

DECEMBER 2019

ENFORCEMENT NEWS

The quarterly magazine from CIVEA,
the Civil Enforcement Association



CIVEA CONFERENCE SPECIAL EDITION



Andrew MacKay, CIVEA

3 President's
update



Richie McBride, Edesix

7 Body Worn
Cameras



Paul Kelly, Jacobs

12 Breathing
Space



Russell Hamblin-Boone, CIVEA

14 Conduct,
CARE and Code

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PRESIDENT'S CIVEA CONFERENCE 2019 REVIEW

Andrew MacKay,
President,
CIVEA



Our conference this year was held in the prestigious Banking Hall in the City of London. It set the scene for a flagship event that brought together 250 delegates from large and small enforcement companies, government departments, local authorities from across England and Wales, suppliers, trade associations and debt advice charities.

"CIVEA members recover more than £500 million of unpaid taxes and fines each year at no cost to the public purse."

The conference was the largest gathering of organisations that represent all aspects of public debt enforcement journey in the UK. I was delighted to announce that CIVEA was extending an invitation of membership to all in-house local authority enforcement teams. We have already received an encouraging volume of inquiries from prospective new members.

Although awareness of the enforcement industry has grown in the last 18 months, it remains a sector that operates discreetly and efficiently with only a small proportion of people ever encountering an enforcement agent. CIVEA members recover more than

£500 million of unpaid taxes and fines each year at no cost to the public purse. That's half a billion pounds collected on behalf of local authorities that can help to offset the impact of austerity that is felt in council chambers everywhere.

I am grateful to our keynote speaker, John Kruse, who shared his personal perspective on the reforms we have seen in our profession. As always John was entertaining, insightful and challenging in equal measure. He set the scene for a conference that looked critically at current practice and identified developments for the future.

Data and Technology

The title of our conference was Enforcement 2.0 – a new era in excellence. Our programme was designed to explore this theme in a series of panel sessions. The first of which was on data and technology.

We have seen huge strides in the use of technology, especially during the compliance stage. This has allowed enforcement firms to identify, verify and clarify information provided from client authorities. Our panellists provided delegates with valuable insights. Ealing Council's Nick Rowe gave an update on the Government's data sharing pilot, which is a pioneering project bringing together private and public expertise. Craig McKay from Debt Recovery Plus, gave useful advice on how to square the increased use of video with tighter data protection regulations. While Daniel Pearce from Telsolutions shared statistics demonstrating how debt recovery is adapting to the new communication channels.

Vulnerability and Debt Advice

In the second panel session, our debt advice experts – Peter Tutton from StepChange, and Kevin Shaw from the Money and

Pensions Service - shared their views on the challenges of recovering public debt from low income households. This was an excellent opportunity to learn about the experience of front line debt advisers dealing with the impact of welfare reforms and austerity measures. The increased pressure on debt advice charities following the abolition of central government-funded council tax benefit schemes is unlikely to diminish with rising household costs.

Impact of Regulation

The final session of the day discussed the impact of regulation. On the whole, the enforcement industry and those in debt have benefited from the clarity of new rules implemented in 2014. For example, the introduction of the compliance stage in the enforcement process has halved the number of visits made to debtors' homes, without impacting on recovery rates.

Andrew Hopley began the panel session with his useful reflections on industry practice and areas for improvement in complaint handling. Peter Wallwork explained the journey that Credit Services Association members took to achieve higher standards and a stronger reputation, which led to authorisation by the FCA.

Dr Wendy Kennett from Cardiff University is a member of the new CIVEA Compliance, Adjudication and Review in Enforcement Panel. She shared her research into enforcement regulation models that were adopted in other countries. We were treated to expert insight from Louise Freeth from the Royal Borough of Windsor and Maidenhead, who is also National President of the IRRV. Louise shared some practical thoughts on the future relationship of enforcement agents in public debt collection.

We were not able to reach all the questions posed to the panellists. However, we have asked our speakers to answer these retrospectively and their responses will be posted on the CIVEA conference website.

