

Reference: 1964018

Information Requests
information.requests@ofcom.org.uk

7 April 2025

Freedom of Information request: Right to know request

Thank you for your request for information about PSA's role in statutory demands, winding-Up petitions & pursuit of directors via CFAs.

We received this request on 22 February 2025 and requested further clarification on 7 March 2025. We received clarification on 7 March 2025. We have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request and clarifications and our response

I request the following information regarding statutory demands, winding-up petitions.

1. The total number of statutory demands issued by PSA where it was the creditor.

Yes, I am referring to Statutory Demands under section 123(1)(a) of the Insolvency Act 1986.

Please provide data for the past 10 years (2014-2024).

2. A breakdown of these cases, including the names of companies and individuals pursued.

Please provide a list of companies and individuals pursued.

3. The total number of winding-up petitions filed by PSA where it was the creditor.

Please provide data for the past 10 years (2014-2024).

4. A breakdown of cases where a winding-up petition resulted in the closure of a company due to PSA's actions.

I would like a breakdown of cases where PSA's actions led to the closure of a company.

5. The number of cases where PSA has pursued directors personally via liquidators and solicitors operating under Conditional Fee Arrangements (CFAs).

I am requesting information on cases where the PSA itself, a liquidator, or solicitors have pursued directors personally under Conditional Fee Arrangements (CFAs).

Please provide a breakdown of cases if available.

Any policies or guidance issued by PSA related to the use of statutory demands, winding-up petitions, and personal pursuit of directors.

Please provide any internal policies, guidelines, or instructions issued by the PSA regarding the use of statutory demands, winding-up petitions, and the pursuit of directors personally.

We consider that your request is very broad in scope and a considerable amount of time would be required to locate, retrieve, identify and extract the information for your request. We have gone through our system and have identified approximately 185 documents which may potentially be in scope. That exercise has already taken a considerable amount of time. In order to satisfy your request and provide the information you have requested we would need to go through each identified document and extract the information which would take us beyond the 18-hour limit of complying with a request. Section 12 of the FOI Act provides that we are not obliged to comply with a request for information if we estimate that the cost of complying with the request would exceed the “appropriate limit”. The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the “Regulations”), and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour, which equates to 18 hours of time.

We estimate that it would take over 18 hours to locate, identify and extract the information you requested due to the number of documents we would have to search through to obtain the information you have requested.

You may wish to consider submitting a narrower, more specific request and we would be happy to consider this under the FOI Act, such as narrowing your request to only questions 4 and 5 or narrowing the relevant period to data from the past year. Should you decide to make a further request for information, please note that other exemptions may apply. Please also note that the data retention period for PSA was 5 years, from the date of publication for cases that were considered by a Tribunal and considered to be very serious, and 3 years for cases considered to be serious and below.

We hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).