

ENFORCEMENT^{NEWS}

The quarterly magazine from CIVEA, the Civil Enforcement Association

AUTUMN 2022



- Working together to tackle the digital divide
- Why a fundamental rethink is required on debt collection

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CIVEA CEO
Russell Hamblin-Boone

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Preparing for a cost-of-living crisis and self-regulation

Welcome to the Autumn edition of Enforcement News. From conversations with members and reports from stakeholder events, it is clear that we are a long way from business as usual. This time last year, CIVEA members were optimistic that clients would lift moratoriums on debt recovery and reinstate demand for enforcement agents at, or near, pre-pandemic levels.

The expectation was that local authorities would need to address the arrears that had accumulated as a result of the pandemic. Enforcement agents had received additional training in anticipation that they would encounter a broader range of vulnerable people with debts. Firms themselves have invested in technology that improves their ability to identify individuals' circumstances and plan appropriate interventions. However, geopolitical events have impacted on the domestic economy with the 'working poor' being most affected. Consequently, councils have had to respond with caution.

Our seminal report **'Reflection and Collection – the evolution of civil enforcement'** describes the need for compassionate enforcement as a response to the post-pandemic landscape. This does not mean that enforcement should be suspended but recognises the need for discernment to ensure that people are supported according to their circumstances and type of debt. Enforcement agents are skilled at assessing situations and deciding the most appropriate way to respond to individuals.

The latest Money Advice Trust Outcomes Report shows that Council Tax debt accounted for 27% of all callers by December 2021. It is no coincidence that the **Transunion Consumer Pulse** study reports that, even with spend reductions, many people were already experiencing financial distress and it has the 27% figure representing those on low incomes that do not expect to be able to pay their bills and credit commitments in full. These are figures from mainly from the first quarter of the year and we have yet to build in the impact of energy price rises this winter.

"The development of the Enforcement Conduct Board (ECB) is continuing apace."

Inevitably, the topical debate about household debt has led to populist proposals for mass debt write-off and enforcement amnesties. Rather than join a febrile debate, CIVEA is continuing to work with the government to ensure responsible enforcement and to improve public confidence in debt recovery.



In support of the industry's work to raise standards and promote good practice, the development of the Enforcement Conduct Board (ECB) is continuing apace. The ECB is due to be launched in November and a full board with a range of experience and expertise has been appointed. I am sure we will be hearing more about the four new Board members. In summary, Jenny Watson CBE, is Chair of the House of St Barnabas and GAMSTOP, Chair of the Independent Complaints Panel at the Portman Group and former Vice-Chair of the Money Advice Trust; Alan Cavill is Director of Communications and Regeneration at Blackpool Council; Ged Curran was Chief Executive at the London Borough of Merton for 21 years; and Althea Efunshile, CBE, is Chair of Metropolitan Thames Valley Housing.

Catherine Brown, the ECB Chair, has met many CIVEA members and has shadowed enforcement agents and High Court Enforcement Officers in the field. Similar visits are being arranged for the new Board members.

The framework document drawn up by the industry-debt advice working group provides the blueprint for the ECB. Aside from designing a funding levy that is proportionate and fair, the priorities for the ECB now are ensuring that supervision covers the broad range of enforcement activity. We need an independent review and analysis of enforcement work that is robustly evidenced so that any recommendations are a direct response to problems identified. We are especially keen for the ECB to be able to monitor trends and issues by managing the complaint adjudication process for enforcement firms.

The ECB has a steep learning curve to get under the skin of enforcement work to understand the nuances and challenges of our profession. Self-regulation presents an opportunity to set the record straight on the purpose and value of civil enforcement. CIVEA members have welcomed plans for new standards that reflect modern enforcement practice and acknowledge the essential role that enforcement agents play in supporting vital local services. There will need to be extensive consultation with the ECB and its directors as its working methods are developed and CIVEA will play an important role in providing expert advice. In the meantime, CIVEA members will continue to do the usual things well and prepare to do new things even better.

I hope you enjoy reading Enforcement News. We are always pleased to include new contributors so contact me if you wish to write an article. As always, feedback on the magazine is welcome.



Russell Hamblin-Boone
CEO, CIVEA



Government publishes Council Tax collection rates

Local authorities collected £34.6bn in Council Tax in 2021-22, an increase of £2.4bn (7.5%) over 2020-21.

By the end of March 2022, local authorities had collected £33.9bn of Council Tax that related to 2021-22 and achieved an average in-year collection rate of 95.9% – an increase of 0.2% over the previous year.

In terms of non-domestic rates, local authorities collected a total of £21.2bn – an increase of £6.9bn over the figure for 2020-21. This was reflective of the change to the rate of relief given in response to the pandemic to the retail, hospitality and leisure sector.

Additionally, authorities reported increases in arrears payments, due to the resumption of services following COVID-19, and higher receipts received in respect of the subsequent billing year, partly due to credits being made as a result of authorities adjusting liability payments following the application of the COVID-19 Additional Relief Fund (CARF).

At 31st March 2022, the total amount of Council Tax still outstanding amounted to £4.9bn. This is an increase of £521m (11.4%) over the figure for 2020-21. The temporary reduction or delay in recovery action during 2020-21 and 2021-22 had an impact on these arrears – courts were closed, which meant less action could be taken.

The total amount of non-domestic rates still outstanding amounted to £2.5bn – an increase of £50m on the 2020-21 figure. Again, this amount has been affected by the reduction of recovery action as a result of the pandemic.

Select Committee on Levelling Up, Housing and Communities inquiry on Council Tax Collection Oral evidence session:

Councillor Stephanie Cryan, Cabinet Member for Finance, Democracy and Digital at London Borough of Southwark.

Russell Hamblin-Boone, CEO at Civil Enforcement Association.

Paul Whyte, Managing Partner at Whyte & Co Ltd.

Kevin Stewart, Business Unit Leader, Revenues and Benefits at Mid Sussex District Council.

Catherine Brown, Chair at Enforcement Conduct Board.

Alistair Townsend, National President at Institute of Revenues, Rating and Valuation.

Rachel Beddow, Principal Policy Manager at Citizens Advice.

New White Paper on private rented sector

As the Government announces a new White Paper, *A fairer private rented sector* Eddie Hughes Parliamentary Under-Secretary of State (Department for Levelling Up, Housing and Communities): We have already taken significant action to improve private renting, including significantly reducing the proportion of non-decent private rented homes, banning tenancy fees for tenancy agreements signed after 1st June 2019, and introducing pandemic emergency measures to ban bailiiff evictions – these reforms will finish the job that we started in 2010 and deliver a fairer private rented sector.

