



The Insolvency
Service

Information Rights Team
The Insolvency Service
Cannon House
18 Priory Queensway
Birmingham
B4 6FD

Tel: 0300 678 0015

foi@insolvency.gov.uk
www.gov.uk/insolvency-service

Our ref: FOI25/26-006

Date: 01 May 2025

Dear [REDACTED]

Re: Freedom of Information Act 2000 (FOIA) Request

Thank you for your email of 7 April 2025 in which you requested from the Insolvency Service (the agency):

"I would be grateful if the Insolvency Service could respond to the following in respect of CDDA submissions concerning Directors Disqualification,

For the 3 years ending 31 March 2025,

How many cases have been sifted in for initial further action,

What % of such cases have progressed to either court hearing or undertaking

What are the majority reasons for not proceeding after initial sift,

Is there an available criteria setting out the nature of adverse conduct that will lead to case progression,

To what extent is a lack of resource a factor in closing cases."

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

I can confirm the agency holds some of the information that you have requested, and I have provided answers to your questions below.

I would be grateful if the Insolvency Service could respond to the following in respect of CDDA submissions concerning Directors Disqualification:

For the 3 years ending 31 March 2025

- How many cases have been sifted in for initial further action.

For your information, office holders (Insolvency Practitioners (IPs) or Official Receivers (ORs)) are required to submit Director Conduct Returns, and the agency has a rules engine which sifts cases "in" or "out". This data is shown in the first table below. This is data the agency holds on sifted-in cases during this timeframe.

Total Conduct Returns Received	2022/23	2023/24	2024/25
Sifted In	10,623	11,933	9,588
Sifted Out	12,301	13,802	15,411

Sifted-in cases are then reviewed to decide if a case should be targeted for investigation. Data on this is shown in the table below.

Total Conduct Reports Reviewed (Vetted)	9,825	9,204	12,200
--	--------------	--------------	---------------

The total number of cases targeted for investigation during this time frame is shown in the table below.

Total Cases Targeted for Investigation	4,156	2,864	3,553
---	--------------	--------------	--------------

- What % of such cases have progressed to either court hearing or undertaking

Due to the time it can take to undertake an investigation and obtain a disqualification order or undertaking, the data held by the agency would not provide a representative overall view. I have provided below the figures held by the agency for the number of CDDA s.6 Disqualifications (DQs), however please note, this data is only for s.6 disqualifications

S6 DQ Results (directors)	893	1,162	966
----------------------------------	------------	--------------	------------

- What are the majority reasons for not proceeding after initial sift,

There were 3,553 cases targeted for investigation in the year ending 31 March 2025. In the same year 2,412 cases were adopted by investigation teams. Some cases were not adopted for investigation because other cases were regarded as having a higher priority. There are several reasons that once an investigation has started it may not reach a disqualification outcome, most often the investigation identifies new information that challenges the evidential basis of alleged conduct issues initially identified.

- Is there an available criteria setting out the nature of adverse conduct that will lead to case progression,

There is internal guidance within The Insolvency Service setting out what director conduct issues should be considered when a case is targeted for investigation, but this information is exempt from disclosure pursuant to section 31(1)(g) of FOIA.

Section 31(1)(g) - Law enforcement

This exemption is engaged where the disclosure of information would be likely to prejudice the exercise by the agency of its functions set out at section 31(2). In this case those function are:

- (a) the purpose of ascertaining whether any person has failed to comply with the law
- (b) the purpose of ascertaining whether any person is responsible for any conduct which is improper
- (c) the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise
- (d) the purpose of ascertaining a person's fitness or competence in relation to the management of bodies corporate or in relation to any profession or other activity which he is, or seeks to become, authorised to carry on

Prejudice test

Disclosure to the public of guidelines which inform when as a matter of public policy, the agency's civil investigators might or would not report suspected criminal activity, if released to the general public, would assist persons guilty of such activity to know when they were likely to avoid prosecution, and therefore to take steps to avoid prosecution. Further or alternatively, it would encourage them to continue acting contrary to the law with impunity, to the extent that their circumstances fell within the sections.

Public interest test

Factors supporting disclosure

- Increased public understanding of how the agency exercises its powers
- Increased public confidence in the agency

Factors supporting withholding the information

- Protection of the public from criminality
- Undermining the criminal referral process by revealing thresholds

Balancing test

On balance, I consider the public interest favours withholding the information at this time.

Our published document [The Insolvency Service Enforcement Framework](#) does however set out at a high level what factors are included in the selection and prioritisation of cases.

- To what extent is a lack of resource a factor in closing cases

Like most investigatory bodies, we do not have sufficient resource to fully investigate all identified cases where misconduct is suspected. As you can see from the information provided, in the year ended 31/3/2025 we targeted 1,141 more cases than were adopted for investigation. It should be noted that these cases were identified as being of lower priority.

Complaints

If you are not satisfied with the response we have provided to you and would like us to reconsider our decision by way of an internal review (IR), please contact our Information Rights team within 40 working days of this letter at 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 Commissioner's Office (ICO) if you wish for them to investigate any complaint you may have regarding 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.

Yours sincerely

Information Rights Team
The Insolvency Service

The Department for Business and Trade, 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>