with the statutory framework. These functions are complementary but distinct.

The government also recognises that the allocation of statutory and operational functions may have implications for liability and legal risk. The legislative framework will therefore need to clearly define how statutory responsibilities, operational functions and legal liability interact. Accountability should remain visible and enforceable, regardless of the number of organisations involved.

31. Do you agree that the proposed accountability, complaints and redress arrangements provide sufficient clarity for consumers, authorised third parties, data holders and delivery bodies? If not, what additional safeguards, accountability mechanisms or escalation routes should be considered?

32. How should responsibility and liability be allocated between different participant organisations in the energy smart data legislative framework, including where multiple organisations are involved?

4. Funding and charging arrangements

4.1 Purpose of this chapter

This chapter sets out the government's proposed approach to funding and cost recovery for the energy smart data legislative framework. It explains why sustainable funding arrangements will be needed, the principles that should guide future funding decisions, and how funding arrangements may need to evolve as the legislative framework matures.

Section 3 set out the roles and responsibilities that will be required to deliver the legislative framework, while section 2 described the infrastructure, services and arrangements that will support consumer-authorised energy data sharing.

Delivering, operating and overseeing these capabilities will create costs across the legislative framework, including costs associated with governance and assurance, shared services and infrastructure, and enabling data holders to provide access to data. It will therefore be important to ensure that these costs are recovered in a way that is fair, proportionate, transparent and sustainable over time.

This chapter distinguishes between:

- Funding the **common functions** needed to establish and operate the legislative framework.
- **Charges** that may apply between participating organisations, including charges by data holders to authorised third parties (ATPs) for accessing data.
- The **commercial models** used by ATPs to provide smart data-enabled products and services.

These are separate questions that may require different approaches. As the smart data ecosystem develops, more parties are likely to benefit from access to shared data services, common standards, accreditation arrangements and trusted infrastructure. Over time, it may be appropriate to consider whether funding arrangements should become more directly linked to the parties that benefit from, use or drive costs within the legislative framework.

This chapter therefore covers longer term funding arrangements for the legislative framework, beyond the initial build and mobilisation stages. We welcome views on the proposed funding and charging principles, the potential use of existing energy sector funding routes, and the factors that should determine when and how funding arrangements should evolve as the legislative framework matures.

4.2 Funding and charging in the energy smart data legislative framework

The energy smart data legislative framework will operate within an energy sector that already has established arrangements for funding shared services, code bodies, central systems and regulated digital infrastructure. These include licence obligations, industry codes, price control frameworks, central body charging arrangements and other regulatory cost recovery routes. Many organisations that may perform functions under the legislative framework already operate within, or are funded through, some of these arrangements.

Where an appropriate existing funding power or mechanism is identified, it may provide an efficient route for funding relevant smart data functions, without the need to create a separate dedicated funding route. However, existing arrangements comprise different legal and regulatory mechanisms, each with its own scope and processes. They may not be suitable or available for every organisation, activity or cost arising under the legislative framework. Where they are not suitable, funding arrangements may instead be established using powers under the Data (Use and Access) Act 2025.

Where available and appropriate, existing energy sector routes may provide a useful basis for funding the development and operation of the legislative framework, including functions delivered through the Consumer Consent Service (CCS). This approach should help avoid duplication, reduce implementation complexity and ensure that the framework remains aligned with the wider energy digitalisation landscape.

However, the existing funding landscape is complex. Different types of organisation are funded in different ways, and not all future participants in the legislative framework will sit within existing energy regulatory or code arrangements. For example, some data holders may be licensed energy companies or industry-funded bodies, while some ATPs may be new entrants outside the current regulatory perimeter.

Funding and charging could operate at several levels:

- **Common framework costs:** Costs associated with functions that support the legislative framework as a whole - such as governance, accreditation, assurance, monitoring, interoperability and redress - could be funded collectively or through charges on participating organisations.
- **Data holder costs:** Data holders may incur costs in making data available, including the costs of developing, operating and maintaining interfaces and responding to data requests. The legislative framework could permit data holders to recover appropriate costs from ATPs, including through access, usage or other charges. Any such charging arrangements would need to be transparent, proportionate and designed so they do not create barriers to competition, innovation or market entry.
- **ATP services:** ATPs would use consumer-authorised access to data to provide products and services. ATPs may charge for those products and services, offer them

without a separate charge, or recover their costs through another commercial model. We do not propose that ATP services must be provided free of charge.

For example, a data holder could charge an ATP for high-volume access to an interface. The ATP could recover that cost through a subscription, a one-off service fee, commission from another organisation, or as part of a wider paid service. These commercial decisions would sit with the ATP, which may or may not choose to charge the consumer directly.

However, we propose that a data holder should not directly charge a consumer for accessing their own data or for authorising that data to be shared with an ATP. This would not prevent a data holder from charging an ATP where permitted, nor prevent an ATP from charging for the product or service it provides.

Funding and charging arrangements will need to reflect the different roles and cost drivers within the legislative framework. High upfront charges or unpredictable ongoing costs could discourage participation and reduce competition, limiting the consumer and system benefits that the legislative framework is intended to unlock.

33. Do you agree that a data holder should not charge a consumer directly for accessing their own data or authorising the sharing of that data with an ATP? Please explain your reasoning.

34. Under what circumstances should data holders be permitted to charge ATPs for access to data, and what principles or safeguards should govern those charges?

35. What impacts could different funding and charging arrangements have on competition, innovation, market entry, and the quality and reliability of data sharing services? Please provide evidence where possible.

36. Which smart data functions, if any, could appropriately be funded through existing energy sector arrangements (for example, regulatory, code and central body funding), and where might a funding mechanism under the Data (Use and Access) Act 2025 be needed?