In between the speaker sessions delegates were able to visit the exhibition stands. I am immensely grateful to all our sponsors. I know from feedback that the exhibitors made many new business contacts and the networking was very popular.

It is important for our profession to take time out from our daily activities to consider the wider issues that impact on the sector. CIVEA provides a year-round forum for debate and policy discussions and I look forward to sharing more about our activities in the coming months – and, of course, details of our next conference!



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BODY WORN CAMERAS PROVEN TO KEEP BAILIFFS AND MEMBERS OF THE PUBLIC SAFE

Richie McBride
Managing Director
Edesix



The Ministry of Justice recently announced that Body Worn Cameras (BWCs) are to be made compulsory for bailiffs.

The decision was made following complaints of illegal and aggressive behaviour. The new rule affects High Court Enforcement and Certified Enforcement Agents and has been put in place to ensure that debt is collected in a fair and safe manner.

As market leaders in the provision of BWC solutions - we welcome this news as it will greatly increase safety for both enforcement agency workers and members of the public. It will also improve transparency and accountability across an industry that is traditionally very hard to manage.

BWCs have been proven to help improve the safety of people in public-facing roles, while also producing compelling legal evidence when needed. BWC's can provide two-fold protection to staff. Firstly members of the public often naturally moderate their behaviour when they realise they are being, or are possibly being, recorded. Importantly, these cameras can also be used, when needed, to alert colleagues to incidents, obtain quality evidence to help secure convictions, and uphold the account of staff in the event of a dispute or incident.

"BWCs have been proven to help improve the safety of people in public-facing roles, while also producing compelling legal evidence when needed."

To deliver the benefits, a BWC system must be simple to deploy, manage and use. The wearable camera is a tool for the user to protect themselves - but it isn't the focus of their job, nor should it be.

It is essential that body cameras are easy to deploy even with minimal training. In support of that the back office management suite must be secure and able to deliver court-admissible evidence packages.

The majority of bailiff and debt collection agencies in the UK are professionally run operations that adhere to legislation that protects both the public and enforcement agency workers. However, due to the sensitive and volatile nature of the profession, which can result in heated confrontations, the use of BWCs can provide added protection for all sides.

The use of BWCs is key to increased accountability in the debt collection industry by helping to create an equilibrium between bailiffs and members of the public by increasing transparency and ensuring no laws are broken.

The cameras will now have to be worn by around 2,500 certificated enforcement agents, or bailiffs, who work to collect a wide range of debts including council tax, traffic penalties and rent arrears. High

Court enforcement officers will also wear the cameras, but the measure will not apply to county court bailiffs. The Ministry of Justice has said that it will work with the industry to make the cameras compulsory as soon as possible.

A recent study on BWCs carried out by Cambridge University found that police equipped with Body Worn Cameras received 93per cent fewer complaints from members of the public. Almost 2,000 officers from police forces in the UK and USA took part in the exercise, encompassing 1,429,868 officer hours across 4,264 shifts.

For further information about Edesix please visit www.edesix.com.

"The majority of bailiff and debt collection agencies in the UK are professionally run operations that adhere to legislation that protects both the public and enforcement agency workers. However, due to the sensitive and volatile nature of the profession, which can result in heated confrontations, the use of BWCs can provide added protection for all sides."

About Richie McBride:

Richie McBride is a serial entrepreneur and investor. Richie is the managing director and co-founder of Edesix Ltd, which has grown to become a market leader in the provision of Body Worn Camera solutions. Edesix, which is based in Edinburgh, provides its solutions to workers in public-facing roles, such as police officers, security personnel, emergency services workers and the transport industry.

About Edesix:

Founded in 2002, Edesix is a global market leader in the production and provision of Body Worn Camera (BWC) solutions. BWCs have been proven to help improve the safety of those in public-facing roles, while providing compelling legal evidence when needed. From its headquarters in Edinburgh, Edesix supplies key markets across the globe through direct sales and international partners, to destinations including the UK, Europe, USA, Canada, the Middle East and Australasia.

