

Welcome to the Energy Savings Opportunity Scheme (ESOS) newsletter, keeping you updated with key information relating to the scheme. This newsletter is the first to be issued since the end of the discretionary period (30 June 2016) for those organisations seeking to achieve ISO 50001 certification for all their energy consumption, as their ESOS compliance route.

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## July data publication

In February 2016 we published a [dataset](#) on data.gov.uk detailing all current organisations who submitted their notification of compliance by 29th January 2016. We plan to publish an updated version of this dataset in July, which will now include organisations who have attained ISO 50001 status by 30th June 2016, which is an alternative route to compliance with the ESOS scheme. As scheme administrator for the UK, the Environment Agency publish this data in order to meet statutory responsibilities under the ESOS Regulations 2014, and in accordance with Government open data policies. The February publication attracted a large number of downloads and associated interest. We anticipate that the July publication will also be of interest to a variety of stakeholders.

## ESOS enforcement update

Following the passing of the original compliance deadline of the 5th December 2015 and the grace period of up to the 29th January 2016, we have been looking at corporate data to identify those organisations that should be participating in ESOS. This has led the scheme regulators (EA, SEPA, NIEA, NRW and DECC Offshore) to investigate 1700 organisations who we believe may be

required to participate in ESOS but have not yet made any submission. 1500 of these fall within the EA remit.

Our [Enforcement and Sanctions Guidance](#) (Annex 4, Section E) provides a framework for escalating our enforcement response. We will normally use enforcement notices to bring organisations into compliance, serving civil penalties only in the most serious cases. Compliance notices can be served in cases where we suspect a breach and require further information.

The ESOS enforcement work in relation to organisations failing to notify commenced in April 2016. We have a dedicated ESOS Enforcement Team who are initially targeting those organisations deemed to be highest risk, and we have already issued a number of compliance and enforcement notices.

With regards to the now 150 organisations which have submitted an 'Intent to Comply Late Notification' but have not yet submitted a full Compliance Notification, we are monitoring the progress that these organisations are making towards compliance and will be issuing Enforcement Notices to bring them into compliance where necessary.

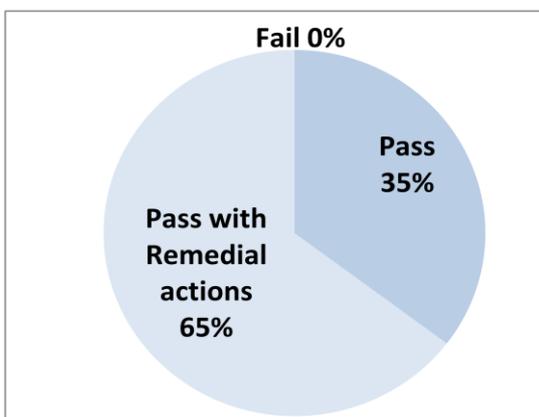
## DECC survey

The Department of Energy and Climate Change (DECC) have commissioned Ipsos Mori and University College London to undertake research on energy efficiency measures taken up by businesses across the UK. This will consist of a 20 minute telephone survey and, for a small number of organisations, a follow-up conversation of around 45 minutes. Organisations across all sectors are being contacted by the research team for this work during July and August. The findings will feed into discussions on future energy efficiency policy, so your input is an opportunity to help shape the decisions that affect UK businesses. If you are contacted please consider taking part and contributing to this valuable research project.

## ESOS Compliance audit project

During January - April 2016 we worked with external contractors to carry out 51 compliance audits. The aim of these audits was to; Assess participant compliance against the regulations, identify the key risk areas where participants are mostly likely to make mistakes, test the suitability of our compliance audit process and assist participants to get the most benefit out their ESOS assessments through the identification and recommendation of improvements.

### Project Analysis



**Audit Results:** All 51 audits were deemed to be either compliant or compliant with remedial actions required and indicate a positive level of compliance with the Regulations.

Remedial Action Type	No. Instances
Organisation Structure	28
TEC	9
Board Level Sign Off	6
Cost Benefit Analysis	5
Energy Profiling	5
SEC	4
Estimates	4
Lead Assessor Sign Off	4
Aggregation /Disaggregation	3
Contact Details	2
Data Records	1
Recommendations	1
EP Not Held By Participant	1
Extrapolation	1
Sample Size	1

**Remedial Actions:** The error types identified during the audits and the number of times they occurred are shown in the above table. For the most part the Remedial Actions were minor issues.

We will be working with external contractors to carry out further compliance audits from August 2016 - March 2017. Participants should be prepared for audit and ensure that they keep and maintain evidence to show how they have complied with the scheme in accordance with [Section 8.4 of our ESOS Guidance Document](#).