

A landscape photograph of a field at sunset. The sun is low on the horizon, casting a warm glow. The field is green and yellow, with a line of trees in the background. Overlaid on the image are several bright green, curved light trails that sweep across the middle of the frame.

Information Request Statement

Consultation May 2024

Welcome

Welcome to our consultation on the Information Request Statement. The consultation sets out our proposal for how we will use the new powers given to us in the Energy Act 2023 to request information from other parties.

Last year saw a major milestone for us as Parliament passed the Act which established in law the formation of an Independent System operator and Planner. This new organisation will be known as the National Energy System operator, NESO.

With the expansion of existing Electricity System operator roles, and the creation of new roles and responsibilities as NESO, we have also been granted a legal power to request information to help us fulfil our functions.

This will come into effect from Day 1 of NESO. In advance of this we are consulting on what the Information Request Statement will contain and what an Information Request issued by NESO may look like.

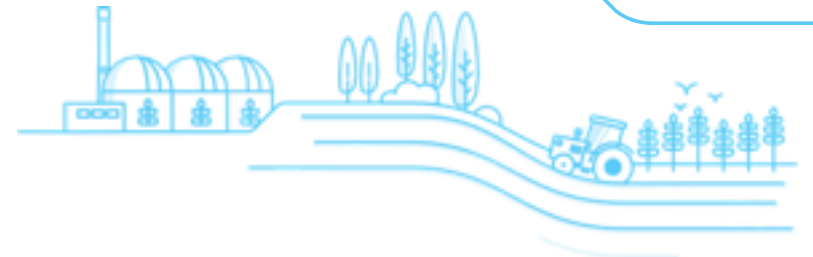
In developing this, we wish to strike a balance between a formal process which reflects the weight of the powers granted, whilst recognising our belief that informal collaboration with stakeholders is vital to deliver an energy system that is of the greatest consumer benefit.

With that in mind, your feedback on the Information Request Statement is very important to us.

We hope that you will share your views with us, so please refer to the consultation section to find out how to do this.

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The Statement



The Information Request Statement

What is the legal power?

Section 172 of The Energy Act 2023 provides NESO, as the Independent System Operator and Planner, with the power to require information, from any party carrying out, or planning to carry out a relevant activity, to allow it to carry out any of its functions.

On 28 March 2024 DESNZ and Ofgem jointly published a Statutory Consultation on the form and content of the NESO Electricity and Gas Licences.

The NESO licences oblige us to prepare an Information Request Statement for approval by the Authority (Ofgem), and to then maintain and publish the Statement on our website.

The Statement should set out the process we would follow should we issue an Information Request Notice and details on what would be included in an Information Request Notice.



The Information Request Statement

Key Sections of the Statement

There are 5 parts to the Information Request Statement. These include;

- Background and Context
- Why is a NESO Information Request Notice issued?
- What does the NESO Information Request Notice Process involve?
- What happens if a recipient does not provide the information requested?
- How is data managed?

Please see the consultation website for copies of the Draft Information Request Statement and Draft Information Request Notice



The Information Request Statement

Key Sections of the Statement

Background and Context

- This section outlines the establishment of NESO and where the legal powers to request information are derived from. It sets out the link to our licence conditions and notes that the Statement will be kept under review.
- It explains that we may also use other means to request information informally from stakeholders, and also explains that whilst NESO will continue to be regulated by Ofgem, that the Information Request Notice can be sent to both parties which are and are not regulated by Ofgem.

Why may a NESO Information Request Notice be issued

- This section describes that there are a number of reasons why we might issue an Information Request Notice.
- These reasons are not an exhaustive list, nor is it the case that we will issue a formal Information Request Notice in the first instance, for the examples outlined. The reasons outlined are purely illustrative.
- Where it is possible, we would seek to obtain information from relevant parties through a more informal route first, and we will seek to engage with stakeholders from a collaborative perspective as an underlying principle.

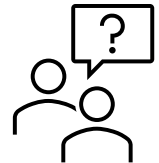
The Information Request Statement

Key Sections of the Statement

What does the NESO Information Request Process involve?