4.3 Funding and charging principles

We propose that funding and charging arrangements for the energy smart data legislative framework should be guided by a clear set of principles. These principles are intended to support fair, proportionate and sustainable cost recovery, while recognising the existing funding arrangements already in place across the energy sector.

We are taking a principles-based approach at this stage because the detailed funding arrangements will depend on future decisions about governance, delivery bodies, data scope, implementation timing and the maturity of the smart data ecosystem. It also allows government, Ofgem and relevant industry bodies to develop more detailed funding proposals through existing regulatory, licence, code and central body processes where appropriate.

We propose the following principles to guide the development of funding and charging arrangements for the legislative framework.

1. No direct charges to consumers from data holders

Data holders should not charge consumers directly for accessing their own data or authorising the sharing of that data with an ATP. This principle would not prevent data holders from charging ATPs where permitted, or ATPs from charging for the products and services they provide.

2. Fair and proportionate cost recovery

Costs should be allocated fairly and proportionately, taking account of who benefits from the legislative framework, who uses particular services and who drives incurred costs. Arrangements should avoid placing disproportionate burdens on smaller organisations, early adopters or new entrants, while ensuring that the organisations responsible for delivering and operating the legislative framework are sustainably funded. Charges should be related to the costs or services to which they apply and should not allow participants to impose unjustified costs on other organisations or earn disproportionate returns.

3. Transparent and predictable

Funding and charging arrangements should be transparent, clearly governed and predictable. Participants should be able to understand what they are being charged for, how charges are calculated, and how funding and charging decisions are made.

Arrangements should minimise unnecessary duplication and administrative complexity. Participants should not be charged more than once for the same underlying function, for example where an organisation participates as both a data holder and an ATP, or interacts with more than one service or data domain.

4. Support competition, innovation and market entry

Funding and charging arrangements should support a competitive and innovative market for smart data-enabled services. They should not create unnecessary barriers to participation, advantage incumbent organisations, or make it disproportionately difficult for smaller ATPs and new entrants to compete and develop commercially viable ATP services. ATPs should be able to develop sustainable commercial models for the services they provide, while consumers receive clear information about the price and nature of those services before agreeing to use them.

5. Scalable and future-proof

The funding model should be capable of evolving as the legislative framework matures, and as additional datasets, data holders, ATPs and use cases are introduced. Arrangements should be flexible enough to respond to changes in participation, technology, governance, usage volumes and market development.

Taken together, these principles are intended to support a funding approach that is fair, transparent and sustainable, while remaining consistent with the wider energy digitalisation landscape. The government welcomes views on whether these are the right principles to guide future funding arrangements, and whether any additional principles should be considered.

37. Do you agree with the proposed funding and charging principles? Are there any principles that should be added, removed or amended? Please explain your reasoning.

4.4 Transition to an enduring funding model

We expect funding and charging arrangements for the energy smart data legislative framework to evolve over time. During implementation, costs may be recovered through a range of existing energy sector funding routes as described in section 4.2, where these are available and appropriate. Where they are not suitable or available, alternative funding approaches may be required.

As the legislative framework matures, we expect a review of arrangements to include consideration of:

- The costs incurred by different participants.
- The extent to which costs can be attributed to particular services or activities.
- Impacts on competition, innovation and market entry.
- The effectiveness of existing funding arrangements.
- Whether current arrangements remain fair, proportionate and sustainable.

Different arrangements may be appropriate for different costs. Core functions that support the integrity and operation of the legislative framework as a whole may be suitable for collective funding. Costs associated with a particular participant, service or pattern of use may be more suitable for direct charges to that participant.

Core functions could include governance, baseline standards, assurance, interoperability, monitoring and redress. These functions may benefit the wider ecosystem and may not be easily attributed to a single participant or transaction.

User-pays charges may be more appropriate where a cost can be attributed to a particular organisation or activity. This could include onboarding, optional or enhanced services, high-volume access, or use of a specific technical interface. This could include charges by a data holder or interface body to an ATP.

Any such charges would need to be designed carefully. They should allow appropriate cost recovery while avoiding disproportionate barriers for smaller organisations, new entrants and innovative service providers. The design should also consider whether charging structures create appropriate incentives for reliable, efficient and high-quality data provision.

We do not propose to specify detailed charging structures in this consultation. Further work will be required to determine:

- Which costs should be funded collectively.
- Which costs should be recovered from particular participants.
- When data holders or interface bodies should be permitted to charge ATPs.
- How charges should be calculated, governed and reviewed.
- What protections may be needed for smaller participants and new entrants.
- What evidence or trigger points should prompt a review of the funding model.

The enduring model may therefore combine collectively funded common functions, participant charges and commercial ATP services. It should not assume that all legislative framework costs ultimately fall on data holders, nor that ATP services must be free to consumers.

We expect Ofgem to have an important role in the detailed design and review of future funding arrangements, particularly where costs are recovered through existing regulatory, licence, code or central body routes. Domain coordinators and the digitalisation coordination function (once established) are also expected to provide evidence on domain-specific costs, operational requirements, user demand for services and usage volumes, in addition to the value delivered to consumers and the wider system.

38. Which functions should be funded collectively, and which costs should be recovered from the participants that use these functions or cause these costs? Please explain your reasoning.

39. How should charges to ATPs be structured and governed to permit appropriate cost recovery while supporting competition, innovation and market entry?

40. How should funding and charging arrangements avoid disproportionate burdens on smaller data holders, ATPs, new entrants and early adopters?

5. Benefits, costs and impacts

The preceding chapters set out the proposed scope, governance and funding approach for the energy smart data legislative framework. This chapter summarises our preliminary assessment of the potential benefits, costs and impacts associated with the proposals set out in this consultation, and seeks additional evidence from stakeholders.

