Which?
2 Marylebone Road
London NW1 4DF
020 7770 7000
which.co.uk

Ofgem
10 South Colonnade
Canary Wharf
London
E14 4PU

Consultation Response

Which? response to Ofgem's Call for Input on the *Third-Party Intermediaries market review*

Submission date: 22/07/2026

Summary

Which? welcomes this opportunity to respond to Ofgem's Call for Input on the Third-Party Intermediaries market review. We fully support Ofgem's new role as regulator, as it provides a crucial opportunity to address long-standing issues within the sector and improve consumer outcomes.

Our response highlights four priority areas for the market review to explore:

- Increasing transparency and consumer awareness: A lack of clarity regarding pricing, commissions, and supplier affiliations undermines consumer trust. We recommend that the market review considers the case for mandatory transparency standards, such as requirements for TPIs to disclose these details upfront and clearly explain their market coverage.
- Improving protections for vulnerable consumers: Currently, there are no consistent approaches to identifying and supporting vulnerable individuals. The market review should consider what measures are needed to guide these consumers toward suitable products and offer better protection, particularly as the market for more complex smart tariffs expands.
- Improving complaints handling and access to redress: The sector lacks systematic complaints procedures for domestic consumers. For TPIs that provide ongoing services, such as auto-switching, we recommend enforceable standards and timelines for complaints handling and mandatory access to free, accredited Alternative Dispute Resolution services. TPIs that primarily offer information or advice, such as price comparison websites, should provide clear guidance on where consumers can turn if they experience issues with the energy providers or services they select.
- Enforceable Standards and Authorisation: We believe voluntary codes are insufficient. A mandatory authorisation regime is essential to ensure consistent standards, hold TPIs accountable, and protect consumers from harm.

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Finally, while the TPI sector is vital for supporting the energy transition, the development of smart tariff comparison tools is currently hindered by commercial and technical barriers. However, we are not aware of systematic evidence on the nature of these barriers. We urge Ofgem to ensure the market review establishes a clear view of the barriers to development of these much needed services so that action can be taken to tackle them. DESNZ is also currently assessing whether consumers who receive government assistance for low-carbon technologies should be defaulted onto time-of-use tariffs.[1] If this policy goes ahead, ensuring that consumers can seamlessly and rapidly review their options will be essential.

At Which?, we are committed to transparency in our work and wish to acknowledge that we operate:

- a price comparison website, Energy Compare,[2] through a white-label partnership with The Energy Shop and,
- Our Home Energy Planning Service through a partnership with Snugg.

We recognise the importance of ensuring that such platforms meet the high standards of transparency and consumer focus that we advocate for in this response and continue to invest in the development of these services to enhance their functionality and features.

[1] Clean Flexibility Roadmap Update. DESNZ, Ofgem, NESO (July 2026)
[2] energy.which.co.uk

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Response to specific Call for Input questions

Question 2: What features of the TPI sector do you think help support effective competition and good outcomes in the sector? What areas of the TPI sector do you think could be improved?

Which? welcomes this opportunity to respond to Ofgem's Call for Input on the Third-Party Intermediaries (TPIs) market review. We fully support Ofgem taking up the role of regulator for Third-Party Intermediaries as it presents an opportunity to deal with a number of long-standing issues in the sector. In our response to the 2024 DESNZ consultation on Regulating TPIs in the Retail Energy Market[3] we highlighted four areas that particularly need improvement which all remain relevant today:

- **Increasing transparency and consumer awareness:** Which? believes that a lack of transparency around pricing structures, commissions and supplier affiliations risks undermining consumer trust in the TPI market.

  For example, consumers often lack visibility into whether price-comparison websites (PCWs) are presenting the full market or just a limited set of options based on specific affiliations or commission incentives. To address this, we recommend Ofgem examine the case for mandatory transparency standards that require TPIs to disclose any commissions and affiliations with suppliers upfront.