For more news go to the CIVEA website <https://www.civea.co.uk/news-and-media>

Lloyd Russell-Moyle, Labour/Co-operative, Brighton, Kemptown:

To ask the Secretary of State for Levelling Up, Housing and Communities, if he will consider introducing a mandatory grace period for (a) drivers who leave a parking bay within 10 minutes without buying a ticket and (b) drivers who are unable to buy a parking ticket within 10 minutes as result of delays and failures in the relevant ticket delivery system.

Neil O'Brien Parliamentary Under-Secretary of State (Department for Levelling Up, Housing and Communities):

"The 10-minute grace period at the end of paid for or free parking became mandatory for all Civil Enforcement Authorities in England on 6th April 2015. The grace period only applies at the end of permitted paid-for or free parking at local authority owned or operated car parks. It does not apply at the start of a period of parking, nor in circumstances where the driver was not permitted to park (i.e., outside the hours of permitted operation of on-street parking). There are no plans to mandate councils to give 10 minutes of free parking when parking begins.

Statutory guidance makes clear that if an on-street parking meter or pay-and-display machine is out of order (and parking has not been suspended and clearly indicated as such to motorists), motorists should not be issued with a parking charge notice unless alternative means of payment were available to the driver and clearly indicated.

Some private parking operators currently offer 10-minute grace periods. However, the new Private Parking Code of Practice my department is currently reviewing will make it a requirement across the country to provide a fixed consideration period of at least five minutes to ensure that motorists have an opportunity to familiarise themselves with the parking terms and conditions and give a minimum 10-minute grace period after their tickets expire."

Richard Fuller, Conservative, North East Bedfordshire:

To ask the Secretary of State for Justice, what plans he has to take steps to help ensure that claimants in civil debt recovery cases are kept informed of the progress of court bailiiff action on their behalf.

James Cartlidge, Parliamentary Under-Secretary of State (Ministry of Justice), Assistant Whip:

"In October 2021, following a review of the communications sent by HMCTS to claimants regarding the progress of their warrant, improvements to our case management system were made. This introduced improved communications to give claimants more focussed details on the progress of a warrant. The HMCTS Reform Programme will provide the opportunity to review and deliver improvements to the service. The aspect of the Civil Reform Project focused on the enforcement of judgments commenced in April 2022 and is due to conclude by March 2023."

Shaping our industry for the challenges ahead

I have held the CIVEA Presidency for just over four months and in that short time I have gained a new understanding of the value of a trade association. Since my appointment I have given evidence at a select committee hearing, lobbied government officials, attended parliamentary receptions, held meetings with legal teams and advised on media inquiries.

There is a constant stream of issues that present threats and opportunities to our industry. The CIVEA executive is continually scanning the political horizon. This has become quite challenging with the recent turmoil in Westminster. We had hoped to have a decision about the inflationary uplift for enforcement fees. Unfortunately, progress has been disrupted by the uncertainty in government with changes of ministers. With rising costs of fuel and energy, as well as other fees, we understand the financial pressures on members to meet their clients' requirements. However, we have a good relationship with the Ministry of Justice and will continue to work with officials to reach a resolution on this critical issue.


" Even without the political shenanigans the cost of living crisis should dominate our business planning."

Even without the political shenanigans, the cost-of-living crisis should dominate our business planning. There are still many councils that have not resumed full debt recovery activity and arrears are mounting. This shortfall in budgets is not sustainable when local authorities are under pressure to support vulnerable people in their communities.


Enforcement agents have always played an essential role in identifying people in vulnerable circumstances. There are countless examples of enforcement agents being the first to make contact with individuals who have become overwhelmed by their circumstances and disengaged with their creditors. Increasingly, enforcement firms are using technology to communicate with debtors through a variety of channels and using behavioural science to nudge people to act responsibly. This edition of Enforcement News has excellent articles from our technology partners.

Enforcement is a specialised form of debt recovery that is prescribed through detailed regulations, to give local authorities the powers to utilise the courts where people are not paying their outstanding debts. The on-going challenge for enforcement agents is to discern the reason for non-payment and to adapt their approach accordingly. The cost-of-living crisis means that we will be dealing with more incidence of vulnerability and will be expected to support those in need, as much as we pursue those who are evading payment.

The task for CIVEA will be to explain how we achieve this responsibly and sensitively. We need to help to educate the public about our role and improve confidence in warrant recovery and the execution of court orders to fund local services. I am looking forward to working with the other CIVEA Officers to advance this campaign and shape our industry for the challenges ahead.



Paul Whyte
President,
CIVEA



New Vice President

As the youngest, and second female, Vice President for CIVEA since its establishment in 2011, I'm really proud and honoured to have been appointed by my peers, especially as I recognise that the next four years are crucial for our industry.

With my parents, Colin and Elaine Naylor, setting up Dukes Bailiffs Limited in 1993, I've pretty much grown up with enforcement, and I watched it evolve from the side-lines until I joined our family business in 2015. Since then, building on the Taking Control of Goods Regulations, my passion for ethical enforcement and breaking the stigma associated with it has grown with each sunset.


" As the youngest, and second female, Vice President for CIVEA since its establishment in 2011, I'm really proud and honoured to have been appointed by my peers."

Over the past two years, I have been inspired by our former President, Carole Kenney. Not only because she was a fierce female leader in a (largely) male dominated industry, but because I wholeheartedly agreed with her approach to leading the industry. As a confident and capable young female, I believe I bring a fresh energy and perspective, as well as new ideas to the committee. As we continue work through the new Enforcement Conduct Board (ECB), and face a new era of enforcement, post pandemic, I felt this was the perfect time for me to stand for Vice President, sharing my values and core focuses to help achieve CIVEA's ambitious goals and strategies.


Now I'm in the role, my initial focus has been to support Paul Whyte in his tenure as President, and to sustain the upward trajectory and momentum gained over the past two years. Driving innovation and continuing to champion a change of perception about enforcement is also top of my agenda, alongside continuing the campaign for a fee review.

The last three months have been exciting and eventful, especially attending the Select Committee Hearing and watching Paul and Russell Hamblin-Boone effortlessly articulate how enforcement has and continues to evolve; whilst outlining what is a necessary enterprise to support the public purse as well as other social, economic and environmental causes. With the imminent launch of the ECB, it has been fantastic to work with Catherine and make relationships with the newly appointed board on behalf of the Committee. I'm excited to help mould the oversight body, how it will work and ensure maximum impact for our industry; for enforcement companies, clients and customers alike.

Finally, I wanted to express my gratitude to Russell, Paul, Frances Richardson and the Executive Committee. In the previous Enforcement News edition, Paul wrote 'I have always been impressed by that fact that despite the vibrant competition within the industry, relationships work well between companies for the better good of what we do.' I attest to this and would like to take the opportunity to thank you all for your support to date.

