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Dear Tom & Adrian

Please accept our apologies for you receiving this letter again; after posting it, we discovered a factual error. We would be grateful if you could discard the earlier version.

Thank you for your kind hospitality and agreement to meet with us the other day. This joint letter is designed to set out our views, observations and calls to action as a result of our discussion.

It was unfortunate, that despite Stephanie's request, Anthony Pyram, partner for Consumers at Ofgem, was not present at the meeting.

We think that it is important to note that Ofgem's objective under the Gas Act 1986 is '*to protect the interests of consumers in relation to gas conveyed through pipes.*'

As you will recall, the purpose of the meeting was to discuss the issue of warnings to Consumers, particularly Prime-time TV warnings and an examination of your Consultation with a PR agency.

CO-Gas Safety has been pressing for prime time TV warnings about CO since 1995 and the charity is encouraged they are finally being considered. This discussion is against a background of the films, warning about CO, put out on prime time in the Irish Republic, largely we understand, as a result of the action by the Regulator there. There is also much advertising on prime time UK TV by British Gas as well as frequent films about Gas and Leccy, advocating the installation of smart meters.

We shall set out our views under various headings below.



JOINT LETTER FROM CO-GAS SAFETY & [FRANKBREHANY.COM](http://frankbrehany.com)

Existing Data, Victim Support and their Contribution; real people & films:

It is important to acknowledge that there is data both produced with regard to gas only, by the Gas Safety Trust and by CO-Gas Safety, with regard to unintentional deaths and injuries from CO from all fuels. However the charity is the first to state that from its study of data since 1995, that there are many cases, even of unexplained death, when no test for CO is carried out. The consequence of this is that large numbers of deaths and injuries may well be being missed.

Furthermore, because CO-Gas Safety undertakes victim support, real victims or family members could be approached and asked to be filmed with great effect. We remind you that we started the meeting by all watching CO-Gas Safety's the one minute film of Sue Westwood. We also mentioned the very effective film of Stacey Rodgers talking about the death of her son, Dominic aged 10. Paul Overton, CO-Gas Safety director/trustee attended the meeting and told you about his dire experiences of the system when his step daughter Katie died aged 11.

CO-Gas Safety's knowledge is such that it could assist with the many incidents it is all too familiar with, so that all the fuels, all the varied appliances, all the many environments that CO occurs in and the oddities, such as cold to the touch barbecues, or stores of wood pellets that are not being burned, could be covered at appropriate times of the year.

The Gas Industry's Project to Warn Consumers:

We received the initial impression that a focus on CO deaths, was central to your discussions with the Carat Agency UK. However, you clarified that you were seeking to find a way to inform, through the best available PR methods, rather than concentrate merely on deaths. Nonetheless, it would be entirely logical to deploy statistical methods in any analysis of PR benefits, so that you can answer questions about cost/benefits to Industry and the Consumer. It appears from your presentation that it was concluded that the use of PR would have no benefit and that you would prefer to continue with CO initiatives to date or those in development.

It was also put forward that prime time TV warnings would end the existing initiatives; we do not accept such an all or nothing situation.

PR Project Costs vs Society's Costs arising from preventable deaths & injuries:

We considered that the statistical metric in any PR discussion was vital and so we examined the cohort of potential CO victims. Whilst there was a slight dismissal of the APPCOG figures (4,000 injured CO victims & £178m in costs to



society); the methodology was compared with other areas in our expertise and considered to reveal a benchmark in any discussions about PR. We were not entirely convinced that the use of the ROI comparator was appropriate, given that fuel burning has a different construct in Ireland.

Consumers and their Gas Bills; paying for education/warnings/information on risks:

There was some discussion about how it was considered that Consumers may not accept the 'spend' in their gas bill on Public warnings.

From our perspective it seemed to suggest that Consumers were paying a 'tax' within their payments to gas companies, which was used to develop education/warnings/information solutions on the risks arising from the use of gas.

Apparently the detail of this charge is contained within a Consumer's Bill, but we questioned whether Consumers were aware of such a financial construct with a typical gas bill? We have studied what is available on the Internet and on gas bills and cannot find any obvious information available to Consumers on charges for education/warnings/information with gas bills; perhaps you can enlarge on this?

It suggests that the Consumer, not Industry, is paying for for the development of a risk information strategy and this point raises an important question; *'do we engage in a lengthy discussion about where this responsibility should fall, or do we for the present accept, in order to move forward valuable information for Consumers, that Consumers are the 'first-call' for funding of these initiatives?'*

It is also important to establish for how long this 'tax' been already levied for, presumably to create a fighting fund? If this observation is correct, how much has been raised, are there year-by-year publicly available accounts for the money raised for education/warnings/information and how much is currently in this fund?