As the legislative framework is at an early stage of development, this analysis is necessarily indicative and based on the best evidence and assumptions currently available. Further work, including any future impact assessment, will be informed by consultation responses and subsequent policy development.

We are particularly interested in evidence that can validate, challenge or refine the assumptions set out below, including evidence on implementation costs, consumer and business impacts, innovation, competition and potential benefits to the wider energy system.

The estimates presented in this chapter should not be interpreted as definitive forecasts. They are intended to provide transparency on the current evidence base and highlight areas where further evidence would be valuable. Responses to this consultation will help strengthen the evidence base and inform further development of the proposals and the design of a future legislative framework.

5.1 Potential benefits of the energy smart data legislative framework

While much of the available evidence relates to implementation costs, the government expects the energy smart data legislative framework to deliver corresponding benefits for consumers, businesses and the wider energy system. We are therefore seeking evidence on both benefits and costs.

Analysis completed on behalf of the government in March 2026 estimated that introducing a smart data regime in the energy sector could contribute £9.5 billion in net social value to the UK between 2028-2043, and annual GDP contributions from an energy smart data regime could reach £2.1 billion by 2043.[31] These estimates illustrate the potential scale of benefits associated with improved energy data sharing, but do not represent a quantified assessment of the specific proposals set out in this consultation.

Our preliminary analysis suggests that the energy smart data legislative framework could deliver benefits for consumers, businesses and the wider energy system. By enabling consumers to share energy data securely with authorised third parties, the legislative framework could support the development of services that help consumers identify suitable tariffs, manage energy use more effectively, participate in flexibility services and make more

[31] Potential economic impact of future smart data use cases, UK Gov, March 2026

informed decisions about low-carbon technologies. For businesses, improved access to consumer-authorised data could support innovation, competition and the development of new products and services.

More broadly, a consistent legislative framework for data sharing could reduce fragmentation, improve interoperability across the energy sector and support a more efficient and flexible energy system. These potential benefits remain uncertain and depend on future legislative framework design, participant behaviour and consumer uptake.

Drawing on the economic modelling referenced above, evidence gathered through the energy smart data call for evidence, and analysis of comparable data sharing initiatives, the government's preliminary assessment is that the potential benefits are expected to exceed the costs of the proposals set out in this consultation. However, further evidence is needed to refine our understanding of the likely scale and distribution of those benefits and costs.

41. What benefits do you expect the energy smart data legislative framework to deliver for domestic consumers, non-domestic consumers and businesses? Please provide quantitative evidence and sources where possible, including evidence on the likely scale, timing and distribution of benefits.

42. What impact do you expect the energy smart data legislative framework to have on innovation, competition and the development of new products and services? Please provide evidence and sources where possible, including any impacts on market entry, investment, consumer choice and the ability of new firms to compete.

43. What impact do you expect the energy smart data legislative framework to have on the wider energy system? Please provide evidence and sources where possible, including any impacts on participation in flexibility services, efficiency of energy use, system costs, interoperability or the uptake of low-carbon technologies.

5.2 Costs to data holders

In estimating potential costs to data holders, we have drawn on evidence from comparable energy sector data-sharing initiatives where organisations have been required to establish and maintain standardised interfaces for the sharing of data. We consider these activities to be broadly comparable to the types of activities that data holders may be required to undertake under the energy smart data legislative framework. The figures below should therefore be regarded as illustrative estimates intended to support consultation, rather than as predictions of actual costs.

The set-up costs for data holders under the energy smart data legislative framework will vary depending on the level of change required and the associated complexity, size of organisation, and project management requirements. Similarly, ongoing maintenance and conformance requirements will vary by data holder.

The 2024 SSES consultation analytical annex on tariff interoperability collated set-up and annual costs for an energy supplier to set up and run a standardised API to share tariff information.[32] This is a similar requirement to those being proposed for relevant data holders under the legislative framework.

The annex presented a range of costs, summarised in the table below as low, central, and high scenarios. The wide range here aligns with the varied nature of the change required for data holders. As a stretching assumption, a 'very high' scenario is also included which implies greater ongoing costs to data holders.

Table 1: Cost assumptions for individual data holders from SSES consultation analytical annex (2026 prices)[33]

Scenario	Set-up / transitional costs	Ongoing costs
Low	£0.08m	£0.01m
Central	£0.6m	£0.09m
High	£1.1m	£0.16m
Very high	£1.1m	£0.3m

As part of our analysis of legislative framework costs relative to continuation of business as usual, a multiplier has been applied to the set-up costs to reflect the greater standardisation, coordination, and ease of setting up for data holders under the legislative framework.

To reflect uncertainty in this multiplier, we have used a similar set of low, central, and high figures, with the high multiplier also applied to the very high scenario. No change has been made to the ongoing costs since much of the ongoing activity is assumed to be automated, or require similar conformance checks, regardless of the overarching governance structure.

Table 2: Data holder set-up costs multiplier

Scenario	Multiplier
Low	75%
Central	82.5%
High	90%

[32] Improving accessibility of tariff data for flexibility services: analytical annex, UK Gov, April 2024
[33] The source annex presented costs in 2023 prices. We have uprated those figures to 2026 prices throughout for the purposes of this consultation.

The resulting assumed set-up and annual ongoing costs to data holders under the legislative framework from our preliminary analysis are detailed in the Table 3 below.