  Additionally, PCWs should be required to more clearly explain the extent of their market coverage, enabling consumers to understand whether they are seeing all available options or just a subset. When the Competition and Markets Authority originally recommended removal of the Whole of Market requirement from the Confidence Code, they did so on the basis that:
  - there should be "greater clarity around the role of PCWs [price-comparison websites] – effectively acting as brokers offering their customers good deals and facilitating switches rather than repositories of all available tariffs – and our remedies require greater transparency from PCWs about market coverage
  - "Citizens Advice is now operating a non-transactional PCW that lists all tariffs through a web-based service, which we believe will meet the needs of those customers who wish to see the whole of the market."[4]

  Citizen's Advice no longer operates their comparison tool, so the market review must gather evidence on consumer understanding of the role of PCWs to confirm whether there is a continued lack of appreciation that many services

[3] [Department for Energy Security and Net Zero (DESNZ) Consultation on Regulating Third-Party Intermediaries in the Retail Energy Market - Which? response]() Which? (December 2024)
[4] Energy Market Investigation: Summary of final report. Competition and Markets Authority (2016)

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initially show only those deals that they can facilitate.

Furthermore, the market review should examine whether consumers who engage with TPIs that provide automatic switching or bill splitting services understand the basis on which decisions are being made on their behalf.

We support Energy UK's call that TPIs should operate under an explicit conduct standards framework. They must be open about who they are, how they are paid and their role in acting on the customer's behalf.[5] We anticipate that by offering clearer disclosures on market coverage TPIs can foster greater trust in their services and help consumers make well-informed, personalised decisions. This approach will support informed decision-making and help build a TPI market that consumers feel confident in navigating.

- **Improving protections for vulnerable consumers:** Vulnerable consumers face additional risks when dealing with TPIs, as there are currently no consistent approaches for these intermediaries to identify or support such individuals. Vulnerability in this context can encompass a range of needs, including physical or mental health conditions, disabilities, or financial constraints. Each type of vulnerability raises unique issues, as consumers may require tailored support to access appropriate products and avoid financial or service-related detriment.

  Which? supports the exploration of measures to encourage TPIs to take reasonable steps to better support vulnerable consumers, ensuring they are not directed towards unsuitable products. For price comparison sites, where it may not be feasible to identify vulnerable consumers individually, platforms could include warnings or information to help guide vulnerable or low-income consumers towards suitable options. This might include advice on affordability, availability of support schemes like the Priority Services Register or Warm Home Discount and reminders about benefits they may be eligible for. Auto-switching services, which collect more detailed customer information, could explore ways to assess whether certain products may be unsuitable based on consumer profiles and steer vulnerable consumers toward more appropriate choices. These approaches should be tested and developed in consultation with stakeholders to ensure they are practical and effective.

  Also as the range of flexible tariffs expands, it is important to acknowledge that while these tariffs can offer potential savings, they also require a higher level of engagement and flexibility. For some vulnerable consumers, particularly those with limited capacity to monitor or adjust usage patterns, these engagement requirements may present challenges. Ofgem will need to consider the role that TPI's should play in providing clear and accessible information about smart

[5] Energy Policy Matters: TPI regulation – setting clear standards. Energy UK. (2026)

tariffs to these consumers, helping them make informed decisions and avoid unintended financial impacts.

- **Improving complaints handling and access to redress - mandatory ADR for TPIs that provide an ongoing service:** The TPI market currently lacks a standardised approach to complaints handling for domestic consumers, who often have limited access to Alternative Dispute Resolution (ADR) services. We discuss this further in answer to question 6.

- **Enforceable standards and authorisation:** Which? believes that the existing reliance on voluntary codes and indirect oversight is insufficient to prevent poor practices in the TPI sector. Without enforceable standards, there may be poor standards and a lack of accountability, which leaves consumers vulnerable to harm. We support the establishment of a mandatory authorisation regime that will provide Ofgem with the authority to monitor, audit and, where necessary, penalise non-compliant TPIs. A new registration regime will help ensure that standards are consistently applied; however, it is essential that what constitutes a TPI is clearly defined to avoid ambiguity and ensure comprehensive coverage of all relevant intermediaries.