We suggested that this inquiry was necessary for clarity & transparency with Consumers, about the nature and extent of this provision within a typical gas bill.

We also suggested that if Consumers were aware that a small portion of their bill went toward education/warnings/information, they would likely, in the majority, agree with this provision, and view it as a necessary part of their consumption, because ultimately it will keep their family and neighbours safer and informed about the risks associated with consumption and how to avoid those risks. There is concurrence between both of us, particularly in light of CO-Gas Safety's lengthy record and experience of advocating these points



We think that as Consumers are clearly an important stakeholder and financial-backer of education/warnings/information development, they should be consulted on that development and its related costs; at present it appears that too many assumptions are being made about what Consumers will or will not accept.

We consider that these points are vital and they should form an important part of the next agenda of the Consumer Challenge Group, with positive and affirmative onward recommendations, as we suggest, for action by the Regulator and the Gas Industry.

Costs/Benefits Analysis; judging future success:

On the question of the cost/benefit analysis, it was accepted that this type of analysis cuts across all strata.

Whilst there was a concern expressed that the use of PR would not return a 'value', the discussion demonstrated that by using the base quoted figure of £7.75m, cross-referenced with a victim cohort of 4,000, this could produce a cost per victim of just over £1,900 to run such a PR campaign. It was our view that the justification for the operation of the campaign is not just based on cost, the goal surely would be to reduce the numbers affected and injured via annual targets?

However, it should be recognised at the outset that as the numbers, even of deaths that are known about, are almost certainly the tip of an iceberg, we do not think it right to judge the effectiveness of such a campaign on a reduction of deaths and injuries only. Indeed it is possible that with more awareness by the public, medics, police etc, that it could seem that CO deaths and injuries apparently increased. Therefore perhaps topics such as testing people's awareness of the dangers of CO, how CO can be tested for, the symptoms, how quickly a tiny amount of CO in the air can kill and how to prevent death and injury from CO would be a more relevant and meaningful set of PR targets.

The PR cost question, the costs/benefits analysis and the aforementioned discussion on how the Consumer pays for education/warnings/information are important issues. The 'choice' apparently facing the industry is how they balance the pressures on education/warnings/information, against what an industry unilaterally perceives the Consumer will accept.

If indeed it is the Consumer, rather than an Industry that has to currently pay for education/warnings/information, then we suggest that there is a need to shift the discussion.

The **first step** is to deal with the lack of clarity within gas bills via the Consumer Challenge Group and to widely consult Consumers.



The **second step** is to examine exactly what it would cost the Consumer each year, if an increase in the said 'tax' or 'premium' was applied to specifically cover the cost of a 'warnings' PR strategy.

Modelling Consumers financial-backing for a comprehensive PR Campaign:

We think that it would be helpful to the ongoing conversation if we offered a costs-model on how a Consumer-backed PR warnings campaign could be paid for. We are assuming that the status-quo will continue through domestic-users gas bills, subject to our recommendations above. The model suggested at this time provides for a simple overview to encourage debate and we would be happy to assist in the onward construction of this model; we offer to do so because we consider that it is vitally important to take positive steps to achieve these goals.

We initially constructed our figures from the ENA:

1. The [ENA states](#) that there are 23.2m gas users across the UK;
2. In examining the extra 'premium' to cover the cost of a 'warnings' PR strategy, we have used the figures of £0.10p per annum and £0.50p per annum, to be added onto domestic users bills;
3. Using the £0.10p annual 'premium', this would raise £2.3m per annum, costing the Consumer £0.008p per month;
4. Using the £0.50p annual 'premium', this would raise £11.6m per annum, costing the Consumer £0.041p per month;
5. By any analysis, subject to how the issue is dealt with at **step one**, there is a compelling case to take firm action on this point and create a fighting fund with Regulator, Industry and Consumer support.

General observations about your PR work to-date:

During the meeting, we demonstrated our understanding of PR.

We highlighted that it was normal practice for PR companies to provide a 'gratis' window into PR possibilities and that is exactly what you have received.

However, given that PR contains a dynamic of possibilities and options, the only accurate way to determine its effectiveness is through the creation of a scoping project, which would examine metrics, demographics and best methodology.

We have noted the expertise of Carat UK and that they are a Crown Commercial Service Supplier.

We are not convinced that this initial analysis is providing you with clarity on methodology or costs, to the extent that you are seeking on a costs/benefits analysis, whatever our comments on the Consumer 'premium' above.