Edesix designs, develops and manufactures its hardware and software entirely in the UK. The company provides BWC solutions to sectors including police and criminal justice, parking and civil enforcement, emergency services, lone workers and field agents, security companies and custodial services all across the world.

The company was acquired by Vigilant Solutions, a subsidiary of VaaS International Holdings, in October last year for an undisclosed sum. VaaS is a leading global provider of data and image analytics for vehicle location. At the beginning of 2019 VaaS was bought by tech-giant Motorola Solutions for \$445 million.



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NEWS THIS QUARTER

CIVEA CODE RECEIVED WITH ENTHUSIASM

Signalling a major reform to civil enforcement, an independently-monitored code of practice that sets a new standard for bailiffs has been announced in London today.

All members of the Civil Enforcement Association (CIVEA), which represents over 90 per cent of the firms employing enforcement agents (bailiffs), have signed up to the code, which involves a detailed compliance audit and review by a newly-formed independent panel - the Compliance, Adjudication and Review of Enforcement (CARE) Panel.

The CARE Panel is composed of experts in compliance, complaints handling, regulation and consumer affairs. It will receive reports from the code assessor on CIVEA members' conduct and compliance, review complaints submitted to CIVEA where a final decision has been made by a member (this only applies to HMCTS and transport-related complaints), and offer expert advice to the CIVEA executive. All CIVEA members will be assessed for compliance with the new code within the first 12 months.

The members of the Compliance, Adjudication and Review of Enforcement Panel are:

Dr Wendy Kennett, Lecturer at Cardiff University Law School.

David Pickering, former CEO of the Lending Standards Board and compliance specialist.

Caroline Wells, expert in vulnerable consumers and complaints.

Sheila Harding, industry expert and founder of Bailiff Advice Online.

The CIVEA code is a commitment by the enforcement industry to continue driving up standards and setting the bar high for anyone who wants to join the profession. It has been welcomed by the Government and debt advice charities as a progressive and proactive step.

THIRD 'STOP THE KNOCK' REPORT PUBLISHED

The Money Advice Trust has published its third Stop the Knock report, which is the culmination of Freedom of Information (FOI) requests to which CIVEA members contributed on behalf of client local authorities.

The main focus in the report is on the increased use of enforcement in relation to penalty charge notices. According to the report, the use of bailiffs to collect debts owed to local authorities in England and Wales has risen by 7 per cent in two years, driven by a surge in the use of bailiffs to collect parking debts.

More than 2.6 million debts were passed to bailiffs by local authorities in 2018/19 according to the research, based on FOI requests. While the number of referrals to bailiffs for council tax debt remained stable from two years earlier, the Money Advice Trust says the overall number of 1.4 million remains too high and that around half of the councils are

continuing to increase their use of bailiffs to collect council tax. However, 51 per cent of councils had used fewer bailiffs than two years ago – and the charity found a modest net improvement in debt collection practices in that time.

GOVERNMENT ANNOUNCES MANDATORY USE OF BODY CAMERAS

The Ministry of Justice has announced that it intends to make it compulsory for agents to use body-worn video cameras for enforcement visits. Body-worn cameras will be mandatory for High Court Enforcement Agents and certificated enforcement agents. It does not relate to county court bailiffs who are employees of HMCTS and out of scope for the review. Regulations will be changed to facilitate the new mandate. CIVEA is working with the Government to design guidance on the use of body worn video although an implementation date has not yet been set.

DATA SHARING GUIDANCE FOR LOCAL AUTHORITIES

The Department for Work and Pensions has published guidance to help local authorities decide whether they can use customer data to help improve other locally managed services and benefits. The guidance is for the purpose of administering social security benefits and is primarily aimed at Housing and Council Tax Reduction teams, but it may be used by other local authority teams.