Table 3: Cost assumptions for individual data holders under the energy smart data legislative framework (2026 prices)

Scenario	Set-up / transitional costs	Ongoing costs
Low	£0.06m	£0.01m
Central	£0.5m	£0.09m
High	£1.0m	£0.16m
Very high	£1.0m	£0.3m

44. Do the illustrative set-up and ongoing cost estimates presented for data holders provide a reasonable indication of the costs that organisations may incur in implementing and operating the proposed legislative framework? Please provide quantitative evidence where possible and explain whether you consider these estimates to be too low, broadly appropriate, or too high.

45. What are likely to be the main drivers of implementation and ongoing costs for data holders, and how might these costs vary by organisation type, size, technical readiness, or the datasets held? Please provide evidence where possible.

46. To what extent could common technical standards, shared governance arrangements, and reuse of existing infrastructure reduce implementation costs compared with developing standalone data-sharing arrangements? Please explain and, where possible, provide evidence and an estimate of the potential reduction in costs.

5.3 Costs to authorised third parties (ATPs)

To participate in the energy smart data legislative framework, ATPs will need to meet accreditation and compliance requirements, integrate with relevant data sharing services and interfaces, and maintain the technical, operational and governance capabilities needed to access and use consumer data securely and effectively.

The costs for an ATP to participate will vary depending on the level of change required and the associated complexity, size of the organisation and project management. The 2024 SSES tariff interoperability analytical annex collected one-off cost estimates for a representative third-party user to set up to use a standardised API.[34] The annex presented a range of costs, with the

[34] Improving accessibility of tariff data for flexibility services: analytical annex, UK Gov, April 2024

central assumption being £140k (2026 prices), with a range from £10k to £275k. This is a wide range but that aligns with the varied nature of the change required for ATPs to participate.

Additionally, HM Treasury's analysis of the Payment Services Directive (PSD2) estimated that one-off accreditation for 175 relevant firms would cost £3.8m (2026 price year).[35,36] Dividing that figure by the number of providers gives roughly £21.6k for an average firm. This aligns with anecdotal evidence of the costs incurred by two start-ups on Financial Conduct Authority accreditation. Based on these two pieces of evidence, a range of £10k-£25k is used for ATP accreditation, with a central assumption of £17.5k.

In terms of annual maintenance costs to amend APIs as standards change, the SSES analytical annex presented a wide range of potential annual costs for third-party users to use a standardised API. The central assumption was £84k (2026 prices), with a range of £2k to £165k.[37] Again, this represents the variation in costs between ATPs, including organisational size, technical readiness, existing systems and the complexity of change required.

BIST's Smart Data Economic Modelling estimates that the annual ongoing cost of compliance is £16k to £20k, with a central assumption of £18k (2026 prices).[38] This might represent a proportion of FTE devoted to compliance.

The overall ATP cost estimates combine two categories of cost. The set-up transitional estimate is the sum of the one-off SSES set-up cost for using a standardised API and the one-off accreditation cost. The annual estimate is the sum of the ongoing SSES API maintenance cost and the annual compliance cost. Combining these assumptions and their associated central estimates and ranges produces the low, central and high estimates shown in Table 4 below.

Table 4: Cost assumptions for ATPs (2026 prices)

Scenario	Set-up / Transitional	Annual
Low	£21k	£19k
Central	£160k	£102k
High	£300k	£185k

47. Do the illustrative set-up and ongoing cost estimates presented for authorised third parties provide a reasonable indication of the costs that organisations may incur when taking part in the energy smart data legislative framework? Please provide quantitative evidence where possible and explain whether you consider these estimates to be too low, broadly appropriate, or too high.

[35] Signed 20.07.2022 - Final stage Impact Assessment – Smart Data primary legislation, UK Gov, July 2022
[36] PSDII_Impact_Assessment.pdf, UK Gov, July 2017
[37] Improving accessibility of tariff data for flexibility services: analytical annex, UK Gov, April 2024
[38] Economic Analysis: Understanding the costs and benefits of Smart Data use cases, UK Gov, Mar 2026

48. What are likely to be the main drivers of implementation and ongoing costs for authorised third parties, and how might these costs vary by organisation type, size, or dataset? Please provide evidence where possible.

49. To what extent could common technical standards, shared governance arrangements, and reuse of existing infrastructure reduce barriers to entry, compared with developing standalone data sharing arrangements? Please explain and, where possible, provide an estimate of the potential reduction in costs.

5.4 Costs associated with governance and shared services

We recognise that there will be costs associated with the governance, accreditation, assurance, monitoring and shared services needed to support the legislative framework, including functions delivered through existing initiatives such as the Consumer Consent Service (CCS). The scale and distribution of these costs will depend on future decisions on governance, delivery arrangements and funding mechanisms. DESNZ will continue to work with relevant organisations to understand these costs and how they should be recovered through the arrangements described in chapter 4.

50. What costs do you expect governance and shared services functions to incur under the energy smart data legislative framework? Please provide evidence where possible.

6. Implementation plan

This chapter outlines our proposed delivery approach and indicative implementation timetable for the energy smart data legislative framework. The proposals are intended to support stakeholder engagement and provide an indication of the sequencing, obligations and dependencies that may be involved in implementation. The timeline is subject to change, based on the outcome of this consultation, further policy development and parliamentary time.

6.1 Proposed delivery approach

Existing digitalisation programmes are already delivering important capabilities and infrastructure for energy data sharing. Our proposed delivery approach is intended to maintain momentum on those programmes while providing a clear pathway to a future legislative framework, enabling integration at the most appropriate points and minimising unnecessary disruption to ongoing delivery.

We propose to implement the legislative framework in three phases. While these phases describe the primary focus of different stages of delivery, we do not envisage implementation as a strictly sequential process. Existing programmes such as CCS, SDR and FMAR are already progressing, and the development of standards, governance arrangements and capabilities will likely proceed in parallel with legislative development where possible. This should help accelerate delivery, reduce duplication and ensure that the legislative framework remains informed by emerging implementation experience.