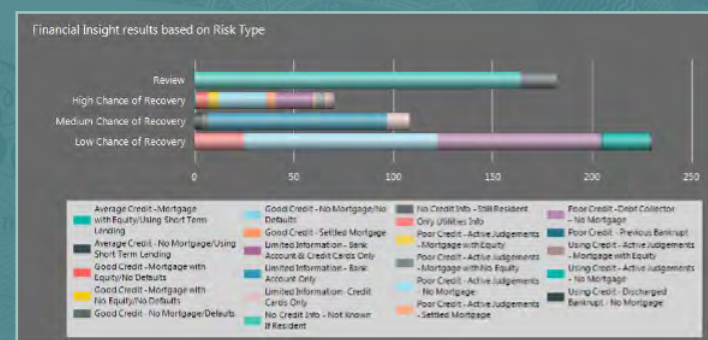


Sarah Naylor
Vice President,
CIVEA



Increasingly, our own clients are adopting this approach. They have access to a portal which enables them to view individual debtor financial profiles, providing them with insight on their likelihood of being able to contact a debtor and their likely ability to then pay that debt. As part of this process, it also identifies those who are likely to be in need of financial assistance. This approach puts the power in the hands of the Local Council recovery teams or enforcement agents

Using a dashboard type format like the one below, enforcement agents can quickly assess where the likeliest chances of recovery are, based on financial data like an individual's credit situation, short and long term loans, mortgage repayments, defaults, equity in a property and so forth.



It ultimately helps move the industry away from reliance on bulk summonses and cases being pushed unnecessarily toward court action. It is a solution that supports the delivery of a more personalised service enabling Councils to recover outstanding debt in a fairer, more compassionate way.



Tracy McAvoy
Marketing & Operations Director,
Destin Solutions

This vision was the key driver in the creation of County Durham Outreach and Support (CDOS), the Council's internal enforcement agent service. We provide enforcement agent and debt collection services but also help customers to manage their debts and support repayments which are affordable and sustainable.

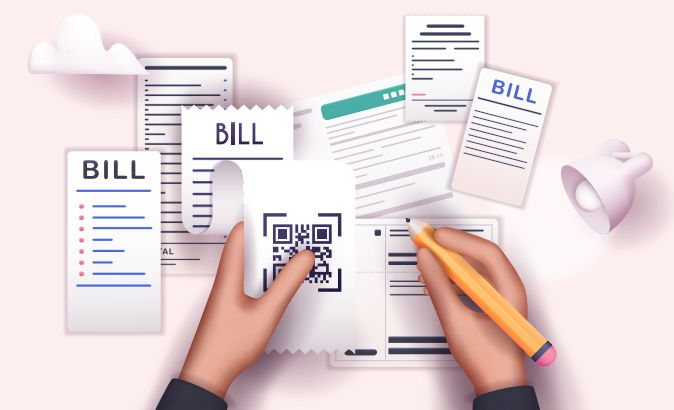


We have also introduced a compliance stage visit to make our first face-to-face contact earlier in the recovery process. This helps us to identify customers in vulnerable situations sooner, as well as empty properties or cases where different tenants are now resident.

With the current financial crisis, we are all impacted by rising food, fuel and energy prices and it's a certainty that more people will start to struggle. Those without the skills to manage their money well are likely to find themselves struggling to pay their bills.

"Getting people to engage at an earlier stage can not only reduce the fees that they incur, but also allows us the opportunity to refer them to any help and support they need."

If you would like to know more about how adopting an approach like ours could help your clients, contact Chris Pattinson on chris.pattinson@cdos.org.uk or visit www.cdos.org.uk for more information about County Durham Outreach & Support.



Chris Pattinson
Interim Team Leader,
County Durham Outreach & Support

The role of AI in debt collection

AI, artificial intelligence, is becoming a ubiquitous part of the armoury of customer engagement and management. Companies can see improved efficiencies and stronger engagement through using AI, provided it is implemented appropriately.

AI also has a strong role to play in debt collection, including enforcement.

Customer behaviour change

Customer behaviour has changed significantly over recent years. Consumers are now accustomed to being able to engage with an organisation, a business or a brand at the time of their choosing. That might be in the evening or the weekend, away from the workplace – especially for something sensitive.

How AI chatbots can assist

For customers in debt, chat allows them to approach their creditor from behind the safety of a screen, avoiding potential discomfort or anxiety of talking on the phone.

As it is not cost-effective to employ staff to be available on chat platforms 24/7, AI can provide that engagement.

Instead of a 20-to-30-minute conversation with an agent on the phone, an AI chatbot can manage routine tasks such as setting up payment arrangements. The decision-making logic would be the same as for an agent, but without taking up human time. A chatbot can also be setting up arrangements and taking payments from multiple people simultaneously, even in the middle of the night.

This leaves the agent available to handle the calls that do need human contact, perhaps due to vulnerability issues or complexity. By creating additional capacity within the team, service levels are improved and complaints minimised.

Welfare support

AI chatbots use 'natural language processing', which measures and reacts to intent, especially relating to potential vulnerability. For example, if a customer mentions that someone is deceased in the chat, the chatbot can be programmed to escalate the contact through to an agent.

The other benefit is that actually reaching a customer with an outgoing call can be hit and miss. AI can identify trends, preferred channels and times of contact to optimise engagement and outcomes.

Getting more from Live Chat

Live Chat has been used within the industry for some time now, however, normally it is only used on the website. This limits engagement, even if an AI chatbot is being used.

It is worth incorporating the chatbot into all letters, text messages and emails that are sent to customers, to make contact easier. This might be via a link or QR code.

Key benefits

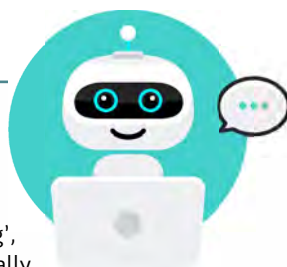
In summary, the four main benefits for adopting AI are:

- Better understanding of the customer journey
- Providing a channel that works with customer behaviour
- Reduced customer complaints
- Better outcomes for both parties.



Mike Garland

Group Director,
Excel Civil Enforcement Ltd



The Four Stages of Competence, where do your staff sit?

The four stages of competence, also known as the four stages of learning, is a model based on the premise that before a learning experience begins, learners are unaware of what or how much they know (unconscious incompetence), and as they learn, they move through four psychological states until they reach a stage of unconscious competence.

By understanding this model, it allows employers and trainers to better identify the learning needs and develop learning objectives for their learners. Your audience will be in one of the four stages related to any given topic.

1. Unconscious Incompetence.

In unconscious incompetence, the learner isn't aware that a skill or knowledge gap exists.

2. Conscious Incompetence.

In conscious incompetence, the learner is aware of a skill or knowledge gap and understands the importance of acquiring the new skill. It's in this stage that learning can begin.