HMCTS LAUNCHES WARRANT OF CONTROL VULNERABILITY CENTRES

Following successful pilots in the North East and North West of England, HMCTS is introducing 12 Warrant of Control Support Centres across England and Wales to centralise and standardise its service. While a number of these centres are now fully operational, others are being introduced on a phased basis. These centres will engage with debtors at an early stage with the aim of providing support and resolving the warrant as soon as possible to reduce the need for an agent to visit the debtor at their home.

CIVEA GIVES WARNING ABOUT BOGUS BAILIFFS

CIVEA has published advice after members reported an increase in activity by fraudsters pretending to be enforcement agents. The warning comes after CIVEA identified cases of fraudsters using the Government's public register of enforcement agents to demand payments for bogus government debts. The details of certificated enforcement agents are used to put pressure on people to pay quickly saying that costs will go up if they delay, while they also threaten to visit within hours with a locksmith. CIVEA is collating details of fraudulent activity.

CIVEA CONFERENCE 2019



NEW CODE OF PRACTICE: A WELCOME STEP-CHANGE FOR OUR INDUSTRY

Andy Rose
CEO
Bristow & Sutor



The Civil Enforcement Agency's (CIVEA) newly established code of practice is a welcome commitment to improving standards and supports the continued professionalisation of the enforcement sector. However, as a collective, we need to ensure that the code is adopted in its entirety and we all still have a responsibility to hold others to account.

Enforcement is a diverse industry, which at its best can lead to innovation, but at its worst can lead to abuses of responsibility. At Bristow & Sutor we have always recognised the need to maintain the highest standards and recognise that this is an ongoing process. No single document or policy, no one act of parliament, and no industry voice making a one-off point should be accepted as a fait accompli. The phrase 'better never stops' couldn't be truer for our industry, and we all have a responsibility to uphold that.

As a business, we've taken a series of complimentary decisions over the past four decades, which have contributed to getting us where we are today. We made a decision from the get-go in 1977, for example, that all our enforcement agents should be fully employed by our business. We also decided that the future professionalisation of our industry depended on the dedicated and whole-hearted adoption of technology, which is why we were well ahead of the curve on body cameras and debtor payment processes. We were also right at the forefront of the industry in introducing an independent advisory panel – a step that has given debtors and clients alike a reassurance that we are working to the highest standards.

CIVEA does a great job in bringing our industry together, but in order to make the most of any changes, we also have a responsibility to each other. Bad apples, affecting the good work being done by the majority, should not be tolerated. We should all call-out bad practice where we see it and we should all strive for better, all of the time.

It is also vital that the spirit and letter of the code is practiced by individuals as well as organisations. All our employees bear a responsibility – some would say increasingly so – to the success of the enforcement industry. There are some truly inspiring professionals out there, who live and breathe the very essence of the code, but more needs to be done to support all of our colleagues as they are the future of the sector. Training and professional development is crucial to our own organisation and working hard to ensure we have adopted practices early, in order to future proof our service, has been a conscious strategy we have pursued.

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Our own experience of introducing an Independent Advisory Panel - a step we took in the autumn of 2018 - seems to mirror the newly created CARE (Compliance, Adjudication and Review) panel. This level of independent oversight is something we wholeheartedly support. Since its introduction the advisory panel has provided a solid sounding board and oversight to our activities, meaning our clients can rest assured of our levels of service.

Local authorities must tread a difficult tightrope and it should be firmly within our remit to provide them with a reassuring, steady hand. An increased focus on wellbeing and mental health should be a focus we lead on as an industry, not something we respond to. By being on the front foot, we are providing our public sector partners with the much-needed reassurance they require in our abilities. A lot has been done on this front in recent years, but it is an ongoing journey.

This new code has rightly been heralded as a major reform to our industry, which will see accelerated professionalisation of the sector. It should be welcomed that it goes beyond our regulatory and moral obligations and lays out a set of standards that we can all be proud to wear on our sleeves.

Now is the time for us all to ensure it is a resounding success – a success that we all have a major stake in.

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Paul Kelly
Client Services Director
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I have recently been asked by a number of local authority colleagues about my views on the potential impact on collection rates of the breathing space scheme. Will there be a massive impact on collection rates or is it business as usual?