- **Phase 1 - Establishing the legislative framework:** Establishing the statutory basis for the legislative framework.
- **Phase 2 - Operational enablement**: Implementing governance arrangements, technical standards, accreditation processes and delivery mechanisms.
- **Phase 3 - Market activation:** Enabling participants to onboard, develop technical solutions, and prepare data holders to make mandated data available through compliant APIs.

This phased approach is intended to provide increasing clarity and certainty to participants at every stage, while allowing sufficient time for implementation and reducing unnecessary disruption to existing programmes and business planning cycles.

Phase 1: Establishing the legislative framework

Phase 1 would focus on developing the statutory basis for the energy smart data legislative framework. We envisage this phase including developing secondary legislation to mandate data sharing of relevant datasets and undertaking the policy, governance and standards development needed to support implementation, subject to consultation outcomes and parliamentary time.

While legislative development is ongoing, we would expect a range of implementation activities to continue in parallel. Existing digitalisation programmes, including CCS, SDR, FMAR and SSES, are already progressing and are foundational to the legislative framework. We will align with these programmes and build on existing capabilities where possible.

In particular, CCS is expected to provide the baseline capabilities for consumer permission management, trusted participation and accreditation on which the legislative framework will build, while SDR and FMAR are expected to provide key data-sharing capabilities. However, the outputs currently planned through these initiatives will not on their own provide all the capabilities enabled by the Data (Use and Access) Act 2025 to deliver the scope proposed in this consultation. Development of the smart data legislative and operational framework will therefore proceed in alignment with these programmes, identifying and establishing the additional capabilities required to implement the energy smart data legislative framework.

At the conclusion of Phase 1, stakeholders would have greater clarity on the legislative framework, governance model and overall direction of travel.

Phase 2: Operational enablement

Phase 2 would focus on translating the legislative framework into practical delivery arrangements. This includes development of governance arrangements, standards, accreditation processes, onboarding arrangements and assurance mechanisms needed to operate the legislative framework.

Many of these activities are already underway through CCS, SDR, FMAR and wider domain coordinator-led activities on standards, data access and accreditation. We therefore do not expect Phase 2 to represent the start of operational design activity. Instead, Phase 2 would focus on ensuring that existing and emerging initiatives operate within a coherent energy smart data legislative framework, and implementing the additional standards, governance arrangements, onboarding processes and operational capabilities required to deliver the scope proposed in this consultation.

As a result, some Phase 2 outputs may already be partially or wholly developed before completion of Phase 1, which will accelerate overall delivery. We expect work on governance, standards, accreditation and interoperability to continue in parallel with legislative development where possible. At the conclusion of Phase 2, the key standards, operational requirements and onboarding arrangements needed to support sector-wide implementation would be established, building on the capabilities already delivered through CCS, SDR and FMAR.

We recognise that implementation may require a combination of legislative, regulatory, licence, code and governance changes depending on the participant, dataset and access arrangements involved. We are seeking views on the most effective approach for delivering these changes and the extent to which different implementation activities can continue to progress in parallel.

In line with our intention to avoid duplicating existing and emerging initiatives, we will seek to build on and maintain capabilities already under development, rather than replacing them - for

example, using tariff APIs developed under the SSES programme. Our objective is that implementation of the legislative framework should complement, rather than replace, existing delivery activity, minimising unnecessary duplication, conflicting requirements and avoidable rework for industry.

Phase 3: Implementation and market activation

Phase 3 would focus on participant onboarding and implementation. Existing digitalisation initiatives are already developing capabilities that will contribute towards delivery of the energy smart data legislative framework, and we do not expect all implementation activity to wait until every legislative framework element has been finalised.

As governance arrangements, standards and accreditation requirements become sufficiently mature, participants may begin onboarding and implementation activities where appropriate. This could include technical development, testing, assurance and operational preparation by data holders, alongside onboarding and accreditation activities for authorised third parties (ATPs).

We recognise that implementation requirements may vary considerably between participants, datasets and delivery arrangements. Existing initiatives such as CCS, SDR and FMAR are already developing capabilities that will contribute towards delivery of the legislative framework, while additional capabilities will be required in some areas. We therefore expect implementation to proceed at different rates across different parts of the legislative framework, reflecting the maturity of existing capabilities and the complexity of the requirements being introduced.

This approach could enable some capabilities and services to become available earlier where suitable infrastructure, standards and governance arrangements are already in place, while allowing additional implementation activity to continue in parallel where required.

At the conclusion of Phase 3, participants would be accredited, onboarded and able to offer data-driven services to consumers.

51. Do you agree with the proposed implementation approach, including whether the proposed balance between parallel and sequential delivery is appropriate? If not, what alternative sequencing would you suggest? Please explain your reasoning.

52. Do you have views on how implementation of the energy smart data legislative framework should align with the delivery of CCS, SDR, FMAR and other related digitalisation initiatives? Please identify any significant dependencies, risks or opportunities.

