

Consultation Response

Reforming Consumer Protection for Home Upgrade Schemes

Prepared for: DESNZ

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Introduction

Elmhurst Energy are pleased that DESNZ are consulting reforms to consumer protection, and as such we are delighted to respond to each question in turn.

We hope you find the responses considered and useful for taking this forward in a progressive manner.

Consultation Link: <https://www.gov.uk/government/consultations/reforming-consumer-protection-for-home-upgrade-schemes>

Chapter 1: The Case for Change (Q&As)

1. Does the case for change accurately describe the root causes of issues with the current consumer protection system?

YES

Please outline any additional issues with evidence where possible.

We agree that the consultation accurately identifies many of the root causes affecting the current consumer protection system. The landscape remains fragmented, with multiple standards, certification requirements, oversight arrangements and consumer pathways creating confusion and inconsistency. Accountability is not always clear, which can reduce consumer confidence. While improvements have been made through increased data sharing, greater alignment and clearer ownership across all parties involved in retrofit delivery would strengthen the system further.

2. To what extent do you think the proposed reforms would improve consumer protection outcomes in home upgrade schemes?

- Strongly improve
- **Somewhat improve**
- Neither improve nor worsen
- Somewhat worsen
- Significantly worsen
- Not sure

Please explain your answer.

The proposed reforms should improve consumer protection outcomes by increasing consistency, strengthening oversight and improving accountability. However, there remains scope to do more, particularly in ensuring consistent application of standards across all delivery partners. Any reforms must also balance quality improvements against increased costs and administrative burden. Consumer protection is strongest when competent professionals operate within recognised accreditation schemes supported by robust ongoing auditing and quality assurance.

Chapter 2: Championing retrofit in a reformed building regulation system (Q&A)

Government Proposal (s): Stronger protections for all consumers through wider reforms to building regulation, construction products and professional oversight, including through the creation of a new single construction regulator.

3. What are the main challenges in aligning the future consumer protection system with the reformed building oversight regime and, if applicable, how would you address them?

The primary challenge will be avoiding duplication of activity between different organisations and oversight functions. Information collected by one part of the system should be accessible where appropriate across the wider framework. Clear delineation of responsibilities is essential to prevent overlap and gaps in accountability. Consistent interpretation and application of standards, including PAS 2035 requirements, will also be critical to achieving a unified and effective system.

Chapter 3: A centralised oversight system for government-supported retrofit schemes (Q&A)

Government Proposal (s):

- A new integrated consumer protection service for government-supported home upgrades, covering advice, quality assurance, case management, remediation and redress, under DESNZ oversight and potentially delegated to the Warm Homes Agency, subject to final approvals.
- Stronger binding agreements across the system to enforce delivery obligations and improve accountability for service quality, consumer experience and outcomes.
- A government-owned data system to bring together information from multiple sources, support earlier identification of systemic risks, and improve oversight, audit targeting and performance management.

4. To what extent do you agree that consumer protection functions for all DESNZ-supported home upgrade schemes should be delivered through a single integrated end-to-end service?

- **Strongly improve**
- Somewhat improve
- Neither improve nor worsen
- Somewhat worsen
- Significantly worsen
- Not sure

Please explain your answer.

A single integrated consumer protection service would significantly reduce consumer confusion, create a clearer route to support and strengthen accountability. A centralised system would provide greater consistency in advice, quality assurance, case management, remediation and redress. If implemented effectively, it would substantially improve consumer outcomes and trust in government supported retrofit schemes.

5. Should DESNZ and the Warm Homes Agency be directly responsible for delivering any specific functions to safeguard consumer protections?

- **Yes**
- No

If yes, please explain which functions should be delivered by DESNZ/the Warm Homes Agency.

DESNZ and the Warm Homes Agency should take responsibility for central oversight, consumer protection case management and redress functions. However, specialist activities such as technical auditing, competence assessment and certification should continue to be delivered by appropriately qualified organisations operating to consistent national standards. This approach combines central accountability with specialist expertise.

6. What would be the main advantages or disadvantages of delivering through a single service provider versus multiple service providers?