3. Conscious Competence.

In conscious competence, the learner knows how to use the skill or perform the task, but doing so requires practice, conscious thought and hard work.

4. Unconscious Competence.

In unconscious competence, the individual has enough experience with the skill that he or she can perform it so easily they do it unconsciously.



This model helps learners and trainers better understand the emotional state of their learners. For example, a learner in unconscious incompetence will respond differently to training than a learner in conscious incompetence. If someone doesn't know there's a problem, he or she is less likely to engage in the solution.

On the other hand, if someone is in conscious competence, he or she may just need additional practice rather than training.

So, it is important that we constantly assess our learners allowing us to adjust their learning to match their learning needs.

The four stages of competence are core to any business, ensuring that their staff are compliant and that the company is providing their clients with the best possible service. Unconsciously Competent staff are less likely to receive complaints or make compliance errors.

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Daren Shaw

Head of Training & Development and
Head of Internal Quality Assessment Manager,
IES Training

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SEE PAGE 21 FOR MORE DETAILS!



“Do you really want to hurt me?”

Said Boy George in 1982 – and back in 1982, Bailiffs didn’t deliberately seek to cause hurt to debtors, but neither did they consider that their actions could put people in vulnerable situations, if they weren’t already. The needs of the creditor were invariably placed above those of the debtor. For many years, that was just the way things were, and there was no need to worry about or try to change it.

How times have changed! But what I find uplifting, is the extent to which the Enforcement Industry goes far beyond the requirements of either the Regulations or the National Standards in its efforts both to identify and assist vulnerable debtors.

If a member of staff new to an enforcement agency spent their first week as part of a specialist team dealing with vulnerable debtors, they could easily be forgiven for thinking that the Regulations and National Standards must contain pages of detailed requirements relating to vulnerability. They would be very surprised on discovering how little there actually is. Taken together, the Regulations and National Standards say little more than:

- An EA mustn’t enter, re-enter, remain or take control if the only person on the premises is vulnerable
- An enforcement fee mustn’t be charged unless the vulnerable debtor has had adequate opportunity to get assistance and advice in relation to the enforcement power
- A general exhortation to protect the vulnerable and exercise discretion but no specific requirements other than those listed above, and a very vague requirement to report the circumstances to the creditor “in situations where there is evidence of a potential cause for concern” which is usually taken to mean only exceptional cases
- A requirement for access to interpretation services (including sign language) and to provide documents in large print or braille, on request.

This doesn’t really amount to much does it? There is no requirement to do anything special to identify vulnerability, certainly not proactively at compliance stage. There is no requirement to encourage the vulnerable to declare their vulnerability or to provide them with help and support, including advice on income maximisation and budgeting.

The difference between what is required and what is provided in practice could hardly be greater. In practice many Enforcement Agencies provide most or all of the following:

Proactive identification of vulnerability via:

- Financial profiling/propensity to pay scoring (because financial hardship is often a symptom and a cause of vulnerability)
- Vulnerability Registration Service
- Speech and text analytics
- Encouraging identification of vulnerability
- Information on website, included in Notice of Enforcement and/or accompanying leaflet
- Letters, email and webforms sent to those most likely to be vulnerable
- Provision of multiple routes to declare vulnerability e.g., webchat, online etc.

Provision of Advice and Support via:

- A dedicated team trained in vulnerability including Mental Health First aiders
- Advice on budgeting and income maximisation/lowering expenditure through the uptake of unclaimed benefits and social tariffs
- Researching additional sources of both general and specialist help and advice, local to the debtor, and signposting or direct referral.



Other:

- Detailed vulnerability policies and procedures accredited to BS18477 (identifying and meeting the needs of vulnerable customers)

I know of no other profession where what is provided in practice, is so far ahead of what is required by regulation. It seems to me that it’s usually the other way round, with regulation required to drive up standards and eliminate poor practice. We are now so used to providing these high standards that we take them for granted and often forget how far ahead we are of where we are required to be. Of course, we shouldn’t rest on our laurels, but continue to improve and develop the ways in which we identify and respond to vulnerability – but we should be rightly proud of the fact that we are well in advance of the curve.

So, no George, Enforcement Agencies don’t want to hurt you, but help you – without the need to make a song and dance about it!



Matthew Sullivan
Accounts Manager,
Whyte & Co

Cost-of-living payments could give a boost to benefit take-up

The cost-of-living payments announced by the Chancellor in May are welcome, and not just because they provide millions of households with extra income at a time of great financial stress, but also because they are a great advert for checking benefits entitlement.

For your clients who are already claiming means-tested benefits, in the vast number of cases, the £650 cost-of-living payment should be paid to them automatically. But for those who aren’t the message is simple: **Check whether you qualify, as even the smallest benefit claim is now worth making.**

This is because anyone who qualifies for a means-tested benefit is entitled to the extra cost-of-living payment. That’s anyone, including people who are only entitled to a few pence of benefit.

The entitledto benefits calculator can help your clients easily check what they may be entitled to. If they’re working-age, the main benefit they could claim is Universal Credit, which is paid on a sliding-scale as earnings go up. If they are pension-age then Pension Credit is the gateway to getting the means-tested cost-of-living payment.

Of course, in addition to the cost-of-living payment, they’ll also get a regular benefit payment. The key point is that it doesn’t matter how small or large that benefit payment is – just receiving it gets someone the extra cost-of-living payment in a lump sum.

A ten minute check could be worth £324

Anyone who finds out they’re entitled to Universal Credit or Pension Credit and applies now will get a payment of £324. They won’t get the full £650 payment announced by the Chancellor, as to get the first instalment they had to be entitled to the underlying benefit

on 25th May 2022. But, if they claim between now and a yet-to-be-announced date, they should get the second payment. This payment will be made in the Autumn.

Best take-up campaign ever

The cost-of-living payments could herald a major step forward in terms of improving benefit take-up rates. It may not have been the government’s intention, but the prospect of a ‘golden hello’, in the form of a cost-of-living payment, could be just the spur some people need to check their benefits.

Like all good marketing campaigns, there is a window of opportunity for people to qualify. In order for the system to work at some point there will have to be a cut-off date for the second instalment. Just as you had to be eligible for a means-tested benefit on 25th May to qualify for the first instalment, the government will set a cut-off date for the second payment. But why wait?

We think it’s a message your clients will respond to, so please help us spread the word: **It doesn’t take long to check what benefits you may be entitled to claim – 10 minutes on average. If you qualify you could also get an extra £324 cost-of-living payment, tax-free. But don’t delay, the offer won’t be available for ever!**



Phil Agulnik
Director,
entitledto

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Enforcement Services

We need to have a chat to resolve this matter

To resolve most disputes, it takes a conversation, a meaningful exchange of details and facts, with a level of empathy and understanding.

