



The Insolvency  
Service

The Insolvency Service  
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Thomas Martin  
[request-653253-0c365045@whatdotheyknow.com](mailto:request-653253-0c365045@whatdotheyknow.com)

Your ref: request-653253-0c365045  
Our ref: FOI2019-179(8)  
Date: 20 April 2020

Dear Mr Martin

**Re: Freedom of Information Act 2000**

Thank you for your email of 08 March 2020 in which you requested from the Insolvency Service:

*“How much does the Insolvency service spend each year on perusing director disqualifications?*

*Please break this down by each section of the CDDA act and if possible by solicitors firm”.*

Your request has been dealt with under the Freedom of Information Act 2000 (FOIA).

For external spend on pursuing directors I can confirm that the agency holds this information however, it is exempt information under section 43 of the Freedom of Information Act 2000 and your request is therefore refused.

Sections 43(2) of the Act provides that information is exempt if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

In order to apply this exemption, I have undertaken a public interest test and I am satisfied that it is not appropriate to disclose this information. Doing so is likely to prejudice the commercial interest of solicitors firms the Insolvency Service uses to pursue disqualification proceedings.

Although it is in the public interest for people to understand what government expenditure is spent on and to see that it is spent properly, it needs to be balanced against the commercial interests of those undertaking government work since disclosing financial or commercial information, especially when combined with other publicly available information (for example the monthly expenditure), would be likely

to prejudice their commercial interests for example in any future government procurement process and in the public arena more widely in what is a competitive market for legal services.

In regard to the other aspects of your request; we do not hold the information for internal spend for pursuing disqualifications, or a breakdown of cost by section of CDDA. This is because our time internal process for dealing with director disqualifications is not captured in a time recording system that can then be used to calculate cost of staff and agency time and other resources.

Please note the FOIA only applies to recorded information, it does not require public authorities to answer a question unless recorded information exists. Therefore, to answer a request the FOIA does not oblige a public authority to create information if the requested information is not held.

If you are not satisfied with the response we have provided you and would like us to reconsider our decision by way of an internal review (IR), please contact our Information Rights Team at [foi@insolvency.gov.uk](mailto:foi@insolvency.gov.uk) or by post at:

Information Rights Team  
The Insolvency Service  
3rd Floor  
Cannon House  
18 Priory Queensway  
Birmingham  
B4 6FD  
United Kingdom

You also have the right to contact the Information Commissioners Office (ICO) if you wish for them to investigate any complaint you may have in regards to our handling of your request. However, please note that the ICO is likely to expect an IR to have been completed in the first instance. The ICO contact details can be found on their website: <https://ico.org.uk/global/contact-us/>.

Kind regards

Laurie Judge  
Information Rights Manager  
The Insolvency Service

The Department for Business, Energy and Industrial Strategy, Official receivers and the Adjudicator are Data Controllers in respect of personal data processed by the Insolvency Service. For the details about how personal data is processed by the agency, please see the full Insolvency Service Personal Information Charter here: <https://www.gov.uk/government/organisations/insolvency-service/about/personal-information-charter>