

29 September 2023

**Case Reference IC-255621-F9J1**

**Request**

You asked us:

*"Please advise how many other Utilities have backlogs which are being monitored on this 'casual' non evidenced based approach.*

*Please advise the agreed date by which the regulator and the Company have agreed when a return to compliance will be achieved, how progress will be monitored (and by whom) and the actions/penalties applicable for failure to achieve agreed KPI's.*

*Please confirm that a formal agreed plan for a return to Compliance is in place."*

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

**Our response**

We have interpreted your request as pertaining to OVO Energy with regard to their backlog in dealing with Subject Access Requests.

Currently, those utilities working to an action plan is restricted to OVO Energy.

Information as to when a "return to compliance will be achieved" is not presently held by the ICO, however, progress is being monitored by means of OVO Energy providing regular and ongoing updates for assessment by our Public Advice and Data Protection Complaints Service.

Details of any actions or penalties that may be considered are outlined within our Regulatory Action Policy which can be viewed at [Regulatory Action Policy \(ico.org.uk\)](#)

We would confirm that there is an agreed but informal action plan in place. Whilst this does not constitute formal regulatory action its use is instrumental in actively supporting OVO Energy in their "return to compliance".

This concludes our response to your request.

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

### **Your information**

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found at [Retention and Disposal Policy \(ico.org.uk\)](#)

Yours sincerely



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