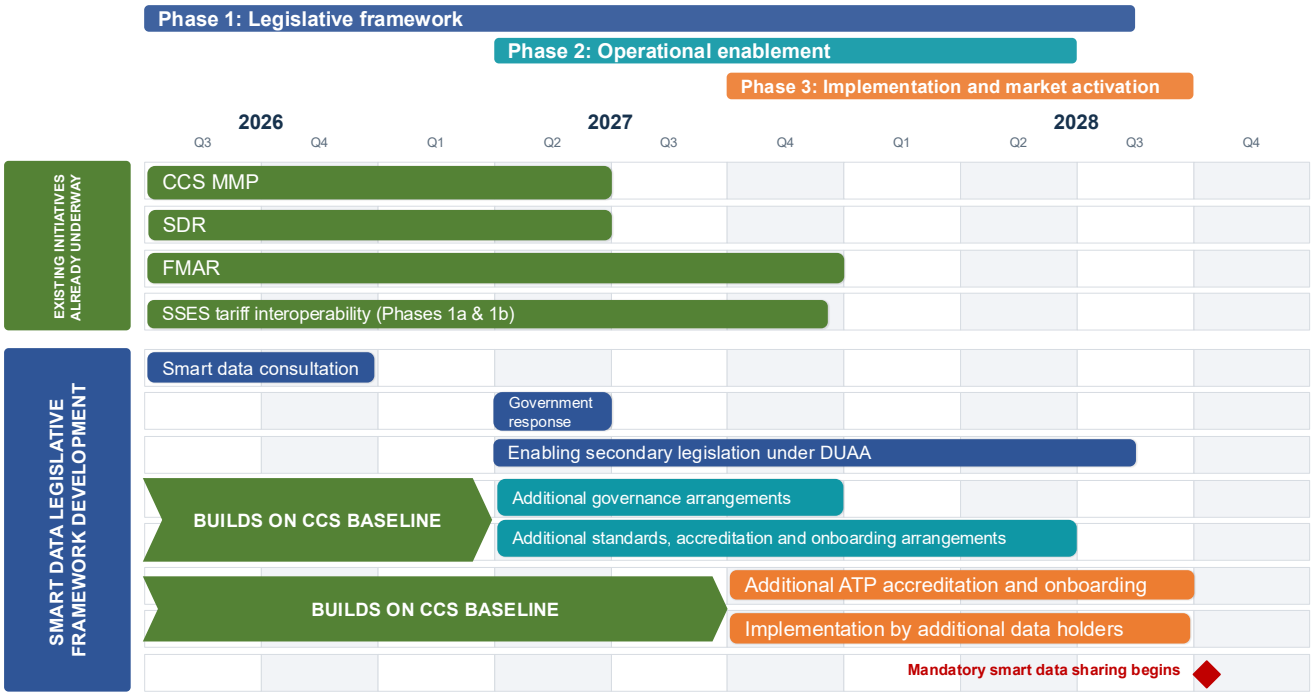
53. Do you agree with our assessment that additional standards, governance arrangements, onboarding processes or operational capabilities will be required beyond those already being developed through CCS, SDR, FMAR and related initiatives, in order to implement the legislative framework under the Data (Use and Access) Act 2025? If not, please explain where you consider existing initiatives already provide the capabilities needed to deliver the proposed scope.

6.2 High-level indicative delivery profile

The indicative delivery profile below illustrates how legislative development, governance design, accreditation, onboarding and implementation activities could be delivered. Existing initiatives including CCS, SDR and FMAR are already progressing and will continue developing alongside the energy smart data legislative framework. While many activities can progress in parallel, there remain important dependencies between workstreams and some activities remain dependent on earlier policy, governance or implementation decisions. These timings are illustrative only and are intended to support our assessment of sequencing, dependencies and implementation risks.

Several operational capabilities, including the CCS trust framework and accreditation regime, and development of SDR and FMAR, are already underway. The delivery profile in Figure 5 distinguishes this existing activity from the additional requirements needed to implement the full scope of the legislative framework.

Figure 5: Energy smart data legislative framework delivery profile



54. Do you agree with the proposed delivery profile, including key delivery risks, dependencies or alignment considerations (for example, licences, price controls, coordination with existing digitalisation initiatives) that should be taken into account? Please explain your reasoning.

6.3 Success measures

It will be important to establish clear and measurable indicators of success, supported by proportionate monitoring and evaluation arrangements. These arrangements should support ongoing monitoring of implementation, process evaluation of how the legislative framework is operating, and longer-term evaluation of whether it is delivering its intended outcomes.

Success for a legislative framework will ultimately be determined by whether it enables greater consumer participation, supports innovation and competition, and delivers meaningful benefits for consumers and the wider energy system.

To support this, we propose assessing success across a range of consumer, system and operational outcomes.

Consumer and system outcomes

- **Consumer outcomes:** Evidence that the energy smart data legislative framework is helping consumers make better use of energy data, access products and services that meet their needs, make more informed decisions, and realise benefits such as improved consumer experience, greater engagement and reduced costs. This could also include levels of consumer trust and confidence, consumer awareness and understanding of data sharing arrangements, and the number and nature of complaints relating to data sharing and consent.
- **System outcomes:** Evidence the legislative framework is supporting wider energy system objectives through increased participation in flexibility markets and other smart energy services, improved efficiency, reduced duplication, and supporting decarbonisation goals and the transition to a more flexible energy system.

Effective operation of the energy smart data legislative framework

- **Implementation and delivery:** Delivery against agreed milestones and implementation timescales, including successful onboarding of participants and adoption of common standards.
- **Interoperability and scalability:** The ability to introduce new datasets, participants and use cases efficiently, without requiring significant redesign or duplication of effort.
- **Security and resilience:** Evidence that the legislative framework is operating securely and reliably, including the number and severity of security incidents or data breaches.

Participation, data sharing and innovation

- **Adoption and participation:** The number of consumers using smart data-enabled services, the number of ATPs participating in the legislative framework, and the rate at which new organisations enter the market.
- **Availability and accessibility of data:** The number and range of datasets made available through the legislative framework, and the extent to which these can be accessed and used consistently across different data domains and services.