The scheme itself consists of two elements, the first being for a debtor with 'problem debt' to be assessed as eligible for legal protection from creditor action whilst they receive free regulated debt advice with a view to entering into an appropriate debt solution. The second being entry into a statutory debt repayment plan to repay their debts in full within a reasonable timescale.

Both elements of the scheme aim to give people in problem debt the opportunity to take control of their finances and place them on a sustainable footing.

On the face of it, there should be no negative impact as the key themes of the scheme are that:

- a) Individuals will repay 100 per cent of the arrears owed;
- b) Ongoing liabilities should be paid to remain eligible for the scheme;
- c) Safeguards will be in place to prevent the scheme being open to abuse;
- d) It is fully funded by the debtor, placing no burden on tax payers.

100% Collection of Arrears:

The possibility of collecting 100 per cent of arrears is appealing to creditors particularly when the debtor owes multiple debts, for example, a number of years' worth of council tax. This is especially relevant when considering if the debtor entered into an insolvency solution, such as bankruptcy, they may end up only paying part of the arrears.

Ongoing liability:

If an individual falls into arrears on ongoing liability whilst they are participating in the breathing space scheme, they will not be protected from enforcement action, or the charging of additional interest, fees and charges (if applicable). Debt advice agencies will have the discretion (subject to the circumstances of each case) to remove a person from breathing space because they did not pay their ongoing liabilities.

Problem Debt:

The Money and Pension Service website estimates that there are 8.3 million adults (one in six people) in the UK living with problem debt. As a consequence there is a worry in the debt collection profession that once the scheme is launched there will be a surge of applicants to the breathing space scheme (many of whom will not be eligible) with the knock on effect being an impact on cash-flow and collection rates.

The HM Treasury policy proposal document states that:

"...being in problem debt for the purposes of breathing space will mean that a debtor is having difficulty paying their debts, and is in sufficient financial difficulty to have a realistic chance of entering a debt solution such as insolvency or a debt management plan".

Furthermore, the policy proposal document (2.14) sets out that a debt advice agency will not be able to enter someone into breathing space if they do not have a realistic chance of entering a debt solution during the scheme. Examples include those who:

- Would be advised to pursue options other than a debt solution – such as being given budgeting advice;
- Clearly need to enter a formal insolvency solution, such as bankruptcy, and are in a position to do so immediately, including ability to pay the relevant fees;
- Are already in insolvency solutions.

This control will significantly reduce the number of people who access the scheme to those who are genuinely eligible and will prevent the scheme being open to abuse by a small minority who seek to delay or frustrate the recovery process.

Financial Conduct Association (FCA) Regulated Advice:

To be eligible for breathing space an individual must access FCA regulated debt advice (or an organisation exempt such as a local authority) as the gateway - the rationale being that the training and regulatory framework to which such advisers are subject will reduce instances of individuals mis-using the protections.

Controls and Safeguards:

Further controls are contained within the policy proposal document and the restricted draft regulations which provide for:

- Initial and ongoing eligibility checks after 30 days;
- Duties on the debtor to provide accurate information and not to deliberately withhold relevant information; to inform the debt adviser of any material change of circumstances;
- Credit Reference Agency checks to confirm eligibility to the scheme.

Time limit for taking control of goods:

It is also reassuring to see that HM Treasury plans to make amendments to Paragraph 7 to Schedule 12 - Tribunal Courts and Enforcement Act 2007 and Regulation 9 - The Taking Control of Goods Regulations 2013 by extending the time limit for taking control of goods to allow for the moratorium period.

Getting back to the initial question:

In my humble opinion should breathing space be introduced with the current controls as stated in the policy document and draft regulations then they will have little impact on existing performance.

My thinking is based on the fact that the criteria for the proposed scheme will limit the number of individuals eligible for breathing space. Those who are not eligible may still require specialist money advice and/or debt counselling and these are the individuals that all in the profession - local authorities; creditors, debt collection firms and enforcement agents - already deal with on a daily basis.

