

## Communication Principles v4

### Demand Flexibility Service (DFS) Winter 23/24

August 2023

#### Introduction

These Demand Flexibility Service (DFS) **Communication Principles** are published pursuant to the **DFS Procurement Rules**. These principles relate to the marketing and branding of consumer facing products and associated processes related to the **DFS Initiation Measures** and other aspects of the **DFS Procurement Documentation**.

These **Communication Principles** have been developed alongside industry feedback to form a set of expected behaviours for all **Registered DFS Participants** to follow and are designed to help enable **Registered DFS Providers** and consumers to participate in DFS safely and effectively. Compliance by **Registered DFS Participants** with these **Communication Principles** is an obligation under the **DFS Procurement Documentation**.

All bold used in this document have the respective meanings (if any) given in the **DFS Procurement Rules**.

#### Principles

1. **Use clear and simple language** – Target communications with the right level of information and avoid jargon and acronyms. Ensure that your communication and marketing are widely accessible; think about alternative language options and different communications channels to choose from.
2. **Be responsible** – Tell people why we need the service but do not scaremonger with use of terms such as ‘blackouts’ and ‘power cuts.’
3. **Be honest** – Do not over promise on incentives or how often you think the Demand Flexibility Service may be called upon.
4. **Ensure clarity** – Be clear who can take part and what they need to do. Requirements (such as having eligible meter points, amongst other topics) are set out in the **DFS Procurement Rules**. Please ensure it is clear how to register and de-register as consumers can only participate with one DFS provider at any one time.
5. **Be safe** – Provide information on which electrical items are appropriate to turn down/shift and when. Signpost advice on improving electrical safety.
6. **Be consistent with your tips** – e.g. the target you need to reach is equivalent to x loads of washing etc – see Centre for Sustainable Energy ([CSE](#)) for more support.
7. **Provide extra support** – There are people who may be struggling and need extra support. Please signpost them to where they can get that help, where possible, and tailor messaging appropriately for known consumers based on their individual information (for example Priority Service Register information). Recognise that households in vulnerable circumstances and/or that have medical needs will require appropriate guidance.
8. **Provide consumer confidence** – A list of all **Registered DFS Participants** is published on our DFS website. If you are participating in DFS, please ensure your organisation has submitted the [‘Registered DFS Provider form’](#) to verify your status. The ESO also recommends alignment to [FlexAssure/ HomeFlex](#) to provide consumer confidence in receiving a minimum standard of service from **Registered DFS Participants**.

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9. **Share information** – Please inform the ESO when your services will be live and promptly upon any changes to your campaign, so we have accurate details of all **Registered DFS Participants**. Please use the [online form](#) provided to notify ESO of any changes.
10. **Support the ESO Demand Flexibility Service** – Please state clearly that your campaign is 'Part of the ESO Demand Flexibility Service' and that data will be shared with the ESO. *Note:* The ESO is the owner of the Demand Flexibility Service, however the end consumer agreements including campaign incentives are contracts entered into between the **Registered DFS Participant** and end consumers.

## Further guidance

Following feedback, we have added below some additional information about the ESO and the Demand Flexibility Service to support with DFS consumer campaigns and messaging.

### Positioning of ESO/Demand Flexibility Services (DFS)

- We are the **ESO**, the electricity system operator for Great Britain. The preferred naming convention is **ESO**. Please do not use National Grid or Grid
- The Demand Flexibility Service is a live service (not a trial).
- Our consumer evaluation report '[Household engagement with the Demand Flexibility Service 2022/23](#)' highlights a variety of domestic consumer experiences and motivations to participate in DFS.

### Campaign communications

- Please offer a dedicated online campaign landing page for DFS to support consumer engagement and understanding of DFS.
  - Please state in your campaign communications that your campaign is 'Part of the ESO Demand Flexibility Service.' This should form part of your secondary messaging. For an example, please see the box on the right.
  - Offer a clearly visible mechanism to both register and de-register for DFS
  - Ensure consumers are explicitly told that households/businesses can only sign up to one **Registered DFS Participant** at a time.
  - If a consumer subsequently signs up to another **Registered DFS Participant**, they will no longer be eligible to participate in DFS with the previous **Registered DFS Participant** with whom they were previously signed up to. This should be made clear in both your terms and conditions and at acquisition stage.
- Encourage consumers to participate appropriately and responsibly.
  - Providers using **Asset Meters** for DFS must highlight to consumers that the domestic household meter cannot participate directly in the service at the same time
  - When using **Asset Meters**, loads should not be shifted on to the **Boundary Meter** to manipulate the data for incentive gains. ESO have the right to remove providers if this practice is identified.
- Ensure consumer facing contact centres/channels are fully briefed on DFS, and how your end consumers can participate in the service.
  - All communications with end consumers should be direct between the **Registered DFS Participant** (you) and the end consumer directly
  - If a consumer has a complaint, this should be raised directly with the **Registered DFS Participant** (you) which the consumer is in contract with.