Many processes, especially those that use technology or mailed notifications to customers, lack conversations or the opportunity to converse with the other party because to do so will cost money, open a can of worms and cause delays. The downside of this approach is that without a conversation to resolve a dispute, a percentage of customers will clam up or ignore the issue, and you won't know why they have done this.

Enforcement managers then send enforcement agents round to visit the customer, reason with them and have a conversation. This is an important aspect for enforcement operations and financially, a requirement, but it is expensive and, in some cases, unnecessary if a conversation had taken place beforehand.

The process currently, in its simplest form, is to send a letter with an e-commerce payment link. *Dear Mr Pearce, here are the details below of what to pay and how, but please don't call us.* The problem is that the e-commerce link aspect did not work and does not work. We all think that the magic payment link is the best solution, but our habits have changed, and your process has not.

You're expecting me to read the letter's content in the first instance, transition from the physical paper to the virtual, by visiting the website home page then e-commerce payment page, navigate it and just pay up. For many customers this does work, but for those where it does not work, things start to get expensive.

So, what has changed? If I got a letter and demand for payment, I would be on the phone, WhatsApp or email quickly asking for advice from friends - having a conversation with them. I would then put down the letter because I have work or a meeting and I may deal with it later....?

In most cases, if we all admit it, we will do various other activities less important and chat to people throughout the day, and maybe the letter will be dealt with later that day but there is no guarantee. The change in basic terms is that we have moved from e-commerce to a conversational commerce lifestyle, in that we use chat for everything now, including transactions. Firms, especially the retail industry, understand this new approach and are thus having the most success with engagement.

Make a conversation the first part of the enforcement solution.

So, what is wrong with the e-commerce option in enforcement and why change?

Creating those e-commerce tools seems fast, relatively easy, and not very expensive. Not something you change on a regular basis, or for years. Alternatively, building a Chatbot to handle customers is not cheap in the early stages. Statistics show that about 80% of online e-commerce does not work efficiently for the customer. The main reason people use online is that they can access anytime, 24 hours a day, on any day of the week.

Lacking an understanding of Chatbots will mean for many that their option is to stick a cheaper live chat service on their website with an occasional agent logged in during the day, and link to the payment engine. That is not a solution to how we work and what we want now. It may answer a tender question, but it won't improve results.

While each business is unique and wants to bring a different value to the customer, there are common reasons for e-commerce failures. Paying attention to the following flaws could help you avoid them later.

Chatbots should meet and greet customers in the first instance.

They work around the clock and set the scene. It allows enforcement managers to differentiate themselves and how they handle customers, even from other firms developing the BOT's own personality, but more importantly, it's the opportunity for those conversations with customers that have clammed up. Because you made a conversation simple and convenient, you bring in customers that otherwise see your letter and payment link instructions as an inconvenience and non-priority.

Contact information.

Letters and staff on live chat cause delays. The customer must enter details and wait for verification. Some will drop out at this stage and that is usually called 'shopping cart abandonment' with e-commerce processes. Chatbots work far faster and make the journey personal to that customer. Staff cannot read notes that quickly to be personal and are under pressure to move to the next call.

You have asked the customer for details, but what about sharing yours? A Chatbot can offer a "Who we are". A clever option to chat a little about the enforcement company that will make customers feel more comfortable about the process. *How many firms genuinely measure who is looking at their website pages and try to actually help customers to have positive experiences?*

Not offering customer service.

Too many authorities and businesses have tried to limit contact with customers and conversations because they fear cost and resource impact. No matter which method you choose to provide customer support, this is an element you cannot set aside, it is mandatory. Without a Chatbot customer support resource, it is likely that if the customer gets stuck, they will not return to your site and those recovery costs go back up.

It is important to note that if you do not have a Chatbot with a human resource fallback to reply to a chat, then you can do so via email, SMS or RCS, but you must set schedules and be active on the customer care channels. Chatbots create that first impression and good customer service.

Not offering different forms of payment.

This is the final step for the customer to resolve an issue. After getting them into a conversation, just giving them a link or telephone number is not helpful. Many customers now expect coaching end-to-end through a process to feel confident that the matter is resolved,

or to negotiate an arrangement. Chatbots can do this leading to better outcomes. If not, all that effort is lost.

Don't offer added value.

Not offering added value within enforcement can be a problem. You must show customers your identity to change industry or process perception.

Talk is cheap, so offering customer debt advice does not cost anything if the Chatbot is helping the customer, plus sharing relevant content could be able to generate positive outcomes in the future. Chatbots can learn from customers.

Not being patient.

Conversational commerce needs constant development to evolve.

If your Chatbot and expectation is not working the way you initially thought, it will take time to achieve the objectives. None of us starts with any organisation and know everything on day one, although I have met a few who think they do. It takes time to settle in and develop. Initial plans and ideas will change.

The process can then become as simple as a QR code printed on the letter, opening a chatbot session, conversation ending in resolution.

Engagement with customers must move on from letters with a link to a conversation, the opportunity is with everyone.



Daniel Pearce
Director of Business Development,
Telsolutions Ltd

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Dylan Jones, CEO at IE Hub, responds to the recent FCA 'Dear CEO Letter'

The cost-of-living crisis remains in the headlines and is likely to do so for many months as economic commentators and industry experts warn of further affordability pressures towards the end of the year.

Such is the concern, that the FCA felt compelled to issue the 'Dear CEO letter' at the end of June, setting out what it expects from the industry. This included the fact that they don't expect firms to wait for the Consumer Duty rules to be finalised or the full findings of the Borrowers in Financial Difficulty review to be published, before acting to improve customer outcomes. Key messages included:

- **Exploring and understanding the Consumers circumstances fully to enable tailored and sustainable outcomes.**
- **Identify the specific needs and circumstances of Consumers with Vulnerable characteristics to provide help and support that takes account of these.**
- **Help Consumers with Financial Difficulty access money guidance or free debt advice.**

Dylan Jones, CEO at IE Hub, has responded to the letter highlighting how IE Hub can support creditors to meet expectations of the FCA.

Jones said, "The key is to capture a detailed Income and Expenditure from the consumer, as only by doing this can you fully understand their position and agree on the most appropriate outcome."

"We are growing an industry response to the collection of Income and Expenditure (I&E) information which is very different from traditional approaches on the market."

The IE Hub solution moves the current one-to-one relationship between a consumer and a creditor to a one-to-many relationship. This means the consumer owns their I&E and can share its affordability position with all

creditors (typically 5-7). This reduces stress on the consumer as they can complete the journey in their own time and are not being contacted by multiple creditors all requiring the same information. Creditors benefit also from lower operational costs and more sustainable payment plans.

