

# Surveyor who destroyed company papers banned

Keith Alan Da Costa (64), of Manningtree in Essex, was the sole director of KAD Consultants Limited since its incorporation in May 2011.

The company traded as surveyors providing services to general building contractors and the construction industry until it went into liquidation in June 2017.

KAD Consultants' liquidation, however, triggered an investigation by the Insolvency Service before investigators uncovered instances of misconduct.

For the last 15 months of trading, Keith Da Costa did not maintain adequate accounting records which made it difficult to determine legitimate trading activities.

During this period, the company bank account revealed that in excess of £177,000 had been paid in and removed but it was not possible to determine whether this was legitimate business income and expenditure.

Payments of almost £76,000 were made to 3 individuals, including more than £40,000 detailed as wages, but investigators were unable to verify whether these payments were for genuine business expenditure or wages.

Investigators were unable to establish the number of company employees, nor the level of remuneration taken by Keith Da Costa. The 2016 company accounts revealed Keith Da Costa owed the company just over £91,000 in the form of loans but at liquidation, the statement of affairs signed by the director showed none of his loans being outstanding.

Further enquiries uncovered that from at least November 2015 onwards Keith Da Costa's surveyors firm had not paid VAT, Corporation Tax and PAYE. At liquidation in excess of £133,000 was outstanding to the tax authorities.

Legal proceedings at the High Court were initiated by the Insolvency Service acting on behalf of the Secretary of State for Business, Energy and Industrial Strategy. On 17 February, however, the day before the trial was due to recommence, the Secretary of State accepted a 5-year undertaking that bans Keith Da Costa as acting as a company director.

In his undertaking, Keith Da Costa did not dispute that he failed to ensure KAD Consultants Limited maintained and/or preserved adequate accounting records or in the alternative failed to deliver these up to the liquidator and that he traded KAD to the detriment of the tax authorities. He also agreed to pay costs of more than £20,000.

The disqualification starts on 10 March and means Keith Da Costa is banned from directly or indirectly becoming involved, without the permission of the court, in the promotion, formation or management of a company.

Lawrence Zussman, Deputy Director of Insolvent Investigations at the Insolvency Service, said:

Despite numerous requests from the liquidator, Keith Da Costa produced very little in terms of his business's accounting records and eventually admitted he had shredded his company's paperwork as he considered it was no longer of any use.

Such behaviour by Keith Da Costa was in flagrant breach of the Companies Act and along with neglecting his responsibilities to deal with his company's taxation affairs has demonstrated he is unfit to be a company director and has been removed from the business environment for 5 years.

Keith Alan Da Costa date of birth is October 1956.

KAD Consultants Limited (Company Reg no. 07651544).

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings. Persons subject to a disqualification order are bound by a [range of other restrictions](#).

Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

You can also follow the Insolvency Service on:

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## [Hitachi to sponsor COP26 climate summit in Glasgow](#)

- Hitachi joins SSE, ScottishPower, NatWest Group, National Grid, Sky and Sainsbury's as Principal Partners for UN climate change summit COP26 in Glasgow
- Hitachi is committed to carbon neutrality at all its factories and offices globally by 2030.
- Businesses playing a key role in climate action by setting science-based targets to reach net zero emissions

Hitachi has today been announced as a new sponsor for COP26, as businesses continue to play a vital role ahead of the international climate change summit in Glasgow this November.

Hitachi is the seventh Principal Partner who will support the delivery of a successful and ambitious COP26. The company joins SSE, ScottishPower, NatWest Group, National Grid, Sky and Sainsbury's.

Through these partnerships, the COP26 Presidency is showing a clear commitment to working with businesses who are taking real steps towards net zero.

The Japanese-founded company, with a large presence in the UK, has established Science Based Targets and joined the Race to Zero campaign. Hitachi has several long-term environmental targets, including carbon neutrality at all its factories and offices by 2030.

Hitachi is also working to help create a low carbon future through developing electric transport solutions. In partnership with other companies, they are working on the largest commercial electric vehicle trial in the world and also developing battery-powered trains.

COP26 President Alok Sharma said:

Businesses have a key role to play in helping us build back greener and Hitachi has shown strong leadership by making a clear commitment to combating climate change through science based measures.

We know that technology has a vital role in helping us all achieve a low carbon future and Hitachi is at the forefront of this. I am delighted to welcome them as a Principal Partner for COP26.

Toshiaki Higashihara, President and CEO of Hitachi, Ltd. said:

Climate change is a very real and immediate threat to humanity. As a company, we have a vision to solve environmental challenges and secure a more prosperous planet for future generations. Our collaboration with COP26 is consistent with our corporate mission starting more than 110 years ago, when Hitachi was founded to contribute to society through the development of superior, original technologies and products.

Our aim is to help achieve a society that is low carbon, resource efficient and harmonized with nature and we believe COP26 is a significant step forward in the creation of a decarbonised society.

For press queries, contact [COP26media@cabinetoffice.gov.uk](mailto:COP26media@cabinetoffice.gov.uk)

- Principal Partners are the top tier of sponsorship for COP26.
- We will release information on the details of sponsorship agreements after the event.
- We are ensuring that COP26 provides value for money for the taxpayer.
- All sponsors have committed to the Science-Based Targets initiative, this requires them to set ambitious targets for emissions reductions, including having a credible action plan. All in line with what the latest climate science says is necessary to meet the goals of the Paris

Agreement.

- More information [on Hitachi net zero.](#)

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## Proposals for future assessment arrangements for GCSE French, German and Spanish

News story

A 10-week consultation has started on how GCSE MFL qualifications in French, German and Spanish will be assessed in the future.



Ofqual today (10 March) published a [consultation on the future assessment arrangements for modern foreign language \(MFL\) GCSEs in French, German and Spanish](#).