- **Reduced duplication and fragmentation:** Evidence that participants face fewer bespoke onboarding arrangements, accreditation processes, technical integrations or data access routes, supporting a more coherent and interoperable data sharing ecosystem.
- **Innovation and market development:** The number and diversity of products, services and use cases enabled by the legislative framework, the level of participation by ATPs and other market actors, and the extent to which the legislative framework supports innovation, competition, new business models and market entry.

As delivery progresses, we would expect these indicators to evolve and become more specific, informed by further policy development and implementation experience. We intend to monitor and evaluate the implementation and operation of the energy smart data legislative framework over time, and welcome views on the most appropriate measures, evidence and approaches for doing so.

55. Do you have views on the proposed indicators for measuring the success of the energy smart data legislative framework, and how these should be monitored and evaluated in practice? Please identify any additional indicators, relevant data sources, appropriate evaluation methods or practical issues that government should consider.

7. Consultation questions

1. Do you agree that both domestic and non-domestic consumers should be within scope of the energy smart data legislative framework? Are there specific groups that should be excluded (for example, very large non-domestic consumers)? Please explain your reasoning.

2. Are there any consumer groups that should be excluded, treated differently or subject to specific requirements or safeguards (for example, landlords, tenants, multi-occupancy properties)? Please explain your reasoning.

3. Do you think that participating ATPs should include organisations outside the current energy regulatory perimeter? Please explain your reasoning.

4. Do you agree that participation as an ATP should be limited to organisations incorporated in the UK or registered overseas companies (with a registered UK establishment)? Or should participation also be open to other overseas organisations? Please explain your reasoning.

5. Do you agree that consumer consumption and metering data, tariff data, and behind-the-meter asset data provide an appropriate and deliverable foundation for the initial scope of the energy smart data legislative framework? If not, what alternative prioritisation would you propose? Please explain your reasoning.

6. Do you agree with the proposed scope of the datasets described in section 2.2? Are there any data items that should be added, removed or treated differently? Please explain your reasoning, including any data quality, interoperability or implementation considerations that should be taken into account, including any risks that may arise when datasets are combined.

7. Are there additional datasets that you consider important for enabling high-value consumer use cases? Please provide examples and explain your reasoning.

8. Do you agree that organisations responsible for making available datasets within scope of the energy smart data legislative framework should be required to participate and make that data available in line with legislative framework requirements? Please explain your reasoning.

9. Are there any circumstances in which organisations required to participate as data holders should be exempt from these requirements, or subject to modified requirements? Please explain your reasoning.

10. Are there specific impacts that the energy smart data legislative framework could create for certain business groups such as small and micro businesses? Please provide evidence where possible, including whether any impacts may be disproportionate and how they could be mitigated.

11. Do you agree that the energy smart data legislative framework should include a mandatory set of Customer Experience Guidelines (CEGs) for authorised third parties? Please explain

your reasoning, including any views on the proposed areas for inclusion and whether any aspects should be mandatory, optional or treated differently.

12. What is the best way to integrate ATP-designed consumer journeys with the Consumer Consent Service (CCS)? In particular, which elements of the consumer journey should be standardised or centrally supported, and which should remain flexible for ATPs to design?

13. How should the legislative framework support delegated, assisted and multi-party access arrangements, including where consumers act through authorised representatives or where multiple parties have a legitimate relationship to the account, premises or asset? Are there additional consumer scenarios or user groups that should be considered?

14. Do you agree that a proportionate, risk-based approach should apply to the design of consent journeys, customer-facing controls and wider consumer protections? If so, what factors should determine the level of risk associated with a particular use case?

15. Do you agree that the Energy Ombudsman should be the ADR body for the energy smart data legislative framework? Please explain your reasoning, including any views on how ADR under the legislative framework should interact with existing complaints and dispute resolution arrangements.

16. How should accountability, liability and redress operate where multiple participants are involved in delivering a service?

17. Do you agree that accreditation should be based on a common sector-wide baseline, building on the accreditation arrangements developed through CCS, with proportionate additional requirements depending on the ATP's role, dataset accessed, use case or the level of consumer risk? Please explain your reasoning.

18. What are the key elements that should be included within the common accreditation baseline?

19. Do you agree that the legislative framework should allow for the distinction between accreditation, permissions and operational status? Please explain your reasoning.

20. What information about an ATP's status should be available to data holders and other participants at the point of access?

21. Do you agree that the energy smart data legislative framework should recognise equivalent accreditation or assurance outcomes from other smart data schemes or regulated regimes where protections are comparable?

a. If so, which of the passporting models described above do you consider most appropriate and why?

b. What energy-specific requirements should still apply?

22. Which elements of accreditation are most likely to create cost, complexity or barriers to participation, particularly for smaller organisations, and how might these be reduced without undermining consumer protection or trust?

23. Do you agree that the energy smart data legislative framework should build on and align with existing data sharing infrastructure and services - including CCS and relevant domain-level services - rather than creating separate smart-data-specific infrastructure? Please explain your reasoning.

24. What interoperability outcomes should the energy smart data legislative framework prioritise to ensure that CCS and relevant domain-level services work together effectively for consumers and market participants, both within the energy sector and across sectors (where relevant)? Please identify any significant barriers, dependencies or trade-offs we should consider.

25. Do you agree with the hybrid decision-making model? If not, what alternative approach should be taken? Please explain your reasoning.

26. Under a hybrid decision-making model where responsibilities are distributed, what governance arrangements and dispute resolution would be needed to ensure decisions can be made efficiently?

27. Do you agree that interface body functions should be delivered primarily through domain coordinators, with cross-domain functions undertaken by the digitalisation coordination function? If not, what alternative approach would you suggest? Please explain your reasoning.

28. Do you agree that Ofgem should act as the enforcer for the energy smart data legislative framework? Please explain your reasoning, including any views on the enforcement powers, safeguards, guidance or appeal routes that should apply.