Advantages:

- Simpler customer journey
- Clear accountability
- More consistent service delivery
- Faster resolution of complaints
- Improved data sharing and transparency

Disadvantages:

- Risk of a single point of failure
- Potential capacity challenges within one organisation
- Risk of unequal prioritisation if resources become constrained

We support a hybrid model where central oversight is combined with specialist delivery partners. This approach maximises consistency while maintaining access to technical expertise.

7. To what extent do you think the proposed service, under DESNZ oversight, would reduce fragmentation in the current system?

- **To a large extent**
- To some extent
- To a limited extent
- Not at all
- Not sure

Please explain your answer.

Centralising consumer protection functions would reduce fragmentation and create greater consistency across schemes. Success will depend on effective governance arrangements, industry engagement and retaining the involvement of specialist organisations where appropriate.

8. What data and performance information is most important for monitoring the effectiveness of the system? Please select all that apply.

- Consumer queries and complaints
- Building control notifications and additional lodgements
- Audit findings
- Scheme data
- Installer, retrofit professional and installation performance indicators
- Guarantee claims and outcomes
- Home condition data, energy use data before and after
- **Other — please specify in your written response**

Please explain your answer.

All proposed measures have value, but priority should be given to:

- Number of complaints received
- Percentage of complaints resolved
- Consumer satisfaction
- Installer performance indicators
- Audit findings
- Quality assurance outcomes

These indicators provide a clear measure of consumer outcomes and help identify where issues arise within the retrofit process. Additional monitoring should identify whether failures are linked to assessment, design, installation or oversight activities.

9. Do you agree with the proposed scope of schemes which would be covered on a mandatory basis by the consumer protection system?

- **Yes**
- No
- Not sure

If No, please explain your answer.

We support the proposed scope. We also believe the framework should be available for voluntary adoption within privately funded retrofit projects to improve consistency, consumer confidence and overall quality standards across the market.

10. Do you agree some elements of the reformed consumer protection system should also be available to the wider market on a voluntary basis?

- **Yes**
- No
- Not sure

Please explain your answer.

We believe the framework should be available for voluntary adoption within privately funded retrofit projects to improve consistency, consumer confidence and overall quality standards across the market

Chapter 4: Simplifying and improving the consumer journey for retrofit projects (Q&A)

Government Proposal (s):

- A simpler and more accessible consumer journey from first enquiry to installation and, where needed, remediation and redress, with the needs of vulnerable consumers guiding design.
- Access to impartial advice and information, including stronger signposting to approved installers and retrofit professionals.

11. To what extent do you agree that the proposed consumer journey would be clear and easy for consumers and installers to navigate?

- Strongly agree
- **Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Not sure

The proposed journey should make retrofit easier for consumers to navigate and improve access to support. Stronger integration between organisations and increased use of digital systems could further improve transparency and consumer understanding.

A key principle should be that retrofit assessment sits at the start of the journey and should be a comprehensive assessment that can then be used as accurate and reliable starting point before any potential improvements are discussed. Property assessment should determine the most appropriate measures and funding options, rather than funding opportunities dictating measure selection.

12. Which aspects of the proposed consumer journey are most likely to improve consumer outcomes? Select all that apply.

- Access to impartial advice
- Consumer protection service as the primary point of contact
- Clearer information on installers, retrofit professionals and processes
- Ongoing guidance after installation
- Centralised case management by the consumer protection service
- **Other — please specify in your written response**
- None of the above

Please explain your answer.

- Clear access to information and support.
- Better signposting to competent professionals.
- Centralised consumer protection services.
- Ongoing guidance through and after installation.

These measures improve transparency and accountability throughout the retrofit process. We particularly support placing impartial assessment and advice at the beginning of the customer journey to ensure measures are selected based on property need.

13. What, if any, changes would improve how the system works for vulnerable consumers? Please share examples of the type of advice, support, referral mechanism and/or engagement models which are already effective in supporting vulnerable consumers.

No strong opinion

14. What, if any, changes would improve how the system works for installers and grant recipients, including local authorities and social housing organisations?

