RETAIL ENERGY CODE

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REC TECHNICAL EXPERT PANEL

TERMS OF REFERENCE

This Category 3 document may be revised by the REC Change Panel from time to time. The following table sets out the history of changes made to this document.

Version	Status	PublicationDate	ReasonforChange
0.1	Draft	22 April 2021	Initial draft of document
1.0	Final	6 May 2021	Final version for use
1.1	Final	4 November 2021	Updates following review by Code Manager and introduction of clause covering receipt of confidential information.
1.2	Draft	TBC	Updates following review by Code Manger in response to MHHS Programme.

1 ESTABLISHMENT AND ROLE

1.1 RECCo shall establish the REC Technical Expert Panel in accordance with these Terms of Reference.

1.2 The Technical Expert Panel shall discharge the functions and responsibilities assigned to it as a sub-committee under the REC, or otherwise required by RECCo. These functions and responsibilities will include:

- Provision of technical advice and support for the development of changes relating to technical aspects of the REC, including the Data Specifications, Service Specifications and other documents as identified in the REC Baseline Statement.
- Receipt of preliminary Change Reports from the Code Manager for REC Change Proposals where the Change Panel determines that the Technical Expert Panel should be the Responsible Committee.
- Voting to approve or reject (or recommend approval or rejection to the Authority, where relevant) REC Change Proposals for which it is determined to be the Responsible Committee. Such decision should consider the recommendation of the Code Manager.
- Provision of feedback to the Code Manager after reviewing release plans, testing plans and training guidance for REC Change Proposals being released to industry.

1.3 To enable the Technical Expert Panel to fulfil its functions and responsibilities, the RECCo

Board and/or (with the consent of the RECCo Board) the Change Panel shall delegate certain of their own powers, rights, or responsibilities assigned to them by the REC, as further described in these Terms of Reference.

1.4 Providing technical expertise in matters including, but not limited to:

- Industry data flows;
- Service provider systems, related data, services and schedules. For example, EES ETTOS, GES, GDCC Database, CSS etc;
- Providing feedback on technical solutions;
- Alerting the meeting Chair if any group member feels that there may be a need to consider GDPR related matters, so that the matter can be referred to RPA to take appropriate steps;
- Responding to queries from non-technical groups and providing guidance if required (e.g. on Performance Assurance systems);
- Reviewing and providing feedback on technical elements of the Codes Road Map;
- Providing comments on the development/revision of technical knowledge base products; and
- Proactively identifying opportunities for engagement and suggesting areas for strengthening across the REC technical products.

2 COMPOSITION OF THE TECHNICAL EXPERT PANEL AND APPOINTMENT OF MEMBERS

MEMBERS

2.1 Technical Expert Panel members shall be appointed by the Code Manager following a nomination and selection process.

2.2 Each member must have relevant technical experience and expertise either of the energy industry or a comparable sector.

2.3 The Technical Expert Panel members to be appointed will be made up of the following voting members:

REC Parties

- One member nominated by REC Parties who is a Domestic Supplier;
- One member nominated by REC Parties who is a Non- Domestic Supplier;
- One member nominated by REC Parties who is a Gas Transporter;
- One member nominated by REC Parties is an Electricity Network Operator; and
- One member nominated by REC Parties is a Metering Equipment Manager.

Other Voting Members

- One consumer representative member nominated by Citizens Advice; and

- Two independent technical experts who shall be appointed by RECCo for this purpose.

2.4 The following non-voting members will also be appointed:

- The Technical Expert Panel Chair ('the Chair').
- The Code Manager.
- The Technical Expert Panel Secretary.

2.5 Any Technical Expert Panel member appointed shall act impartially and independently of the interests of their employer and of any person or class of persons, when exercising the functions assigned to it under the REC.

2.6 Technical Expert Panel members shall acknowledge that in carrying out their duties and functions they may be in receipt of confidential information. For the avoidance of doubt, each Technical Expert Panel member shall not disclose any confidential information (including, but not limited to, restricted meeting papers, meeting minutes, consultation or impact assessment responses, passwords and data) received in their capacity as a Technical Expert Panel member to any person except where required under the REC or, where relevant, these Terms of Reference.

CHAIR

2.7 The Chair of the Technical Expert Panel will be suitably skilled individual from the REC Code Manager.

SECRETARY

2.8 Unless otherwise determined by the RECCo Board, the Code Manager shall act as Secretary to the Technical Expert Panel;

2.9 The role of Secretary and Chair shall not be performed by the same person.

ALTERNATES

2.10 Any member nominated to the Technical Expert Panel shall be entitled but not required to nominate an Alternate in the event they are unable to attend all or part of any meeting of the Technical Expert Panel during the term of their appointment.

2.11 The Technical Expert Panel member will be expected to nominate their Alternate to the Technical Expert Panel Secretary upon, or as soon as reasonably practicable after, their own appointment.

2.12 The Alternates of REC Party members must not be employed by the same organisation as the REC Party.

2.13 If a Technical Expert Panel member will be absent from all of part of a meeting the Technical Expert Panel Secretary will invite their Alternate to attend in their stead.

2.14 All aspects of these Terms of Reference will apply to the Alternate as if they were a Technical Expert Panel member until such time as the original Technical Expert Panel member becomes available to resume their position.

INDEMNITY AND LIABILITY

2.15 RECCo shall indemnify all Technical Expert Panel members in accordance with Clause 8 of the REC.

EXPENSES

2.16 The reasonable costs and expenses incurred by Technical Expert Panel members and for which a claim is duly submitted to the Secretary, and all other amounts incurred on behalf of the Technical Expert Panel in association with its functions and responsibilities, shall be paid by RECCo and considered to be RECCo operational costs.

