



Alt HAN Appeals Process

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1. Introduction

A Relevant Supplier Party may appeal any decision of the Alt HAN Forum, Alt HAN Co Board or Alt HAN Sub-Group. The Smart Energy Code sections Z1.58-1.67 and Z2.46 to Z2.48 set out the framework for each of these appeals.

2. Alt HAN Co Board or Alt HAN Forum Sub-Group Appeals

A Relevant Supplier Party may appeal to the Alt HAN Forum any decision of an Alt HAN Forum Sub-Group (acting under delegated authority from the Forum) which otherwise has a binding effect as a decision of the Alt HAN Forum. A Relevant Supplier Party may also appeal to the Alt HAN Forum any decision of the Alt HAN Co Board. These appeals must be notified to the Alt HAN Secretariat within 20 working days of the date on which the Alt HAN Co Board or Alt HAN Forum Sub-Group made the decision which is subject to appeal.

An appeal against a decision made by the Alt HAN Managing Director (acting under delegated authority from the Forum or Board) shall follow the same process as an appeal made against an Alt HAN Co Board decision.

Where a decision of an Alt HAN Forum Sub-Group or the Alt HAN Co Board is appealed (SEC Z1.60 and SEC Z2.48 respectively), the decision shall be treated as having no effect and the Alt HAN Forum shall make the decision afresh, which will then provide a substitute for the decision of the Alt HAN Forum Sub-Group or Alt HAN Co Board (or Managing Director) as appropriate.

3. Alt HAN Forum Appeals

A Relevant Supplier Party may appeal to the Authority any decision of the Alt HAN Forum on the grounds that it is inconsistent with the Alt HAN Forum Objectives (SEC Section Z1.3).

The Objectives are as follows:

*The Forum shall, in the performance of its functions and exercise of its powers, always act in a manner designed to achieve the objectives (the **Forum Objectives**) that:*

- a) *by virtue of the operation of this Section Z, Relevant Supplier Parties are able to comply with their obligations under Standard Condition 55.2 of the Electricity Supply Licence and Standard Condition 49.2 of the Gas Supply Licence;*
- b) *the Alt HAN Arrangements are given effect so as:*

- (i) to facilitate the economic and efficient carrying out of the Alt HAN Activities and provision of the Alt HAN Services;*
 - (ii) to facilitate competition between persons engaged in, or in Commercial Activities connected with, the Supply of Energy;*
 - (iii) to ensure that Energy Consumers' experience of the installation of Alt HAN Equipment at their premises is consistent with their reasonable expectations;*
 - (iv) to ensure that all activities undertaken by or on behalf of Relevant Supplier Parties in relation to the installation, operation, maintenance, removal and replacement of Alt HAN Equipment are carried out in a fair, transparent, appropriate and professional manner;*
 - (v) to ensure the protection of Data and the security of Data and Systems used for the purpose of the carrying out of the Alt HAN Activities and provision of the Alt HAN Services; and*
 - (vi) to ensure that the Alt HAN Arrangements are administered in an economic, efficient and transparent manner; and*
- c) the Forum conducts its affairs in an open and transparent manner.*

The appeal must be notified to the Alt HAN Secretariat within 30 working days of the date on which the Alt HAN Forum made the decision which is subject to appeal.

SEC Section Z1.64 allows the Authority to adopt processes and procedures as it thinks fit in relation to the determination of any appeal. Ofgem has developed guidance¹ for AlthAN appeals. The guidance sets out an expectation that appellants have exhausted other possible mechanisms to resolve the matter prior to the Relevant Supplier Party making an appeal to the Authority on the matter (e.g. if new evidence or information arises the Forum could consider making a new decision if it agrees new information or evidence exists).

4. Alt HAN Appeals Process

Figure 1 sets out the Alt HAN Appeals Process for Alt HAN Forum Sub-Group, Board or Managing Director decisions.

¹ Copies are available from secretariat@althanco.com and will be published on the AlthAN Website.

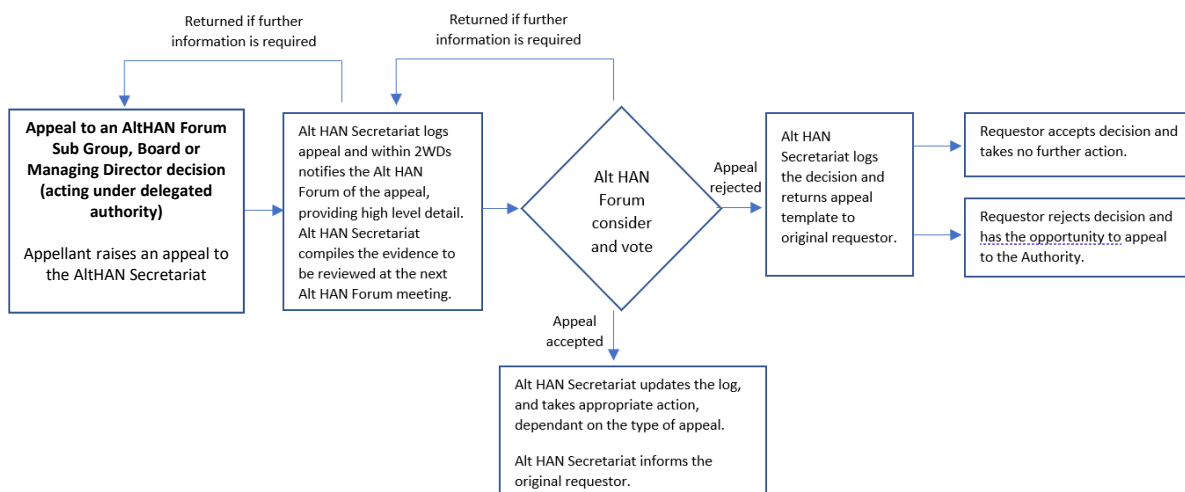


Figure 1: Alt HAN Appeals Process

5. Alt HAN Appeals Procedure

1. Appellant raises an appeal to the Alt HAN Secretariat

Appeals will be submitted using the Alt HAN Appeal Notification Form (see document Annex). The form is available on the Alt HAN Co Website².

