

# ESOS: What penalties could your organisation face for non-compliance?

Non-compliance is against the 'responsible undertaking' – that's your organisation, not the lead assessor appointed. Make sure you comply by **5th December 2019** for Phase Two of the scheme.

3 types of notices your organisation could receive:

## 1. Compliance Notice

These are issued from the regulator to the ESOS participant. It asks for information, so the regulator can determine if the participant is complying with its obligations.

## 2. Enforcement Notice

Where there is reason to believe an organisation has not complied with a requirement of ESOS, an enforcement notice is issued to tell the participant what to do to comply.

## 3. Penalty Notice

This is a financial penalty imposed for breaches of ESOS regulations.

## Penalties



Maximum fixed penalty  
£50,000



An additional penalty of £500  
per day for non-compliance  
(for up to 80 days).

**Not only do you get fined for non-compliance but you risk being publicly named and shamed.**



500 organisations that failed to engage are now subject to enforcement notices.



2800 compliance submissions in Phase One were late - resulting in 50 enforcement notices.<sup>1</sup>