These proposals relate to the revised subject content that the [Department for Education \(DfE\) is proposing in a public consultation also published today](#).

The proposals will likely come into effect for first teaching from September 2023, and assessments in 2025 at the earliest.

We are proposing that:

- the assessment objectives reflect the updated content
- assessments are still tiered at foundation and higher tier, with students only entered for one tier
- non-exam assessment (NEA) continues to be used for the assessment of speaking skills
- NEA continues to count towards 25% of the total marks for the qualification

Julie Swan, Executive Director for General Qualifications, said:

As the subject content of these qualifications is revised, we are reviewing the assessment arrangements to ensure they remain reliable and valid.

Our proposals are subject to consultation alongside the DfE proposals for revised subject content, and we encourage respondents to our consultation also to consider that of the DfE.

These proposals will not have an impact on students taking GCSE exams this year or next.

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## **[Vital flight route between London and Derry to continue as government agrees £4.3 million funding boost](#)**

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## **[A joined-up approach to digital regulation](#)**

The Digital Regulation Cooperation Forum (DRCF) today outlined its priorities for the coming year, marking a step-change in coordination of regulation across digital and online services.

The Competition and Markets Authority (CMA), the Information Commissioner's Office (ICO) and the Office of Communications (Ofcom) formed the DRCF in July 2020. Building on the strong working relationships between these organisations, the forum was established to ensure a greater level of cooperation, given the unique challenges posed by regulation of online

platforms.

Online services are playing an ever-more central role in our lives, and the digital landscape is developing at pace. There is a need for a more coherent, coordinated and clear regulatory approach – for the good of internet users and the companies who serve them.

Today's DRCF workplan for 2021/22 sets out a roadmap for how Ofcom, the CMA and the ICO will greatly increase the scope and scale of their co-operation. This will involve pooling expertise and resources, working more closely together on online regulatory matters of mutual importance, and reporting on results annually.

The Financial Conduct Authority (FCA) has been an observer member of the DRCF since the outset and will also join as a full member from April 2021.

## **Co-operation, coordination and a coherent regulatory approach**

Since the DRCF was formed, there have been several major developments demanding regulator attention in the emerging landscape for digital and online.

For example, the UK Government confirmed that Ofcom will oversee and enforce a new duty of care for online harms. The UK Government also announced that a Digital Markets Unit (DMU) will be established in the CMA to oversee its new pro-competition regime. Additionally, this year, the ICO's new Age-Appropriate Design Code will come into effect.

To help us effectively prepare for these new responsibilities, our plan of work sets out how, through the DRCF, we will coordinate our regulatory approach in the coming year – focusing on 3 priority areas:

- **Responding strategically to industry and technological developments**

We will launch joint projects on complex, cross-cutting issues. The CMA has already published new research on algorithms, showing how they can reduce competition in digital markets and harm consumers if they are misused. This research and any feedback on it will inform the future work of the DRCF. Other projects will include research into service design frameworks; artificial intelligence; digital advertising technologies and end-to-end encryption.

We will collectively build a more comprehensive view of industry trends and new innovations in digital technology to understand shared implications for regulation.

## • **Developing joined-up regulatory approaches**

The nature of digital services means that different regulatory regimes will interlink and overlap. Where this occurs, we will develop approaches for ensuring a coherent regulatory approach.

Areas of focus this year will be on the interrelation between data protection and competition regulation, and the Age-Appropriate Design Code and the regulation of Video-Sharing Platforms and Online Harms.

## • **Building shared skills and capabilities**

We will work together to build our collective technical and analytical capabilities. We will explore operational models to support more efficient skills and expertise sharing in the future. This might include, for example, building cross-regulator specialist teams.

We will continue to engage closely with other regulatory authorities with responsibilities for digital markets, who share some of the challenges set out in our plan of work.

## **Next steps**

We invite comments and discussion on the DRCF's plan of work and priorities for the year ahead. These should be submitted to [DRCF@ofcom.org.uk](mailto:DRCF@ofcom.org.uk).

Looking ahead, additional measures might be needed to further strengthen digital regulatory cooperation. We are working with the UK Government on how this might be achieved.

### **Dame Melanie Dawes, Chief Executive, Ofcom said:**

Online services are fundamental to how we interact with the world around us. And we want to ensure that people continue to enjoy the many benefits that these innovative platforms and technologies offer, while having peace of mind that they're protected against the possible harms and risks.

As we ready ourselves to take on new responsibilities to regulate online safety, today's action plan sets out how, through the DRCF, we will strengthen our ties with the CMA and the ICO. Together we will drive a coherent approach to online regulation – for the good of internet users and the companies that serve them.

### **Andrea Coscelli, Chief Executive, CMA said:**

Technology plays a vital role in all our daily routines, whether by

helping us to work, allowing us to stay connected to loved ones, or enabling us to spot a bargain online. We understand that the actions that we and other regulators take in the digital market have a real impact on people's lives.

That is why now, more than ever, we must work closely with other agencies – both domestically and internationally – to tackle these problems together and work with powerful tech firms to proactively shape their behaviour.

### **Elizabeth Denham, UK Information Commissioner, said:**

Effective regulation supports digital innovation and economic development. It gives people trust and confidence to support innovation, safe in the knowledge there are checks and balances in place to protect them.

Through the DRCF we will be working closely with the CMA and Ofcom. Our workplan is a roadmap towards pragmatic, practical solutions to the challenges arising from our increasingly digital world. Practical cooperation between regulators will drive better outcomes for business and individuals.

## **Notes to editors**

1. DRCF launch documents: [Ofcom DRCF launch document](#), [CMA DRCF launch document](#), [ICO blog on DRCF launch](#).
2. We intend to work closely with other domestic and international regulators as appropriate.