In many cases we already have existing protocols in place to suspend action for an agreed period to enable ample time for specialist advice and assistance to be provided and for an arrangement proposal to be put forward.

THE SUBCONTRACTOR TRAP!

Darren Coldspring
Client Director
ICB Group



From time to time every business needs to hire additional help. However, the way subcontractors work and how you control them can have serious implications for your own legal duty of care and how your insurance may respond, or not, to a claim.

The use of any type of contractors must be disclosed to your insurers for any cover to operate and in this short article, we will explain the differences between them and how this will affect your insurance needs and costs

The difference between labour-only and bona-fide subcontractors

Labour only subcontractors (LOSC) are like additional employees that you hire to assist with an enforcement contract that is too large for your existing full-time staff.

They will typically work under your supervision and control and use 'tools of the trade' supplied by you. By law you owe these people the same duty of care as your own employees and you could be found at fault if they cause damage or injury to others whilst carrying out the job you set them. Likewise, if they suffer an injury carrying out the job, you could well be held liable for their injuries.

Given this increased legal responsibility your insurers would typically charge the same rate for LOSC as your own employees.

Bona fide contractors (BFSC) would typically work more independently of your supervision and control and would supply their own tools or materials. You would normally require a bona fide subcontractor to carry their own Public and Employers' Liability insurance as any claims from your customer, resulting from their activities, would be directed to their insurers in the first instance and not yours.

As BFSC have their own insurance cover in place, your insurers would only charge a small proportion of the LOSC rate to cover the contingent event that their cover fails and yours would be required to respond to a claim.

The table below summarises this nicely:

Labour only subcontractors	Work under your supervision and direction	Use your materials, kit, equipment and tools	Must comply with your Health & Safety policies	Work under your guarantee of work	Charged as 'own employees' by insurers
Bona fide subcontractors	Work under their own supervision and direction	Provide their own materials, kit, equipment and tools	Responsible for their own Health & Safety	Work under their own guarantee of work.	Charged a reduced rate by insurers.

The insurance implications of confusing the two:

The most common issues we see include the following:

- A bona fide subcontractor with insufficient or no Employers' Liability or Public Liability insurance. If there were an incident, your firm could be liable even though the subcontractor was at fault. This could increase your future insurance costs.
- Your business failing to notify insurers about your use of contractors, **meaning that no cover is in force** for either Employers' or Public Liability insurance. This means that if they were responsible for an incident or became injured or ill due to their work, you could be wholly accountable for the damages.

Simple steps to protect your business

- Obtain annual proof that bona fide contractors have their own Public Liability and Employers' Liability insurance. Even if they are insured, you should verify that they have at least the same indemnity limit as your firm, as you could potentially be liable to fill the gap.
- Ensure their cover is with a reputable insurer as, if their insurer fails, yours may be required to pick up the bill. This would affect your claims experience and increase your costs.

As the insurance broker to many CIVEA Members, we can help you to:

- Understand which employees fall into which category
- Check that the insurance arrangements of your bona fide subcontractors are adequate
- Carry out a free of charge insurance review to ensure all of your business activities are covered

If you would like to discuss how we can help your business, please contact Client Director, Darren Coldspring on 07523 504 164 or email darren.coldspring@icbgrouppuk.com

CONDUCT, CARE AND CODES

Russell Hamblin-Boone
CEO
CIVEA



The theme for our conference this year was a new era in excellence. This reflects the period of reform that the enforcement profession has experienced with new regulations introduced five years ago. But it also acknowledges that the industry continues to evolve in response to political and economic change.

Although the credit crunch took place over a decade ago it had a profound impact on corporate responsibility. Every business sector has had to embrace a new level of transparency, data protection, public accountability and conduct. This means that the regulators do more than simply ensure that companies follow the right rules; they now oversee the conduct, attitude and behaviour of firms.

It is no longer enough for firms to demonstrate that they are working to the word of law. They must operate within the spirit of the law. Meeting the regulator's approval means going beyond the requirements of regulations.