29. How should the energy smart data legislative framework ensure clear accountability and effective escalation where responsibilities are distributed across multiple organisations?

30. Do you have views on the feasibility, complexity or cost implications of the functions proposed for the decision-maker, interface body and enforcer roles? Please identify any functions that may be particularly resource-intensive or challenging to deliver and explain why.

31. Do you agree that the proposed accountability, complaints and redress arrangements provide sufficient clarity for consumers, authorised third parties, data holders and delivery bodies? If not, what additional safeguards, accountability mechanisms or escalation routes should be considered?

32. How should responsibility and liability be allocated between different participant organisations in the energy smart data legislative framework, including where multiple organisations are involved?

33. Do you agree that a data holder should not charge a consumer directly for accessing their own data or authorising the sharing of that data with an ATP? Please explain your reasoning.

34. Under what circumstances should data holders be permitted to charge ATPs for access to data, and what principles or safeguards should govern those charges?

35. What impacts could different funding and charging arrangements have on competition, innovation, market entry, and the quality and reliability of data sharing services? Please provide evidence where possible.

36. Which smart data functions, if any, could appropriately be funded through existing energy sector arrangements (for example, regulatory, code and central body funding), and where might a funding mechanism under the Data (Use and Access) Act 2025 be needed?

37. Do you agree with the proposed funding and charging principles? Are there any principles that should be added, removed or amended? Please explain your reasoning.

38. Which functions should be funded collectively, and which costs should be recovered from the participants that use these functions or cause these costs? Please explain your reasoning.

39. How should charges to ATPs be structured and governed to permit appropriate cost recovery while supporting competition, innovation and market entry?

40. How should funding and charging arrangements avoid disproportionate burdens on smaller data holders, ATPs, new entrants and early adopters?

41. What benefits do you expect the energy smart data legislative framework to deliver for domestic consumers, non-domestic consumers and businesses? Please provide quantitative evidence and sources where possible, including evidence on the likely scale, timing and distribution of benefits.

42. What impact do you expect the energy smart data legislative framework to have on innovation, competition and the development of new products and services? Please provide evidence and sources where possible, including any impacts on market entry, investment, consumer choice and the ability of new firms to compete.

43. What impact do you expect the energy smart data legislative framework to have on the wider energy system? Please provide evidence and sources where possible, including any impacts on participation in flexibility services, efficiency of energy use, system costs, interoperability or the uptake of low-carbon technologies.

44. Do the illustrative set-up and ongoing cost estimates presented for data holders provide a reasonable indication of the costs that organisations may incur in implementing and operating the proposed legislative framework? Please provide quantitative evidence where possible and explain whether you consider these estimates to be too low, broadly appropriate, or too high.

45. What are likely to be the main drivers of implementation and ongoing costs for data holders, and how might these costs vary by organisation type, size, technical readiness, or the datasets held? Please provide evidence where possible.

46. To what extent could common technical standards, shared governance arrangements, and reuse of existing infrastructure reduce implementation costs compared with developing standalone data-sharing arrangements? Please explain and, where possible, provide evidence and an estimate of the potential reduction in costs.

47. Do the illustrative set-up and ongoing cost estimates presented for authorised third parties provide a reasonable indication of the costs that organisations may incur when taking part in the energy smart data legislative framework? Please provide quantitative evidence where possible and explain whether you consider these estimates to be too low, broadly appropriate, or too high.

48. What are likely to be the main drivers of implementation and ongoing costs for authorised third parties, and how might these costs vary by organisation type, size, or dataset? Please provide evidence where possible.

49. To what extent could common technical standards, shared governance arrangements, and reuse of existing infrastructure reduce barriers to entry, compared with developing standalone data sharing arrangements? Please explain and, where possible, provide an estimate of the potential reduction in costs.

50. What costs do you expect governance and shared services functions to incur under the energy smart data legislative framework? Please provide evidence where possible.

51. Do you agree with the proposed implementation approach, including whether the proposed balance between parallel and sequential delivery is appropriate? If not, what alternative sequencing would you suggest? Please explain your reasoning.

52. Do you have views on how implementation of the energy smart data legislative framework should align with the delivery of CCS, SDR, FMAR and other related digitalisation initiatives? Please identify any significant dependencies, risks or opportunities.

53. Do you agree with our assessment that additional standards, governance arrangements, onboarding processes or operational capabilities will be required beyond those already being developed through CCS, SDR, FMAR and related initiatives, in order to implement the legislative framework under the Data (Use and Access) Act 2025? If not, please explain where you consider existing initiatives already provide the capabilities needed to deliver the proposed scope.

54. Do you agree with the proposed delivery profile, including key delivery risks, dependencies or alignment considerations (for example, licences, price controls, coordination with existing digitalisation initiatives) that should be taken into account? Please explain your reasoning.

55. Do you have views on the proposed indicators for measuring the success of the energy smart data legislative framework, and how these should be monitored and evaluated in practice? Please identify any additional indicators, relevant data sources, appropriate evaluation methods or practical issues that government should consider.

8. Next steps

The government will analyse responses, undertake further stakeholder engagement and consider the feedback received. We will then publish a summary of responses, including our decision on whether and how to proceed.

If we decide to proceed with an energy smart data legislative framework, we will undertake further work to develop the detailed arrangements needed to support implementation. This would include refining the delivery approach, governance arrangements, funding model and implementation plan, informed by consultation evidence and continued stakeholder engagement.

This publication is available from: https://www.gov.uk/government/consultations/energy-smart-data-legislative-framework

Any enquiries regarding this publication should be sent to us at: digitalisation@energysecurity.gov.uk

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