

Memorandum of Understanding

PARTIES

The parties to this Memorandum of Understanding are:

1. **North Devon Council**, whose registered office is at Lynton House, Commercial Road, Barnstaple, Devon, EX31 1DG
2. **COMPANY NAME** , a company registered in England and Wales, registration co number XXXXXXXX whose trading address is at ADDRESS

North Devon Council (the Council) wishes to assist local residents who are at risk of cold related illness or who experience high energy bills, coupled with a low income. To this end, the Council has published a local authority flexible eligibility (LA Flex) statement of intent (SOI) which outlines the criteria that the Council will use to consider whether a resident can be approved to be signed off using an LA Flex declaration. The LA Flex declaration then entitles the resident to receive works through the Energy Company Obligation (ECO) 4 Flex funding.

COMPANY NAME is a company providing a wide range of energy saving works for residents across Devon and has access to grant funding from energy suppliers to be used for LA Flex.

Through this memorandum of understanding (MOU), COMPANY NAME and North Devon Council agree to work together in good faith to find and assist local residents who may benefit from works which will reduce energy bills and keep their homes warmer using the LA Flex funding route.

COMPANY NAME will commit to the following:

- ✓ To complete and submit the online ECO Flex application form on the council's website on behalf of the householder. This will also include uploading the relevant evidence to confirm eligibility for grant funding.
- ✓ pay a £100 fee for each declaration the council signs off. Invoices will be sent to COMPANY NAME on a monthly basis. This charge must be paid by COMPANY NAME or their agent and may not under any circumstances, be passed on to the client receiving assistance via the scheme. If an invoice is not paid then the council will cease to sign off any future declarations.
- ✓ To, at all times, strive for high levels of customer service, ensuring that any customer service issue is dealt with quickly and fairly to protect the reputation of the Council
- ✓ Notify the council of the company which carries out canvassing or sales leads generation activities.

✓To follow Trading Standards Best Practice Charter:

- rogue practices (misleading/fraudulent claims, door-knocking houses with No Cold Caller stickers / signage) will not be tolerated
- Representatives of the Company are transparent and provide customers with paperwork to confirm their identity, who they're working for, and whether customers personal details will be sold on
- Pay attention to detail and ensure accuracy regarding the wording to describe the council's relationship to the grant scheme and COMPANY NAME
- To take responsibility for the actions of contracted marketing and/or lead generation companies used.
- Take responsible precautions and due diligence when outsourcing marketing functions to ensure the following is adhered to:
 - (a) Adhere to the National Cold Calling Protocol
 - (b) Comply with Trading Standards legislation, GDPR and Energy Performance Certificate (EPC)
 - (c) Train staff on legal requirements
 - (d) Provide regular refresher training
 - (e) Keep records of staff training

✓ To ensure that all works are completed to appropriate industry standards with a high regard for the health and safety of the installers and residents

✓ To offer the Council reasonable time to review and approve any marketing materials or PR that refers to the Council

✓ To collect all relevant information required for reporting to Ofgem and to send through to the council in addition to the request for a declaration to be signed.

✓ To send **quarterly** installation reports to the council to include Declaration number, property address, measures installed, and post EPC rating.

✓ Notify the council of customer complaints and deal with them in a timely manner, keeping the council informed of how they are being dealt with and the outcome of the complaint

✓ Obtain consent from landlords before works are carried out in privately rented homes and where properties are leased from the freeholder where necessary. Provide the Council a copy upon request.

✓ Comply with the data sharing agreement

✓ To refer to Lendology Community Interest Company any customers who require loan assistance to top up an ECO Flexible grant (subject to eligibility) and provide any relevant information to assist in the loan application.

The Council will commit to the following:

- ✓ To review and approve (with or without amendments) any marketing/PR materials in a timely manner to enable COMPANY NAME to meet any marketing deadlines

- ✓ To review and consider any North Devon residents put forward for consideration under the LA Flex SOI

- ✓ To offer a grant top up (maximum £2000, currently under review) to residents meeting any set criteria.

- ✓ Comply with the data sharing agreement

Complaints

Declarations will not be signed off if repeated verifiable complaints are received (including those made to other councils) about COMPANY NAME or sub-contractors. A complaint must be handled according to the company's complaints procedure, and if this is not adhered to and subsequent complaints of similar nature are received then the council will cease signing off further declarations.

Data Protection:

For the purposes of the ECO Flexible Eligibility scheme, North Devon Council and COMPANY NAME are Data Controllers under the Data Protection Act 2018. The full details of each Party's responsibilities related to data protection will be set out in a Data Sharing Agreement, which will be signed simultaneous to this MoU by both the Partner and North Devon Council.

Termination of MOU

This MOU will be terminated on 31/03/26.

Either Party may terminate this MOU upon one month's written notice to the other.

Either Party may terminate this MOU with immediate effect in the event of a breach of its obligations by the other Party to this MOU.

Signed

Signed

Name:

Name:

Position:

Position:

Date:

Date:

Signed on behalf of:
COMPANY NAME

Signed on behalf of:
North Devon Council