No strong opinion

Chapter 5: Strengthening technical and professional frameworks (Q&A)

Government Proposal (s):

- Clearer expectations of retrofit professional responsibilities and stronger arrangements to assure competence for both individuals and organisations.
- Installer certification bodies would be subject to clearer and more consistent requirements through binding agreements, ensuring technical standards are implemented consistently to strengthen how competence, compliance and performance are monitored in practice.
- Access to DESNZ-supported schemes would be conditional on installers, retrofit professionals and their respective oversight bodies (including certification bodies) meeting higher system-wide expectations for quality and performance.

15. To what extent do you think the proposed changes to oversight of standards and new competence frameworks would improve installation quality, including for multi-measure installations?

- To a large extent
- To some extent
- To a limited extent
- Not at all
- Not sure

Please explain your answer.

No strong opinion

16. What changes to standards, frameworks or associated guidance would most improve the clarity, consistency and practical application of competence requirements for retrofit professionals? Please provide examples where possible.

Roles, responsibilities and expectations should be more clearly defined across all participants involved in retrofit delivery. Consistency of interpretation and application should be strengthened across schemes, oversight bodies and certification providers. A clearer framework will reduce ambiguity and improve accountability.

17. Which approaches would be most effective for strengthening oversight of installers and retrofit professionals? Select all that apply.

- **Stronger audit requirements**
- **Clearer competence frameworks**
- **Public register of professionals**
- **Stronger role for certification bodies**
- **Greater government oversight**
- **Other — please specify in your written response**

Please explain your answer.

We would be in favour of all the areas highlighted but in addition, there should also be greater consistency in auditing approaches across all schemes and certification bodies, supported by structured industry working groups and collaborative governance arrangements

18. What impact do you expect the proposals to strengthen assurance would have on costs across the supply chain? Please focus your response on costs associated with proposals for DESNZ-supported retrofit, and what government or industry actions could mitigate or manage these risks.

We support stronger oversight and compliance requirements where they demonstrably improve quality outcomes. While additional requirements will increase costs, higher quality installations and improved consumer outcomes justify proportionate investment. Funding models should recognise the importance of assessment, coordination and quality assurance activities throughout the retrofit process.

19. What expectations and requirements should apply to certification bodies to help prevent poor-quality or non-compliant work? Please include views on audit activities, expertise, data sharing and links with self-certification schemes and building control.

No strong opinion

Chapter 6: Earlier detection and stronger enforcement processes

Government Proposal (s):

- A stronger intelligence-led, risk-based approach to audit and inspection, targeting assurance where risks are highest.
- Introduction of a clearer, graduated escalation model with a range of interventions from guidance and mandatory training, temporary or permanent suspension from DESNZ-supported work, to referral to statutory regulators such as the single construction regulator and Trading Standards.

20. To what extent do you agree that an intelligence-led risk-based approach to audit and assurance would improve system performance?

- Strongly agree
- **Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Not sure

Please explain your answer, including which data or risk indicators would be most useful.

We support the model whereby installers and retrofit professionals have direct contractual obligations with the consumer protection service, as well as obligations through certification or oversight bodies. This creates clearer accountability, makes enforcement easier and reduces opportunities for poor performers to avoid responsibilities by exiting schemes

21. To what extent do you think the proposed graduated compliance model would provide an appropriate level of deterrence?

- To a large extent
- **To some extent**
- To a limited extent
- Not at all
- Not sure

Please explain your answer.

A graduated model that progresses from guidance and training through to suspension and removal is a proportionate and effective approach. However, the effectiveness of the model will depend on consistent application and meaningful enforcement.

22. What arrangements would best ensure that installers cannot avoid remediation responsibilities, including by leaving oversight bodies or dissolving companies?

No strong opinion

23. What additional measures, if any, would improve enforcement and compliance?

No strong opinion

24. Which option for contractual agreements would be more effective in underpinning installer and retrofit professional accountability?

- Option 1
- **Option 2**
- Neither
- Another approach
- Not sure

We support the model whereby installers and retrofit professionals have direct contractual obligations with the consumer protection service, as well as obligations through certification or oversight bodies. This creates clearer accountability, makes enforcement easier and reduces opportunities for poor performers to avoid responsibilities by exiting schemes

25. What, if any, prevention and enforcement controls should subcontractors be subject to? Please explain your answer and outline whether controls on individuals or companies would be most effective.