IE Hub research shows that **88% of their consumers who set up a payment plan have been able to stick to it.** Jones went on to explain, "The feedback we receive is humbling and we can see we are making a positive impact in helping consumers during a difficult period. **83% of our consumers found that IE Hub reduced their financial anxiety.**"

"We continue to innovate to assist consumers with financial difficulty and I am pleased to announce several new IE Hub initiatives:

- **Vulnerability Registration Service** – We have for some time signposted consumers to the service, but this will be extended to allow for the identification of consumers already registered. The next step will then be a creditor using IE Hub being able to flag a consumer as vulnerable to the VRS.
- **Predictive Vulnerability modelling** – In partnership with ARM, we have developed a process within IE Hub that analyses the returned I&E and flags to the creditor the likelihood of a consumer being classified as vulnerable and what characteristics are displayed.
- **Committed to Supporting Free Debt Advice** – We provide our tool and services free of charge to the advice sector, which enables a wider service and more ongoing support for customers in financial difficulty."



Gemma Cryan
Marketing Director,
IE Hub

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Is the enforcement sector prepared for recession?

The Bank of England has warned we are now heading full-steam into a lengthy recession; the cost of living crisis, which is already pushing many to breaking point, is about to get a whole lot worse; and inflation has hit a 30-year high. But how should the enforcement sector respond to this troubling new economic landscape?

Economic downturns are nothing new and, having worked in the enforcement industry for over 30 years, I have witnessed first-hand the impact they have had on the sector. During 'normal' times, enforcement companies prosper by recovering debts from people who have the means to pay but choose not to, often collecting from the same debtors year-after-year. When times are hard, the number of cases being passed for enforcement may rise, but often this increase is made up of uncollectable debt owed by people (and businesses) who want to pay but due to circumstances outside their control simply do not have the means to. Debt in a recession doesn't discriminate, and a once thriving business or household can quickly become engulfed in debt, leaving it hard to find a way out.

So, what lessons can be learnt as we enter another recession and how can the enforcement industry adapt its approach to the current crisis?

Thankfully, the enforcement sector has evolved significantly since the recessions of 1991/2008. Following pressure from the industry, new regulations have been put in place and the *Taking Control of Goods Regulations: National Standards 2014* guidance issued by the MoJ formally recognised vulnerability for the first time. There has also been a realisation by companies that a more customer-focused approach is good for business. Training has been



introduced to identify vulnerability and systems have been adapted to handle these individuals appropriately. But should we be doing more than simply filtering out cases categorised as 'vulnerable' whilst enforcement is ramped up against the remainder? What about the foodbank generation, many of whom are working and not classed as vulnerable but find themselves struggling to meet their day-to-day obligations? This new category of debtor is not necessarily wise to the workings of the enforcement process and need support and guidance if they are to ever clear their debts. Long-term arrangements and payment holidays may be preferable to the removal of goods for all concerned, but specialist advice is needed to analyse standard financial statements and offer guidance on prioritising spending. Perhaps there are grants and other benefits available which could make a significant difference to people's budgets! Such guidance would normally be provided by the advice sector but given budget constraints and a huge rise in demand, these agencies are struggling to cope. The enforcement sector is taking steps of its own to try to ease the situation, with some companies upskilling their staff by organising professional welfare training via advice agencies so they can better advise customers. JTR Collections for example is bringing in experts from Advice UK to provide specialist training on benefits, debt management plans and personal budgeting. Other firms are organising debtor surgeries in tandem with the local council, to target debt advice where it is most needed.

The industry will never win any popularity votes but by improving the standard of support and advice offered by its agents, there is a real opportunity in the coming months for enforcement companies to have a positive impact on the situation for debtors struggling to get through the current crisis, and they may help shift opinion in the process.

HELP FOR LOCAL AUTHORITIES

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Adrian Bates
Senior Business Consultant,
JTR Collections Ltd

Working together to tackle the digital divide

Virtually every aspect of life is now expected to be conducted online, from work to socialising, education and shopping. Within the public sector, the 'drive to digital' has delivered real benefits to Local Authorities (LAs) and service users.

However, with millions of residents suffering digital exclusion, how can we better understand this issue, what can we do to help prevent some of the most vulnerable in society from being further disadvantaged, and put simply, how do we tackle The Digital Divide?

Last month, Reventus Enforcement Agency brought together a panel of 'digital inclusion' experts, along with guests from Local Authority Revenues & Benefits teams and partners from central government. This roundtable event provided the forum to raise awareness of the digital divide and discuss strategies to combat its impact.

WHAT'S THE PROBLEM?

It's July, and we're at Experian's offices in London's Victoria. Reventus is hosting the first of its 'Digital Inclusion' roundtable events. Before the guest speakers get underway, **Anthony Quinn**, **Reventus' MD**, explained why Reventus are championing this topic:

"Each year we make major investment in technology to profile, segment, intelligently schedule and conduct engagement which really enhances contact and recovery. But how does this help the 10%-20% of people without mobiles or broadband?"

"It's unfair that customers who are potentially the most vulnerable, with the least financial resilience, are unable to benefit from access to welfare teams or reduced fees through early settlement. By bringing together LAs, central government and third sector experts, we hope to provide the forum for us all to work together and maximise inclusion for the most vulnerable in society."



DEBT FREE LONDON

Hosted by **Kevin Stewart** of Mid Sussex Council, the event started with a talk from **Matt Dronfield** and **Sharaf Mahmood** of Debt Free London, a charity providing free, expert advice to Londoners with problem debt. This year they have commissioned two pieces of research looking at the impact that debt has had on people's lives, particularly focusing on their mental health.

To maximise access, Debt Free London has expanded its free advice

service to work 24/7, recruited 70 new advisors and switched to a multi-channel approach which has driven more than 44,000 client conversations this year. To combat the digital divide, they've also piloted new ways for customers to engage including video kiosks in local communities and a budget planning tool using Open Banking. Advisors can get a full view of a person's financial history without the requirement to complete online forms, thereby enhancing support for those with limited or no online access.



GOOD THINGS FOUNDATION

Next at the podium was **Adam Micklethwaite**, Director of Partnerships & Fundraising at Good Things Foundation, who are committed to *"Fix the Digital Divide – for Good"*. Adam explained there are two million UK households that struggle to afford internet access and 10 million adults lacking basic digital skills. The Foundation is dedicated to eliminating this digital divide through their three core programmes:

National Digital Inclusion Network: Working with thousands of national, regional and local charities to reach people left behind. The Foundation provides support, training and resources to help agencies respond to communities' needs for digital skills and inclusion, including 'Learn My Way', a community learning platform for digital skills.

National Databank: Partnering with Virgin Media O2, the Foundation has launched a 'national food bank for connectivity data'. The Databank provides over 500,000 free SIMs, and mobile data donated by Virgin Media O2, Vodafone and Three, distributed through the Digital Inclusion Network.