Historically, the enforcement sector has been subjected to light-touch regulation under the broad supervision of the Ministry of Justice (MOJ).

Enforcement under scrutiny

The enforcement profession is under scrutiny by the press, public and politicians. Some of this is due to sensational TV programmes, some is due to publicity-seeking campaigners and some is due to stagnation in government policy.

Much of it is due to misperception.

For the majority of people, the public perception of 'bailiffs' - or as we know them, enforcement agents - is either what they see on reality TV shows or read in newspapers. Consequently, there are a number of inaccuracies that are reinforced by media stereotypes that are used to call for changes to our industry. For example, a statutory regulator.

The latest commentary to be published is the third Stop the Knock report by the Money Advice Trust. The report concluded that while the use of enforcement agents for recovering unpaid council tax remained stable, there had been an increase in the use of enforcement to collect parking fines.

This may be the case, but the report fails to recognise the new contracts for the Mersey and Dart crossings. As everyone in the industry knows, these were huge contracts and will have accounted for a much greater increase in enforcement activity. Alongside this, local authorities are increasingly recycling uncollected debt cases and instructing agents to collect historic debt.

Recommendations for reform

In April, the Justice Select Committee submitted recommendations to the Ministry of Justice. The recommendations will form the basis for the Government's response to the call for evidence, including:

- Establishment of an independent complaints body, to which all complaints about bailiffs should be escalated if the complainant has exhausted local complaints procedures
- Consideration of options for an independent regulator for the enforcement agent industry, separate to the complaints body. The regulator should be able to stop unfit enforcement agents and companies from practicing. It should have the power to set intermediate

sanctions, such as fines for poor behaviour. This regulator should also work to change culture and raise standards.

- The new regulator should regularly review and make expert recommendations to the MOJ about the fixed fee structure.
- Body-worn cameras will be mandatory for all enforcement agents visiting homes and businesses. All CIVEA members have already committed to this recommendation.

The MOJ also want to develop recommendations for supporting vulnerable people and better procedures for complaints handling.

CIVEA members have already begun the process of standardising their response to improving our practices.

At our conference I announced a major reform initiative, which was developed in response to the Government's review of enforcement regulation and amid concerns that there may be cases of malpractice by a minority of agents.

All members of the Civil Enforcement Association, representing over 90 per cent of firms employing enforcement agents have signed up to an independently-monitored code of practice that sets a new standard in enforcement.

The compliance process means that all CIVEA members will be independently audited in the next 12 months and reviewed by a newly-formed independent panel, the Compliance, Adjudication and Review of Enforcement (CARE) Panel.

The code builds on the existing industry code and goes beyond the statutory regulations as well as complementing the Government's national standards. For example, it includes the mandatory use of body-worn video cameras with guidance on data reviews and storage. The code is a commitment by the enforcement industry to continue driving up standards and setting a high bar for anyone who wants to join our profession.

CARE Panel

The CARE Panel is comprised of experts in compliance, complaints handling, regulation and consumer affairs. The panel will receive reports from the code auditor on CIVEA members conduct and compliance, review complaints submitted to CIVEA where a final decision has been made by a member (this only applies to HMCTS and transport-related complaints), and offer expert advice to the CIVEA Executive Council.

The four members of the CARE Panel are committed to working with CIVEA to maintain high standards of professionalism and to provide the first ever objective supervision of our profession.

They are:

Dr Wendy Kennett, Lecturer at Cardiff University, who will taking part in a panel session later

Caroline Wells, award-winning customer insight professional and former senior official at the Financial Ombudsman Service

Dave Pickering, former CEO of the Lending Standards Board and expert in regulatory compliance.

Sheila Harding, who many will know as founder of Bailiff Advice Online and an expert on enforcement regulation.

This is a ground-breaking initiative that CIVEA members have developed voluntarily where they are opening up their businesses to scrutiny by informed experts. It is a clear expression of the confidence they have in their services.

Our proactive approach to a new era of excellence has been well received in government and by other key stakeholders and I look forward to sharing more industry developments in the months to come.

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