We would encourage you to consider this point seriously and to approach several London-based PR agencies (without government or established fuel connections), initially to obtain that initial 'gratis' overview, with the goal of setting in motion a scoping project. It is our view that you will obtain a better indication of the possibilities, along with perhaps some surprising re-assessment of costs.

It is our view that PR is not simply a one-year or two-year project; it should be viewed in the long-term, with targets and goals, based on season and demographics in line with our suggestions, to help the initiative reach a tipping point.

Public Information Films; the need to engage with Government:

We discussed whether or not OFGEM or the GDNs had approached government with regards to the [government's own policy](#) and [subsequent subscription](#) to that policy, on Public Information Films (PIFs).

You identified that this had not taken place and that there had been some internal discussion within your cohort, that 'government' money was not available for PIF work.

The government brought in its policy in 2010, where partnership was considered to be at the forefront of any PIF development.

That partnership was held to run between an industry or a public interest area, government and the media.

We have tried and will continue to pressure government on this important policy which we feel offers the perfect opportunity to reduce the outlay of industry through a potential government partnership.

The government has never indicated to us that this policy has suffered a limitation in its breadth and scope, as set out by the Tee report on PIF's & the COI.

It is clear that government still believe that PIFs have a role to play in educating the public, as is evidenced by PIF on antibiotics.

We also think that there is a greater opportunity for you to create a wider partnership, with the assistance of government, to bring into that partnership, other fuel producers, thereby reducing the overall outlay for this initiative.

We would encourage you to embrace this route and to take care against those who would suggest that it is not possible; it is apparently government policy and we would be happy to Partner you in your efforts with government!

However, we would not wish yet more delay to occur in pursuing Government partnership/funding and would suggest a time limit of 3 months in trying to es-



establish this route; again we stress that we would be happy to Partner with you on this initiative.

The Quest for Data vs Initiative Developments:

There was a brief discussion about the need for data to inform, but as we have seen elsewhere, the search for data can prove to be endless and without a satisfactory conclusion. In our work elsewhere, the quest for data can act as an unreasonable barrier to progress in other areas; we would ask you to guard against the same issues arising on CO education/warnings/information.

The Precautionary Principle:

We also expressed interest about, to what extent, if at all, the Precautionary Principle was factored into discussions on this PR initiative or indeed any initiative.

The Precautionary Principle is entirely appropriate in this instance because we are talking about the delivery of gas through pipes and its end use through appliances; in effect, we are talking about the science of delivery to the Consumer.

In any analysis of this area, whether it concerns the nature of the burners, the changing nature of the natural gas product or simply assessing risks to end-users, the Precautionary Principle is the guiding Principle in carrying out that hazard or risk assessment.

Whilst its origins stems from environmental issues, the Principle has now been deployed across a wide political, scientific and social arena.

We would suggest that in any analysis or risk and how to alleviate that risk, particularly through information campaigns, education or other initiatives, the principal question must surely be: *'in the absence of data, how do we reduce risk and communicate to a wider audience as possible, the extent of risk?'*

The use of the Precautionary Principle would our view, ultimately offer legal protection to any company who openly and transparently uses it and provide an additional benefit, through demonstrating that a particular company really does have Consumer health at the heart of its operations.

This is not about highlighting a risk of using a particular company or offering the Consumer 'bad news', it is about demonstrating that all possible and reasonable steps have been taken to reduce risk; it should also demonstrate in any developed strategy, that thinking on risk is organic and future-proofed.

In our view, it is equally important to remember that events beyond 2019 will require the UK to consider Standards and the Precautionary Principle, at a more granular level and it will require importing the Principle into this key area; we



consider in particular, that its use is vital on potential PR measures and is not only appropriate, but proportionate.

The Consumer Challenge Group:

We discussed the Consumer Challenge Group and questioned whether they discussed the safety of Consumers. Frank Brehany considered that this Group should be expected to do so, particularly on CO issues. It appears odd that after many years of appeals to OFGEM for action and a clear demonstration of her expertise that Stephanie had not apparently been considered for membership of this Group. Frank strongly recommended that Stephanie be not only considered but added to the impressive Group Team, so introducing a valuable expertise and insight.

Conclusion:

We look forward to receiving your responses to our observations and proposals

Yours Sincerely,

A handwritten signature in blue ink that reads 'Stephanie Trotter'.

Stephanie Trotter OBE

President - CO-Gas Safety

A handwritten signature in grey ink that reads 'Frank Brehany'.

Frank Brehany

Independent Consumer Campaigner & Commentator

www.frankbrehany.com