  As new smart tariffs and other flexible energy products increase in prevalence, the TPI sector will play a key role in supporting consumers' engagement with these offerings. Building a TPI market that is trusted and transparent will be essential to enabling consumers to confidently navigate and adopt these new products and services.By strengthening enforcement, Ofgem can foster a fairer and more transparent TPI market, giving consumers the confidence that they are engaging with responsible and accountable intermediaries.

Question 6: How effective is the current complaints handling process for consumers who use TPIs? Are there any variances in the complaints handling process depending on the type of consumer (e.g. domestic, non-domestic including Small/Microbusinesses/Industrial and Commercial).

The TPI market currently lacks a systematic approach to complaints handling for domestic consumers, tailored to the type of consumer and the type of service offered.

Enforceable standards for complaints handling across the TPI sector would help provide consumers with clear, accessible routes for resolving issues. Depending on the type of service provide, these could include clear and prominent information about how to make a complaint, a range of accessible options for making the complaint, a requirement to keep consumers informed about the progress of their complaint and clear, enforceable timeframes for when complaints should be resolved or referred to ADR where this is available.

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The most substantive issues are likely to arise from TPIs that provide an ongoing service to consumers, such as auto-switching and bill-splitting services that actively manage customer accounts or transactions. Many consumers of these services often have limited access to Alternative Dispute Resolution (ADR) services. This inconsistency can leave consumers without adequate recourse when issues arise, particularly as legal processes are costly and impractical for most individuals.

Which? recommends that Ofgem make access to a free accredited ADR service mandatory for all TPIs that provide an ongoing service to consumers, such as auto-switching and bill-splitting services that actively manage customer accounts or transactions. We strongly recommend a single ADR provider for these types of services to ensure consistency, and provide a single, trusted place for consumers to turn for help.

For TPIs that primarily offer information or advice without managing accounts or making decisions on behalf of consumers such as price comparison sites, mandatory ADR will be less relevant. However, these sites should provide clear guidance on where consumers can turn if they experience issues with the energy providers or services they select.

Question 8: Do TPIs face any barriers in assessing tariff, data, service or product suitability for their clients?

In this area we want to highlight the importance of the review establishing a clear view of the barriers to development of smart tariff comparison services. The energy transition is reaching the point of mass market adoption:

- Smart tariff uptake rates continue to grow at about 70% per year,[6] and at least a further 2.9 million households are engaging with energy flexibility from "add-ons".[7]
- 19% of households tell us that they own at least one low carbon-technology (Electric vehicle, solar panels, home battery or heat pump) and the proportion of households continues to grow.[8]
- The update to the Clean Flexibility Roadmap[9] reaffirms Government's commitment to expanding flexibility markets and the uptake of energy flexibility.

Unfortunately our research has also found three key challenges for consumers navigating the smart tariff market:[10]

- Consumers often miss out on smart tariffs: we found a general lack of awareness of smart tariffs, even when consumers have the technology which would allow them to benefit from them e.g. cheaper energy costs for off-peak times of day. This means

[6] State of the Market Report: Energy retail market highlights. Ofgem (January 2026)
[7] Beyond Tariffs: GB Household flexibility market monitor. LCP Delta (2025)
[8] Smart energy: Flexible energy and low carbon technology adoption. Which? (2026)
[9] Clean flexibility roadmap: July 2026 update. DESNZ (2026)
[10] Which? (2024) Smart energy: Flexible energy and low carbon technology adoption

many consumers, such as those who have an electric vehicle and a smart meter, are paying more for their electricity than necessary.
- The process is time consuming and stressful: consumers find the process of researching the different energy tariffs available both time consuming and mentally overwhelming, often meaning there is a reluctance to engage with more complex tariffs. This is further exacerbated by consumers being unable to use comparison sites to aid in the switching process for smart tariffs as they often do when looking for standard tariffs.
- Consumers are not always able to see if they're benefiting: people struggle to understand whether they are benefiting financially from their tariff or not, which leaves them feeling uncertain about their decision.