- This section sets out the steps we would follow when issuing an Information Request Process.
- We want it to be clear when a recipient has been issued with an Information Request Notice and we want it to be clear what information is being asked for, and when we need a response by.
- We also want to be clear what purpose we will use the information requested for, and what we will do if the response does not meet our expectations and how we will engage with the recipient further to resolve any further queries.

In your consultation response, we would welcome feedback on how clearly we have set out the Information Request Process and if there are any gaps or parts which need further explanation.



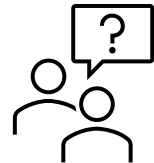
The Information Request Statement

Key Sections of the Statement

What happens if the recipient does not provide the information requested?

- This section sets out what might happen if the Information Request Notice is not responded to.
- The refusal or failure to comply with an Information Request Notice may have serious consequences so it is important that these are communicated and well understood.

In your consultation response, we would welcome feedback on how clearly we have set out the consequences of a refusal or failure to comply with an Information Request Notice and if there are any gaps or parts which need further explanation.



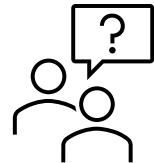
The Information Request Statement

Key Sections of the Statement

How is data managed?

- This section sets out how data provided in response to an Information Request Notice will be managed and interactions with other key pieces of legislation including data privacy responsibilities, the Freedom of Information Act and Environmental Information Regulations.
- In this section we also describe the data transmission, usage, retention and storage policies which will apply to data provided in response to an Information Request Notice.

In your consultation response, we would welcome feedback on how clearly we have set out how we will manage data and if there are any gaps or parts which need further explanation.



The Consultation



The Consultation

Consultation Questions



We have outlined a few key questions which we would welcome your response to. We also welcome any other general feedback which you would like to share.

1. Is the process as described in the Information Request Statement set out clearly?
2. If you received an Information Request Notice from us, would you be aware of the expectations and how to respond?
3. Do you agree with the circumstances set out where we expect to issue an Information Request Notice, including where we may do so without using informal means to gather the information first? Are there other circumstances where you consider it would be appropriate for us to issue an Information Request Notice?
4. If you received an Information Request Notice from us, would you know what to do if you needed more guidance or needed more time to respond?
5. Are the consequences of a refusal or failure to comply with an Information Request Notice clear in the Information Request Statement?
6. In the section on how we will manage data in the Information Request Statement, are there any concerns or gaps which you think we need to address further?

The Consultation

How to respond

This consultation will play an important part in making sure we develop an Information Request Statement and a process that works effectively. We welcome your feedback on the clarity and design of the Statement, the proposed Information Request Notice template document and the process outlined in the Statement.



- Written Responses
 - Please submit your written responses to [.box.consultationresponses.com](https://www.box.com/consultationresponses.com), on or before 31 May 2024.
 - Whilst we have set out a number of questions on which we would like a response, we also welcome any other feedback that you would like to share with us.
 - Please indicate if your response, or any part of your response, is confidential or can be published.
 - We look forward to hearing from you and working with you further to develop a clear and robust process, which is well understood and works to deliver a reliable, affordable and sustainable energy system for all.

Next Steps



Next Steps

Following the consultation we will compile the feedback received and prepare a report to share with Ofgem.

This will describe any changes to be made as a result of the feedback, and will set out the proposed final version.

Following Ofgem's decision on the approved form of the Information Request Statement, we will publish it on our website.

In the future, should there need to be a change made to the Information Request Statement, we will again consult on what that will look like.



Data Privacy Statement

National Grid ESO is committed to protecting your personal information. Whenever you provide such information, we are legally obliged to use it in line with all applicable laws concerning the protection of personal data, including the UK General Data Protection Regulation (GDPR).

How will National Grid ESO use the information we collect about you?

We will use your personal data collected with your consent via this consultation for a number of purposes, including:

- to analyse your feedback to the consultation
- to produce a Consultation Report, based on our analysis of responses (individuals will not be identified in the Report)
- to write to you with updates about the results of the consultation and other developments, if you have provided consent for us to do so
- to keep up-to-date records of our communications with individuals and organisations.

Any personal information you include in this form will only be handled and used by National Grid ESO employees.

For more information about how National Grid ESO processes personal data and information about your data protection rights please see our Privacy Notice: [Privacy Policy | ESO \(nationalgrideso.com\)](#)



For further information on how we are becoming NESO please visit: nationalgrideso.com