Once an appeal has been received, the Alt HAN Secretariat will ensure that it is valid by confirming that:

- The Alt HAN Appeal Notification Form has been received by the Alt HAN Secretariat within 20 working days for an Alt HAN Forum Sub-Group/Alt HAN Co Board (or Managing Director) decision or 30 working days for an Alt HAN Forum decision; and
- The Form includes the following:
 - The name of the Relevant Supplier Party, including the contact details of a designated representative for the purpose of the appeal;
 - The specific decision of the Alt HAN Forum or Alt HAN Forum Sub-Group, Alt HAN Co Board or Alt HAN Managing Director against which the Party is appealing;
 - The ground(s) on which the appeal is being made, by reference to the eligible grounds for appeal as applicable for each type of appeal;
 - The reasons for the appeal in as much detail as possible along with supporting evidence;
 - Even though an appeal of a Board/Sub-Group decision does not mandate this, it is beneficial to frame the appeal in terms of why the

² [alt-han-appeal-notification-form.pdf \(althanco.com\)](https://althanco.com/alt-han-appeal-notification-form.pdf)

appellant believes the Forum Objectives are not met as this is the criteria that the original decision was made, and that the Forum appeal decision will be made; and

- An explanation of the impact on the Party of the decision and how a successful appeal would resolve the matter. To include, where possible, an explanation of what decision or alternative action the appellant would like or expect the Forum to take.

The Alt HAN Secretariat will complete an initial verification of a decision and provide an acknowledgement to the requester within two working days that the appeal is valid and has been logged. Any appeal notifications which do not contain this information will not be valid and will be returned to the requestor for further information.

2. Alt HAN Secretariat logs the Appeal and notifies the Alt HAN Forum

Once the Alt HAN Secretariat has confirmed that the appeal is valid, they will log the appeal, notify the Alt HAN Forum and the Alt HAN Managing Director, and complete a further review of the decision in preparation for the next Alt HAN Forum meeting.

The Alt HAN Secretariat shall produce a recommendation report for the Alt HAN Forum and Alt HAN Managing Director to utilise in reviewing the Appeal, this will be provided to the Alt HAN Forum five working days (or at such other timeframe as agreed by the Forum Chair) before an Alt HAN Forum meeting to enable review and consideration.

3. Alt HAN Forum proceedings, vote and outcome

The AltHAN Forum will consider the evidence prior to voting on the decision according to the voting process within Section Z of the SEC. In considering the evidence the Forum may invite the appellant to present the details of its appeal (the appellant can be invited to speak at the discretion of the Forum Chair but does not have a right to do so). If the appeal is following an Alt HAN Sub-Group or Alt HAN Co Board decision, the Alt HAN Forum will take that decision afresh and that decision will be binding.

The outcome of the review will be communicated to the appellant by the Alt HAN Secretariat within three working days of the meeting and included within the minutes from the Alt HAN Forum meeting where the decision was reviewed, being made available to Forum members from 10 working days after the meeting.

The appellant is then able to accept the decision, or appeal further to the Authority (Ofgem) within 30 working days following the day that the decision was made at the Alt HAN Forum where the appeal was reviewed. Please note that all appeals should be sent to the Alt HAN Secretariat and the Authority. The Alt HAN Secretariat will then provide a copy of the Appeal to All Relevant Suppliers. Further information on the Ofgem appeals process can be found in the document *Ofgem Guidance – Appeals of the Alt HAN Forum*.

Annex

Alt HAN Appeal Notification Form

Date:

Details of notifying Relevant Supplier Party:

Organisation:

Details of the Party's representative:

Name:

Position:

Company:

Contact number:

Email address:

Date:

Details of Alt HAN Forum Representative (if applicable):

Name:	
Company:	
Contact number:	
Email address:	

Decision being appealed and supporting evidence

Date Decision was made:	
Type of Decision: Forum/ Sub-Group/ Board/MD	
Please outline the Decision:	

Evidence for the existence of an appeal: (For Alt HAN Forum, please describe why this decision is inconsistent with Forum objectives. For Board or Sub-Group decisions, please describe why an appeal is being made and consider explaining why the decision is inconsistent with Forum objectives)

Please provide detailed facts and reason(s) in support of your appeal. (Please attach any relevant supporting documentation along with a description of any attached supporting documents):

[Empty response area]

Please explain the impact on you of this decision and how a successful appeal would resolve this matter (consider setting out what alternative decision you would expect to be taken). Please indicate if you consider there to be any other persons affected by this decision

[Empty response area]

Please return completed forms to Alt HAN Secretariat by emailing secretariat@althanco.com