2.17 Any query or dispute over the validity of an expenses claim under Paragraph 2.16 shall be determined by the Technical Expert Panel Chair and shall be final and binding.

3 CONFLICT OF INTEREST

3.1 Whilst it is not expected that any conflict of interest should prevent any Technical Expert Panel member from fulfilling their role. It shall be each Technical Expert Panel member's responsibility to declare any financial interest that they and/or their employer may have in the outcome of any matter brought before the Technical Expert Panel before any determination on that matter is made.

3.2 The Technical Expert Panel Secretary will record any declaration of interest in the minutes, but the Technical Expert Panel member will otherwise be free to continue participation in the Technical Expert Panel business, including the casting of a vote on any matter in which they have declared an interest.

4 POWERS AND FUNCTIONS OF THE TECHNICAL EXPERT PANEL

4.1 The Technical Expert Panel shall act in accordance with the REC, any subsidiary document of the REC or maintained by RECCo in accordance with the REC, and with these Terms of Reference.

5 PROCEEDINGS OF THE TECHNICAL EXPERT PANEL MEETINGS

5.1 Meetings of the Technical Expert Panel shall be held at least once a month, whether in person (by exception) or by video/teleconference.

5.2 Face to face meetings will be held at such time and place as may be notified to members at the start of each reporting year. Other Technical Expert Panel meetings may be convened at such time and via such means as may be notified to the Technical Expert Panel Members by the Technical Expert Panel Secretary.

5.3 If a matter arises requiring the immediate attention of the Technical Expert Panel which cannot reasonably await the next scheduled meeting, an extraordinary Technical Expert Panel may be convened by the Chair. Such meeting would be held by video/teleconference at not less than five (5) working days' notice.

5.4 Actions will be shared between members and should be delivered to meet agreed deadlines.

5.5 An actions log shall be maintained clearly setting out who is responsible for delivery against each action and associated timescales. Where meetings are convened, minutes shall be drafted and circulated to all members for review and approval. Minutes will be deemed to be approved where no comments are received within the stated timescales.

ATTENDANCE BY NON-TECHNICAL EXPERT PANEL MEMBERS

5.6 In addition to the appointed Technical Expert Panel members, the following may be invited to attend any meeting, or part of a meeting, of the Technical Expert Panel and fully participate in any discussion, but not vote:

- A representative of the Authority;
- Any member of the RECCo executive;
- A representative of any Service Provider with responsibility for systems that may be impacted by any change proposal referred to or otherwise subject to discussion of Technical Expert Panel (including but not limited to DCC, C&C, Xoserve and ElectraLink);
- A representative of any other industry code that may be impacted by a REC Change Proposal (including but not limited to SECAS, BSCCo, ~~and~~ the DCUSA Secretary, and the DIP Manager); and
- Any other interested person, including Non-Party Service Users, upon invitation and/or agreement of the Chair.

QUORUM

5.1 Any meeting shall be considered quorate if there is a minimum of three REC Party representatives present.

5.2 Notwithstanding that a quorum is present, the Chair may exercise discretion to defer one or more agenda items to a later meeting at which more Technical Expert Panel members are expected to attend.

VOTING

5.3 In deciding any matter which requires determination, each voting Technical Expert Panel member or appointed Alternate shall cast one vote.

5.4 All matters will be decided by a simple majority.

5.5 Votes will be to approve or reject a recommendation or, where relevant, to recommend approval or rejection to the Authority.

5.6 Before putting any matter to the vote, the Chair will confirm that all Technical Expert Panel members have enough information on which to base a vote. If any Change Panel member indicates that further information would allow them to cast a vote rather than abstain, the Chair may at their sole discretion delay the vote to a later time or date if they consider that the requested information would reasonably be available within that time. Should the matter proceed to a vote, any subsequent abstentions shall not be counted as votes and will therefore not prevent a majority being reached, whether directly or following the exercise of a casting vote.

5.7 The Secretary shall ensure that within five (5) working days of each meeting that all discussions are minuted (including any determinations and failure to make any determinations) and that such draft minutes are to be distributed to only Technical Expert Panel members and any other persons present at the meeting (or part thereof) for approval. Any comments on the accuracy of the draft minutes shall be returned to the Secretary no less than five (5) working days before the next scheduled meeting of the Technical Expert Panel, at which they will be formally approved. In the absence of any further meeting taking place within five (5) calendar weeks of the minuted meeting, the minutes may be accepted as final by the Chair, having considered any comments received by the Secretary.

5.8 To the extent that the minutes relate to matters of a confidential nature, no person other than those who were entitled to attend the meeting (or part thereof) shall be entitled to receive a copy of the minutes (or part thereof).

5.9 The Secretary shall also prepare a headline report detailing key decisions and such other non-confidential information so agreed by the members that can be publicised within one (1) working day of the meeting. Any such headline report will be published on the REC Portal.

5.10 Any actions that are assigned to Committee Members, the Committee Chair, the Committee Secretary, or any other stakeholder will be captured both in the meeting minutes and in the Actions Log on the REC Portal. The Committee Secretary will ensure that the Actions Log is updated within three (3) working days of the meeting.

6 CONDUCT

6.1 Technical Expert Panel members and other attendees will be expected to conduct themselves in a professional manner, refraining from any comments or behaviour that could be considered unreasonable or hinder the proper functioning of the Technical Expert Panel.

6.2 If any unreasonable or disruptive behaviour persists, the Chair may at their sole discretion ask that individual to leave the meeting and/or take steps to restrict their future attendance.

7 AUTHORITY OF THE RECCO BOARD

7.1 Nothing in these Terms of Reference will preclude the RECCo Board from delegating additional duties to the Technical Expert Panel from time to time.