This research was conducted in 2024 and since then there has been some progress. For example, several companies that provide price-comparison services offering guides to smart tariffs, including our own.[11] We also run our Home Energy Planning Service which is delivered in partnership with Snugg, which helps consumers consider their options for home heating and low carbon-technologies.[12] Our service and similar tools available from others help consumers explore the options open to them, and in our case also provides links to local trusted traders alongside financing options. For many consumers the adoption of low carbon-technology comes before switching to a smart tariff, so these tools help consumers at this stage of the consumer journey.

However, one area where progress has been much more limited is on the development of smart tariff comparison tools that would help consumers navigate this market. We believe there are a range of reasons for this:
- Commercial barriers:
  - One of our suppliers has explored the potential for facilitating switches to smart tariffs, focusing on the segment where the biggest consumer benefit can arise - consumers with an EV or battery switching their tariff. However, in their experience energy providers do not pay commission to TPIs for facilitating even switches such as these where some consumers can make substantial savings. We suspect that there is currently little commercial market for such services.
  - TPIs may be concerned about commercial risk that may arise if consumers misunderstand the possible benefit of a smart tariff, given that the cost of a tariff will depend on a household changing behaviour.
- Technical barriers:
  - There is no data standard for sharing tariff information. Increasingly, tariffs will vary through times of day, days of the week and weeks of the year. There are also eligibility criteria, and changes to historic tariffs resulting from reduced levies. By relying on TPIs to decipher this data from provider websites, there is a risk that consumers receive incomplete or inaccurate data and sub-optimal recommendations.

[11] Time of use tariffs explained, Which? (April 2026)
[12] Which? Home Energy Planning Service

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    - Currently, TPIs often require consumers to input which tariff they are on. Many consumers say they do not know which category of tariff (i.e. standard, fixed, or time-of use tariff) they are on,[13] and for accurate comparisons consumers on fixed tariffs have to input the exact name of the fixed deal they are on. Although this can be obtained from an energy bill, this introduces significant friction into the process. In theory, TPIs should be able to tackle this issue for those customers that give consent for their smart meter data to be accessed, as a tariff name should be included. However, one of our suppliers has found that these tariff names can often be out of date and there is no standardised validation mechanism for a third party to determine whether a returned meter tariff is accurate and current.

DESNZ is also currently assessing whether consumers who receive government assistance for low-carbon technologies should be defaulted onto time-of-use tariffs.[14] If this policy goes ahead, ensuring that consumers can seamlessly and rapidly review their options will be essential.

It should be a priority for the market review to establish a clear view of the barriers to development of these much needed services. Ofgem will then be in a better position to determine what action could be taken.

Question 9: How do you foresee the TPI sector evolving in the future? (e.g. via Market-Wide Half-Hourly Settlement, flexible tariffs, digitalisation, artificial intelligence). What impact will these changes have on competition and market entry?

An area of growing consumer need is advice on smart tariffs alongside recommendations on low carbon technology installations and associated behavioural change. However, we have covered above that the development of the TPI sector in this area appears to be heavily constrained by commercial opportunity.

Question 18: What do you consider we should focus on when we regulate TPIs?

As discussed above, we think that the priorities for the regulation of TPIs providing services to consumers are:

- Increasing transparency and consumer awareness
- Improving protections for vulnerable consumers

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[13] Unlocking Flexibility: How to Engage Households in Demand Side Response. MCS Foundation (2025)
[14] [Clean Flexibility Roadmap Update](). DESNZ, Ofgem, NESO (July 2026)

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- Improving complaints handling and access to redress including mandatory ADR for TPIs that provide an ongoing service
- Enforceable Standards and Authorisation

The market review also offers an opportunity to establish a clear view of the barriers to development of smart tariff comparison services so that action can be taken to tackle them.

About Which?

Which? is the UK's consumer champion, here to make life simpler, fairer and safer for everyone. Our research gets to the heart of consumer issues, our advice is impartial, and our rigorous product tests lead to expert recommendations. We're the independent consumer voice that works with politicians and lawmakers, investigates, holds businesses to account and makes change happen. As an organisation we're not for profit and all for making consumers more powerful.

For more information contact:
James Edgar
Senior Policy Adviser
james.edgar@which.co.uk

July 2026