No strong opinion

Chapter 7: Swift remediation and redress

Government Proposal (s):

- A single complaints and case-management function to oversee remediation processes and outcomes, with an independent ombudsman as a final safeguard for unresolved disputes.
- Reform of financial protection arrangements for DESNZ supported upgrades, including more consistent requirements and stronger consumer information on guarantees and protections.

26. To what extent do you agree with the proposal to centralise responsibility for redress under the consumer protection service?

- Strongly agree
- **Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Not sure

Please explain your answer.

A centralised complaints and redress process would simplify the customer experience and remove confusion regarding where complaints should be directed. Consumers should have access to a single point of contact, with coordination of investigations undertaken behind the scenes by relevant participant organisations.

27. Which additional consumer protection issues should fall within the scope of redress system arrangements? Select all that apply.

- Poor practice in sales and marketing
- Cancellation and cooling-off rights
- Treatment of deposits and advance payments
- Financial and contractual arrangements
- Installer conduct
- Manufacturer and product obligations
- Impacts on wider building fabric
- Other — please specify in your written response

Please explain your answer.

No strong opinion

28. Which features of the proposed redress system are most important for delivering effective outcomes? Select all that apply.

- Central case management
- Use of guarantees and financial protections
- Access to independent ombudsman
- Defined escalation routes
- Other — please specify in your written response

Please explain your answer.

No strong opinion

29. Do you agree that the government should use the NHIC recommendations and principles as the basis for reforming financial protection arrangements?

- Yes
- No
- Not sure

Please explain your answer.

No strong opinion

30. Should government explore the creation of a solidarity fund to support consumers when other remediation routes are exhausted?

- **Yes**
- No
- Not sure

Please explain your answer.

A remediation fund could ensure consumers are protected where responsible parties are no longer able to meet their obligations. However, safeguards are required to prevent moral hazard and ensure responsibility remains with those who carried out defective work. Strong fraud prevention and recovery mechanisms would be essential

Chapter 8: Market impacts

31. What are the most significant impacts of the proposed reforms on installers, retrofit professionals and other market participants? Please include any impacts on SMEs, third sector organisations, workforce capacity and market entry where relevant.

Positive impacts:

- Increased consumer confidence.
- Improved quality assurance.
- Better market reputation.
- Greater accountability.
- Improved transparency and data sharing.

Negative impacts:

- Increased compliance costs.
- Additional administrative burden.
- Potential impact on SME participation.
- Increased training and system costs.

The reforms have the potential to significantly improve consumer protection and quality standards. However, implementation should be proportionate to avoid creating barriers for competent SMEs and market entrants.

32. To what extent do you think the proposed reforms would affect installer participation in government-supported schemes?

- Increase participation
- No impact
- **Decrease participation**
- Not sure

Please explain your answer.

Participation could decrease among some businesses if compliance costs become excessive. However, increased consumer confidence and market credibility should support participation in the long term.

33. What practical steps could reduce administrative burden in the reformed system?

- Greater digital integration.
- Improved data sharing.
- Standardised reporting requirements.
- Clear guidance and support for participants.
- Streamlined compliance processes.

Providing practical support and guidance to businesses will be as important as support provided to consumers. Simplicity, consistency and digital efficiency should be key design principles.

34. What direct and indirect costs might arise from the proposed reforms for your organisation or others?

Direct costs:

- Auditing.
- Certification.
- Training.
- Software and system development.
- Data management.

Indirect costs:

- Administrative time.
- Process changes.
- Transition activities.

35. How could the fee structures for certification, audit and assurance activities be designed to ensure that the oversight system is sustainable, affordable for businesses, and that those responsible for non-compliance bear the cost?

Auditing should be seen as a positive opportunity to demonstrate good practice and compliance and those who achieve this should be rewarded with potentially lower renewal fees or submission costs. However for those repeat offenders the opposite could apply and those who therefore have the highest compliance issues bear additional costs.



Should you require any further clarification, please contact us at:



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