RETAIL ENERGY CODE

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REC MHHS Stakeholder Advisory Group

TERMS OF REFERENCE

The following table sets out the history of changes made to this document.

Version	Status	PublicationDate	ReasonforChange
0.1	Draft	22/02/2023	Initial draft of document
0.2	Draft	01/03/2023	RECCo and Code Manager reviews
0.3	Draft	02/03/2023	Draft for agreement at first expanded MSAG meeting
1.0	Approved	22/03/2023	Approved at RECMSAG meeting on 15 March 2023

1 ESTABLISHMENT AND ROLE

1.1 The Code Manager shall establish the REC MHHS Stakeholder Advisory Group (MSAG) in accordance with these Terms of Reference.

1.2 For the purposes of the MSAG the term ‘consequential change’ has the meaning of a change that is required as a consequence of the MHHS Design rather than a direct requirement of it. The responsibility for identifying consequential changes sits with the REC MHHS team and where necessary its inclusion in the MHHS Code Drafting scope has been agreed by them with the MHHS Programme.

1.3 The MSAG shall discharge the functions and responsibilities assigned to it. These functions and responsibilities will include:

- Provide parties with the opportunity to have visibility and contribute to the development of REC solutions for consequential changes resulting from the MHHS Design
- Validate the existing REC minded-to positions that have been developed in consultation with MSAG, under its previous informal role, and the MHHS Programme’s Consequential Change Issues Advisory Group (CCIAG)
- Consider each consequential change topic and develop a proposed solution with RECCo and the Code Manager
- For each topic, and following any industry consultation, agree the REC solution design to be taken forward into MHHS code drafting

- Recommend when a topic should be moved out of the MHHS Consequential Change code drafting scope and be taken forward under the standard REC change process. For example, if there is a significant impact to Parties **and** a consensus cannot be found. Noting that it may no longer follow the timescales set out in the MHHS Code Drafting plan but that all changes would aim, where possible, to be implemented alongside the MHHS Code changes (M8)
- Maintain a log of the REC Consequential Change topics to be published on the REC Portal.
- Provide input to other MHHS queries, beyond consequential change, brought to the group by the REC MHHS team, including but not limited to Category 3 code drafting changes.

2 COMPOSITION OF THE REC MSAG

MEMBERS

2.1 Any Party may send a representative to the REC MHHS Stakeholder Advisory Group with the relevant expertise required to discuss the matter(s) at that meeting. Such representatives shall have the required authorisation to represent the views and interests of their organisation.

2.2 The Code Manager may invite any subject matter experts they require to discuss the matter(s) at that meeting.

2.3 Any other interested market stakeholder may send a representative with the relevant expertise required to discuss the matter(s) at that meeting, subject to the approval of the Chair.

2.4 Each representative must have relevant experience and/or expertise either of the energy industry or a comparable sector.

CHAIR

2.5 The Code Manager shall either act as or source the Chair of the REC MHHS Stakeholder Advisory Group.

2.6 The Chair will agree the meeting agenda, facilitate the meeting, encourage discussion, keep the discussion focused and balanced, ensuring the meeting runs smoothly and efficiently.

SECRETARY

2.7 The Code Manager shall act as Secretary; the role of Secretary and Chair shall not be performed by the same person.

2.8 The Secretary will manage communications in advance of the meeting, assist the Chair in planning the agenda and record the minutes of the meeting for review and agreement

between attendees.

2.9 The Secretary will manage the recording of the meeting including the deletion of the recording once the minutes have been approved in line with operational practice.

3 CONFLICT OF INTEREST

3.1 The REC MSAG is an open forum and as a result it is not anticipated to require declaration of interest from representatives.

3.2 If during the course of discussions, a conflict of interest arises, the Secretary will record any declaration of interest in the meeting notes, but the representative will otherwise be free to continue participation in the business.

4 POWERS OF THE REC MSAG

4.1 The MSAG is an open forum and will operate a consensus model to agree the REC consequential change solutions to be taken forward to MHHS Code Drafting.

4.2 REC MSAG may be asked to provide comments on legal text however, for the avoidance of doubt, will not be responsible for the agreement and consultation of MHHS Code Drafting.

4.3 Legal text will be agreed and consulted on under the MHHS Code Drafting plan under the responsibility of the Cross Code Advisory Group.

5 PROCEEDINGS OF THE REC MSAG

MEETINGS

5.1 Meetings will be held as required remotely by Microsoft Teams.

5.2 Where appropriate and timescales require offline requests may be made. These will be managed via the collaboration space for the REC MSAG on the REC Portal.

5.3 Attendees will be asked to remain on mute when not speaking. The chat and hands-up function should be utilised by all attendees to help everyone participate and ease the flow of discussions. The Code Manager will use the mute function, if it is deemed necessary, to prevent interruptions.

5.4 Agenda items will be driven by the topics within REC Consequential Change Log and by the REC MHHS team for other topics.

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

5.6 Once the Chair has determined that other meetings will be convened, the Secretary will notify representatives.

5.7 In the event of limited attendees at a meeting, the Chair may exercise discretion to defer one or more agenda items to a later meeting at which more representatives are expected to attend.

DECISIONS

5.8 In making any recommendations on a matter each representative may offer an opinion.

5.9 Before putting any matter to a decision, the Chair will confirm representatives have enough information on which to base a decision. If a representative indicates that further information would allow them to make a decision, the Chair may at their sole discretion delay the decision to a later time or date if they consider that the requested information would reasonably be available within that time.

5.10 The Secretary will record any dissensus where not all representatives agree on the recommendation.

5.11 The REC MHHS team, with the Code Manager, shall determine the action to be taken following the conclusion of decisions.

MEETING NOTES

5.12 The Secretary shall ensure that within five (5) working days of each meeting that all discussions are noted (including any recommendations) and that such meeting notes are to be distributed to representatives and any other persons present at the meeting (or part thereof). Any comments on the accuracy of the meeting notes shall be returned to the Secretary no less than ten (10) working days before the next scheduled meeting at which they will be formally approved. In the absence of any further meeting taking place within five (5) calendar weeks of the meeting, the meeting notes may be accepted as final by the Chair, having considered any comments received by the Secretary.

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

6 CONDUCT

6.1 MSAG representatives 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 MSAG. All representatives and attendees must behave in line with competition law.

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.