OFG-126992

To: Robert Reid[Robert.Reid@ofgem.gov.uk]; Mark Downham[Mark.Downham@ofgem.gov.uk]; Daniel Murray[Daniel.Murray@ofgem.gov.uk]; Karen Boyle[Karen.Boyle@ofgem.gov.uk]; David Madden[David.Madden@ofgem.gov.uk]; Ade Obaye[Ade.Obaye@ofgem.gov.uk]; Jennifer Todd[Jennifer.Todd@ofgem.gov.uk]; Suzanne Murray[Suzanne.Murray@ofgem.gov.uk]
From: Matthew Harnack
Sent: 2013-11-19T16:11:40Z
Importance: Normal
Subject: RE: Release of Techincal Audit Reports
Received: 2013-11-19T16:11:41Z

Rob and others,
 I would urge you to agree a consistent approach across all the schemes please. I don't see any justification for doing things differently for one scheme than others (but if there is please tell me). Also, while very few people have asked for the full NDRHI report, I would like to flip the question back the other way and ask what is the extra cost of producing separate summaries in addition to the audit reports, because we will save that amount of money if we do away with the separate summaries.
 Please consider these points when you take this forward.
 Thanks,
 Matthew

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From: Robert Reid
Sent: 19 November 2013 15:04
To: Mark Downham; Daniel Murray; Karen Boyle; David Madden; Ade Obaye; Jennifer Todd; Suzanne Murray
Cc: Matthew Harnack
Subject: RE: Release of Techincal Audit Reports

Hi Dan
 Thanks for your summary of the meeting. I agree that a further meeting is the best way forward. In the meantime, I will consider whether there is merit in us releasing all audit reports for NDRHI or only those where requests are made. To date, we have only received one request for an audit report from the 232 site audits finalised, and this has been released. Given there appears to be little appetite in participants receiving anything more than the executive summary of the audit report, it does not seem to be the best use of our time to redact and release reports, other than for when case-by-case requests are received.
 Thanks,
 Rob

From: Mark Downham
Sent: 14 November 2013 12:06
To: Daniel Murray; Karen Boyle; David Madden; Robert Reid; Ade Obaye; Jennifer Todd; Suzanne Murray
Cc: Matthew Harnack
Subject: RE: Release of Techincal Audit Reports

Hi Dan,
 I'm happy with your notes of the meeting. I agree we probably do need to move towards agreeing some principles for dealing with these requests, though I wouldn't want to devote overmuch time to this – as you say the incidence of these requests is still low, though it could rise.
 A further meeting to do this seems the best way forward. We would need to decide on:
 • the circumstances/criteria to be applied when we accede to a request
 • our approach to redacting reports to be released
 Mark

From: Daniel Murray
Sent: 14 November 2013 10:51
To: Karen Boyle; David Madden; Mark Downham; Robert Reid; Ade Obaye; Jennifer Todd; Suzanne Murray
Cc: Matthew Harnack
Subject: Release of Techincal Audit Reports

Hi All,

Further to the meeting on Tuesday (with Mark, David, Paul Kitcher and Legal) on the release of technical audit reports generally under the Environmental Information Regulations (EIR) please find below a summary of the key points that were discussed along with some outstanding questions to be considered by Audit Managers.

Key Points;

- We have released technical audit reports on a case-by-case basis across Renewables and NDRHI previously and should continue to take this approach moving forward as the content of the report may dictate to what degree it can be released.
- Certain information within the audit reports may have to be redacted due to data protection legislation, among others.
- If an audit or any audit actions are ongoing (so the "audit investigation" is not in a final state) we would look to not release the report until concluded.
- In the case where the audit contained information that could have an negative impact on an Ofgem policy approach or may increase the risk of fraud in the schemes we would explore reasons to not disclose the report.
- It should be best practice to alert the audited party (if not the requestor) that the report will be released to give them an opportunity to raise and comments or concerns.
- Currently the number of requests are low (only a few have ever been recorded), most of which have historically come from audited parties or their associates.
- The release of audit reports is in line with other government type organisation, such as Ofsted, who do release redacted versions of school inspection reports. However, some reports that may have a huge impact if released are often held back by government.

Questions (*with initial thoughts*);

- Will RHI (ND and D) now start to release audit reports to audited parties (participants)? *As far as I am aware yes.*
- Should we should look to establish a general principles for dealing with these types of requests?
- Should we start to record the amount of time (particularly legal time) spent looking at these requests? *Possibly could be captured through Paul's team.*
- (Related to the above) Should look to set a threshold for a unreasonable requests/repeat requests? *Legal: Exemptions permit only a narrow category of costs to be included: it would be worth thinking about recording the 'true', global costs of dealing with these requests.*
- Should we look at the possibility of create two final versions of the audits, one of which will be redacted for publication? *Due to the volume of RHI audits and the low number of requested this was seen as potentially a step too far currently.*

Next Steps

It might be worthwhile folding this into the discussion that are ongoing on the joint technical audit contract. A meeting may be useful to discuss this and other cross cutting points. **David** – Is this something you could look at?

Thanks,

Dan

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