National Device Bank: Supporting people unable to get online due to device cost, the Foundation is building a national hub to accept large donations of used digital devices from organisations. Devices are refurbished and distributed to people without home internet via the National Digital Inclusion Network.

Along with other initiatives, including the Future Digital Inclusion programme funded by the Department of Education, the positive impact on the previously digitally-excluded is clear. Of particular

importance to the LA guests present was the headline statistic that following support to provide digital motivation, confidence, and skills, over 77% of the previously excluded people now use online government services.

POLICY IN PRACTICE

Deven Ghelani, CEO of Policy in Practice, highlighted the importance of service users believing there was a positive result to be achieved from accessing online services. Deven gave the example of the online Policy In Practice SFS compliant budget calculator, which provides in-built income maximisation advice, thereby providing a tangible reason for customers to engage online. In addition to personal incentive, Deven highlighted that often 'online' wasn't the only issue. Whilst recognising the challenges of, and requirement for LAs to collect comprehensive personal information, the forms and questions themselves can be a major factor in online disengagement with government services. A middle ground should be found. A customer journey is only as good as the number of people who tread the path.



EXPERIAN

Greg Flewitt and **Stewart Surridge** of Experian discussed how LAs can maximise customer engagement through data and analytics. Access to customer intelligence provides digital footprints, consolidation of which delivers insight into a customer's financial position, enabling LAs to firstly engage and subsequently support each customer individually, based on their unique circumstances.

Stuart also explained that Experian's data solutions can be tailored to the requirements of each LA and are specifically designed to support public sector clients.

CIVEA

Russell Hamblin-Boone, CEO of the Civil Enforcement Association (CIVEA) led the final session of the day. Russell highlighted the importance of LAs and enforcement agencies supporting each customer based on the impact of their individual circumstances. The critical element of the recovery process is to deliver the appropriate outcome for each person, and this can only be achieved through understanding personal circumstances, and their impact on the customer.

Where available, data provides an excellent tool to deliver customer insight. However, where this is unavailable, all stakeholders must work together to maximise customer engagement and understanding of individual circumstances.

The event concluded with **Barry Conway** (Reventus' Director of Services) and **Tracey Stone** (Director of Welfare & Partnerships) thanking speakers and guests for giving their time to discuss this important issue. Barry commented *"Reventus' continuing investment in digital engagement technology continues apace, however we affirm our commitment to ensure those without digital access receive the same high levels of service, and can benefit from Reventus' support teams, particularly regarding welfare"*.

Tracey added *"The cost-of-living crisis will continue to impact disproportionately on the most vulnerable in society and we'll continue to work with all stakeholders to ensure support can be provided to those who need it most."*

"We're holding a further roundtable in the North of the country, please contact Anthony Quinn to reserve a spot and lend your support to this important initiative".

CONCLUSION

The drive to digital has undoubtedly delivered real benefits. However, many millions of potentially vulnerable people are at risk of being excluded from the benefits, and ultimately left behind.

There is some fantastic work being done by charities and community organisations across the country to support those at risk of digital exclusion, including those speaking at our roundtable events.

Reventus' roundtable events provide an excellent forum for all stakeholders to discuss the challenges, and support initiatives available for authorities and those service users experiencing digital exclusion.

Reventus will be holding further roundtable events on this, and other topics. For more information, contact: anthony.quinn@reventus.co.uk



T: 07966 207881
E: anthony.quinn@reventus.co.uk



Anthony Quinn
Managing Director
Reventus

How Bristow & Sutor share value and insight

At the Bristow & Sutor Group, we regularly communicate insight into our findings for the good of the industry. This came to prominence during the coronavirus pandemic as the country was forced to communicate via webcam rather than in person. We launched an ongoing series of webinars on topics such as the Debt Respite Scheme (Breathing Space), returning to enforcement after lockdowns and the latest advice on assisting vulnerable debtors, which were all highly engaged with by Local Authorities and have continued over the past two years.

Earlier this year, we were thrilled to leave the inaugural CIVEA awards ceremony earlier as winners of both the Training & Development and Innovation categories, compounded by our 100% CIVEA audit score a month prior. It is important that we build on this success and remain true to our reputation for being industry collaboration advocates. That is why we recently held a webinar session on how we achieved these accolades, showcasing what we have learned from our investment in behavioural science.

“Earlier this year, we were thrilled to leave the inaugural CIVEA awards ceremony earlier as winners of both the Training & Development and Innovation categories, compounded by our 100% CIVEA audit score a month prior.”

A strategic partnership

During the webinar, which was attended by over 50 delegates who work in local government, I explained our mantra of connecting more = collecting more, and how our strategic partnership with Sprint Valley is helping us to make more of every connection. Last year, over 100 different examples of directly employed Enforcement Agent (EA) bodycam footage were reviewed and analysed by this leading behavioural science consultancy to identify successful methods of engaging with debtors. Directly observing conduct rather than theory resulted in launch of seven High Income Techniques ('Hits'), with every member of Bristow & Sutor staff contributing to the creation of these.

We were joined on the webinar by our guest speaker, Luke Battye, Managing Partner of Sprint Valley, who explained what behavioural science means and shared valuable insight into how we have improved performance through an innovative 'nudge engine'. Luke explained how we have collaborated to trial variations of factors, highlighting how innovating through technology to understand which changes, or combinations of changes, creates the most meaningful impact, both internally and externally.

Award-winning learning and development

My Bristow & Sutor Group colleagues, Bryan Wall, Group Head of Enforcement Services, and Lian Bills, Group Head of Learning & Development, were also present and shared information on our award-winning learning & development program. This included insight into how a structure for 'peer learning' sessions were devised to allow us to share best practices, exploring how we can deliver a better service, reminding us there is no one size fits all and using research to build on principles of earning more, staying safe and staying connected. Bryan and Lian shared ideas on how to use the tools available, and the language used in every conversation, the impact of body language, the importance of negotiating skills and preparing for every visit, without preconceptions.

Importantly, we asked attendees at the webinar to engage with these ideas themselves and consider what they are doing currently that works well, as well as what doesn't always work. We encouraged them to think about what patterns or themes could they share with colleagues and whether they keep in regular contact with their Enforcement partners. This self-reflection is essential, as applying our findings to individual unique circumstances will deliver a better service to our Local Authority clients.

Improving staff engagement and performance

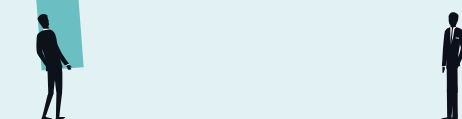
We also shared that this project has resulted in better staff engagement and performance. Enforcement Agents have given feedback that they feel they have more of a voice, that they feel valued and listened to. This has aided in our staff retention and has also improved customer service, through clearer communication and early identification of vulnerabilities, which is more essential than ever post-pandemic and during the cost-of-living crisis.

