

Summary of Arrangements

The competitive retail water market allows non-household water customers to switch their water retailer. Market Operator Services Ltd (“MOSL”) is a private company working on behalf of its members (all water wholesalers and retailers) to deliver the competitive retail market for non-household water customers in England.

MOSL’s role as market operator is to provide infrastructure, information and governance services to enable customers to switch retailer and for financial settlement to take place between wholesalers and retailers. MOSL operates the Central Market Operating System (CMOS), which is the core IT system that underpins the market. CMOS manages the electronic transactions involved in switching customers and stores water consumption and settlement data in relation to every eligible supply point in England and Wales.

CMOS contains personal data. Some non-household customers will be sole traders and personal data about them will be held in CMOS. The personal data held in CMOS is supplied by water companies (made up of retailers and wholesalers). It is the responsibility of the organisation that provides the information to make sure it is accurate and kept up to date. MOSL collates that information in CMOS and makes it available to other retailers and wholesalers for the purposes outlined above.

The operation of the market is underpinned by a set of [Market Codes](#)¹ which set out a series of business, operational and governance rules. These rules set out obligations and processes for sharing data between water companies and MOSL that are needed for the water retail market to function. Water companies (wholesalers and retailers) and MOSL are required to comply with their obligations in the Market Codes.

Code Subsidiary Document [CSD 0301 ‘Data Catalogue’](#) sets out the data that is held in CMOS and shared between users of CMOS (wholesalers, retailers and MOSL). The processes describing how and when this data is shared are further described in the Market Codes and its Codes Subsidiary Documents. Where data is exchanged bilaterally between wholesalers and retailers, the template forms set out in the Market Codes highlight that these forms may contain personal data.

The Market Codes provide that, as Data Controllers, water companies (wholesalers and retailers) and MOSL must:

- comply with their obligations under Data Protection Laws;
- comply with their obligations relating to Personal Data contained in the Market Codes; and
- comply with any mandatory guidance notes published by the Information Commissioner’s Office and mandatory Codes of Conduct issued under Article 40 of the General Data Protection Regulation (GDPR).

This includes, obligations regarding:

- nominated contact points for any data protection issues that may arise;
- privacy by design and undertaking privacy impact assessments;
- maintenance of records of processing;
- publication of privacy notices;
- handling of data subject rights requests;
- data security standards; and

¹ The Market Codes comprise the Market Arrangements Code (MAC) and the Wholesale Retail Code (WRC), including its various Code Subsidiary Documents (CSDs) and forms.

- notification of data breaches.

These data protection provisions are set out in Section 15 and Schedule 13 of the [Market Arrangements Code \(MAC\)](#).

For more information on these arrangements, please contact data.protection@mosl.co.uk