### Campaign Name

Part of the ESO Demand Flexibility Service

## Can you email consumers about the DFS?

Through the call for input and consultation ESO acknowledge that several parties have faced challenges in maximising their reach to consumers due to legislation around marketing. Whilst ESO cannot provide firm guarantees in this space we hope that the following information will be beneficial in your review of how to approach consumers that could be eligible for the DFS.

Based on the ICO's published guidelines on electronic direct marketing ESO believe that it is possible for communications with customers telling them about DFS to be written in such a way that they are "service messages" which can be sent to all customers, and not marketing messages which could not be sent to customers who had opted out of marketing. The following paragraphs describe some of the considerations which ESO believe are relevant if the communication is to be a "service message".

The ICO may view a message from suppliers/aggregators which actively promotes the DFS and encourages customers to participate as a marketing message, and not a "service message", because explicitly or implicitly it is intended to encourage the customer to stay with that supplier/aggregator by taking advantage of the fact that the party offers the scheme. It therefore indirectly promotes the parties' interests. The ICO guidance says that "If you want to send a message that actively promotes or encourages people to make use of a particular service, special offer, or upgrade, then it is likely to be direct marketing".

ESO recognise that if communications about DFS are classified as "service messages" rather than marketing for the purposes of the electronic direct marketing laws that consent is not required for service messages. The ICO's view is that a service message covers messages that aren't promotional but are for administrative or customer services purposes, such as messages to remind customers how to contact the party in the event of a problem, to check their contact details are correct or update them on terms and conditions, etc.

The ICO gives the following examples of what may constitute service messages:

- factual information reminding customers of a benefit on their account but not encouraging them to use the benefit (e.g. reminding customers that their bank account includes free travel insurance);
- advising customers in a factual way of the options available to them at the end of their contract without encouraging or promoting one option over another; and
- automatic renewal notices that are worded neutrally and don't encourage customers to renew.

The ICO's guidance places emphasis on service messages being worded "neutrally".

ESO believe it could therefore be acceptable for DFS providers to provide their customers with factual information, using neutral wording, about the DFS, including details of what it is and its purpose (including details of why the scheme has been devised), and information about how customers can take advantage of the scheme if they wish. ESO believe providers could legitimately also provide general factual examples of the savings that can be made and statistics about the take up of the scheme and its results to date. Our DFS year 1 report may provide a useful source of information for this factual data. Providers could therefore give examples of savings that customers can make provided they do so in a neutral, factual way and are not actively encouraging the individual customer to sign up.

ESO believes that providers should avoid:

implying that the scheme is a special feature of their service or a scheme they have devised themselves, or that they are the only (or one of only a few) providers participating (this may be viewed as an attempt to deter the customer from moving to another party).

- making the message in any sense "political", for example implying that participating is a way to help the party achieve its ESG objectives by reducing carbon emissions for the public benefit. ESO

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do not however see why providers should not make general statements about the scheme operating for the benefit of society.

ESO recognise that this is a challenging topic and it is the **Registered DFS Participants'** responsibility to ensure that they comply with any relevant legislation when approaching customers.

## Useful links

- ESO Demand Flexibility Service webpage  
<https://www.nationalgrideso.com/industry-information/balancing-services/demand-flexibility-service-dfs>
- **Registered DFS Participant** Form <https://forms.office.com/r/caC1hYa2Ze>
- Consumer Evaluation of the ESO Demand Flexibility Service Winter 22/23  
<https://www.nationalgrideso.com/document/282981/download>
- Electrical Safety First  
<https://www.electricalsafetyfirst.org.uk/guidance/safety-around-the-home/>
- Centre for sustainable energy  
<https://www.cse.org.uk/advice/advice-and-support/how-much-electricity-am-i-using>
- FlexAssure/HomeFlex  
<https://flexassure.org/>

## Change log

[DFS Communication Principles v3.0](#) from Winter 22/23 have been used as the baselined document.