We also explained that we are committed to the continued analysis of Enforcement Agent performance and that further peer learning sessions are planned to further develop advanced High Impact Techniques. Behaviour, and our understanding of it, changes over time, so this project will continue to innovatively evolve to improve results, with future webinars on our findings to be expected once even more insight is achieved.

Having considered our journey so far, we also gave some insight into where we are heading. This included outlining our intentions to produce an improved Enforcement Agent app, continuing regular Enforcement Agent pulse surveys and expanding on our Enforcement Agent video library of resources. Post-webinar, many attendees commented they had gained something useful from the techniques we had shared and would be interested in attending again. The Bristow & Sutor Group is proud to offer these insights and to work collaboratively with clients, customers and peers. We are continually learning and improving, both for ourselves and for the good of the industry.

Our next topic, discussing the Statutory Debt Repayment Plan, is scheduled for September and will once again feature Bristow & Sutor speakers alongside external expert guests. If you may be interested in attending a future webinar session, please do get in touch via email to:

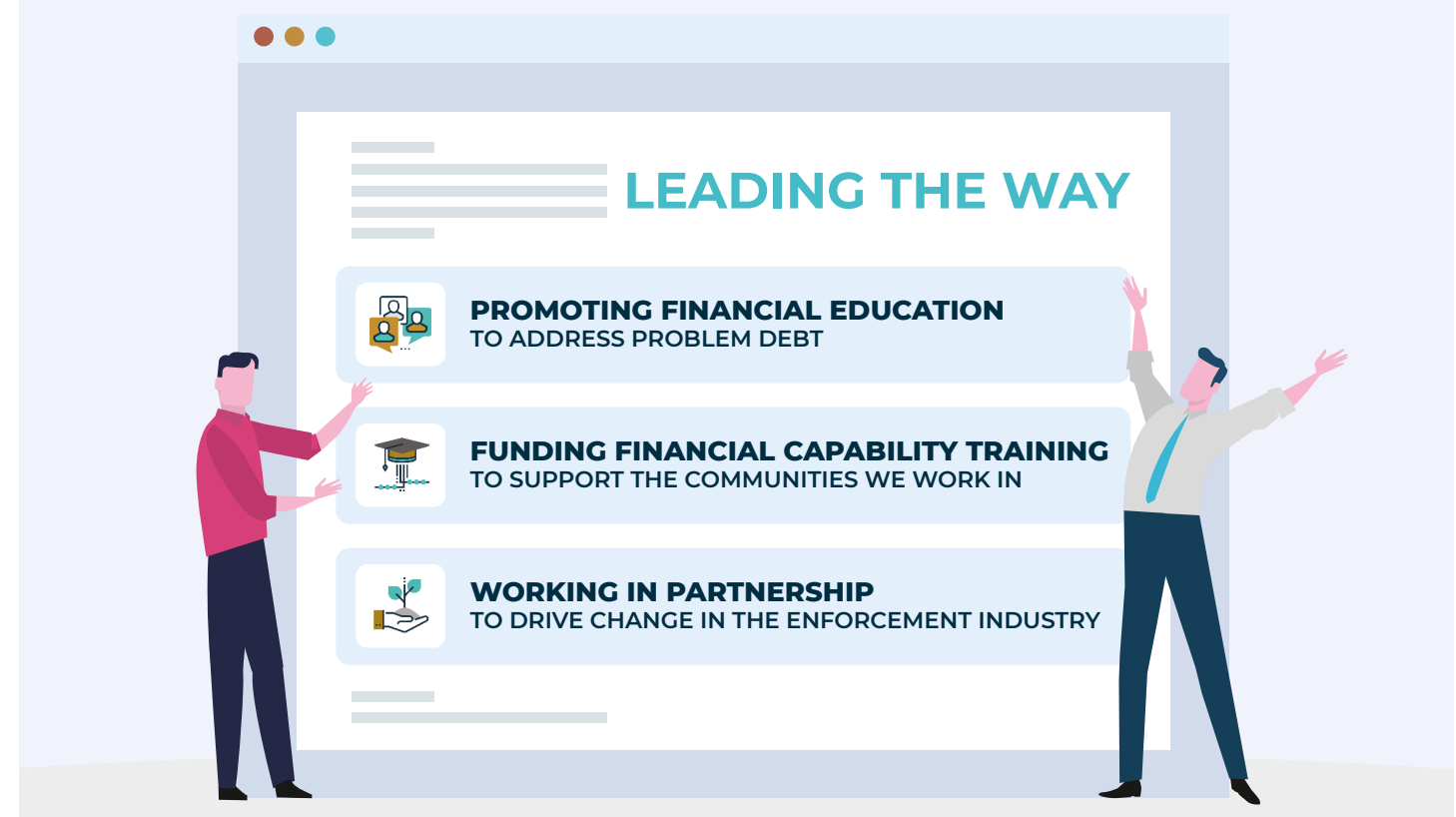
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Emma Watson
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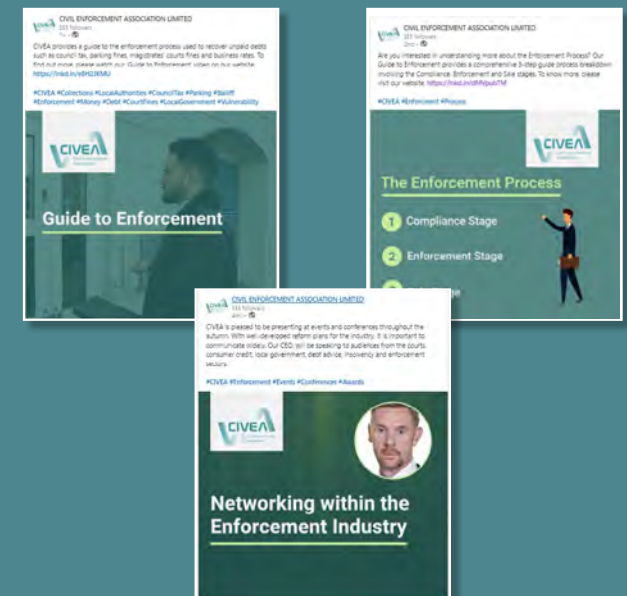
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Excellence in identifying and assisting vulnerable customers



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April 2022

As a client of CDER group, you can be assured that your customers will be treated fairly and compassionately. Winning these prestigious awards is testament to the hard work and resource that my colleagues in all departments put into ensuring that we operate in accordance with our "Fairness Charter".

**Andy Cummins, IRRV Tech
Director, Local Government Revenues**

