

ENFORCEMENT^{NEWS}

The quarterly magazine from CIVEA, the Civil Enforcement Association

AUTUMN 2024

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Fairness in Operation

National Scale

Enhanced efficiency through national scale and investment in advanced technology, and analytic tools.

Debt Collected Fairly

Through a comprehensive Fairness Framework and award-winning Vulnerability Management Strategies.

Operational Excellence

Our collection and enforcement services are delivered from three centres of excellence led by experienced industry specialists.



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Welcome to the Autumn edition of Enforcement News

The dust has settled following the general election and the Labour government is adjusting to its new responsibilities of state.

We will find out in the November budget how Rachel Reeves intends to prove that she has a viable fiscal policy and sustainable investment plan, so the Labour manifesto can be delivered.

The nature of government is that there will be many more demands on the budget that have not been accounted for. There may be a more urgent need to bolster the public purse.

This presents a strong economic case for enforcement.

According to government figures, in 2023-24 local authorities collected over £38 billion in council tax, irrespective of the year to which it related. This was an increase of almost £2 billion, or 5.3%, over 2022-23.

By the end of March 2024, authorities had collected almost £38 billion of council tax that related to 2023-24 and achieved an average in-year collection rate of 95.9%.

At 31st March 2024, the total amount of council tax still outstanding amounted to £6 billion, including historic debt. This is an increase of £488 million over the figure at the end of 2022-23. Council tax receipts are down on previous years as a knock-on effect of the COVID-19 pandemic.

As well as ensuring local authorities achieved high levels of in-year collection, civil enforcement agents also collected £718 million of unpaid council tax from previous years.

Our own research showed that civil enforcement prevents losses to the public purse of an estimated £12 billion. This is well understood by the general public, 42% of which believe fewer people would pay council tax if enforcement agents didn't operate.

Since the pandemic, enforcement firms have recovered over £2 billion, equivalent to the losses incurred by English councils during the pandemic, according to the Local Government Association.

There are over 6.5 million untaxed vehicles in the UK and £120 million is lost revenue to the DVLA as a result of untaxed vehicles.

There are over 700,000 unregistered vehicles in the UK and over half of those recovered by enforcement agents are unroadworthy and dangerous.

The Government's decision not to progress the fees review means CIVEA will need to start over with new ministers, explaining the policy and financial imperative that the enforcement fees that have not changed for ten years are brought in line with the cost of enforcement.

We will also be bringing to the government's attention the increased risk faced by enforcement agents in the field from violence and abuse.

Following the pandemic, we witnessed a shift in public attitudes to people in authority. I call it *"the fracturing of the social contract"* between citizens and the state. Our staff are on the front line of this phenomenon, which means that people are no longer bought into the social contract that says we will forgo some freedoms and act in accordance with the law in order

to enjoy the protection of the state. They don't feel protected and no longer believe in their obligation to behave for the good of society.

Anti-social behaviour is being normalised and we see selfish actions daily. Motorists not respecting rules, parking where they want and ignoring traffic regulations – with the challenge from persistent evaders to agents to try to stop them. Similarly, the numbers of people who wilfully refuse to pay council tax are on the increase. While many are simply delinquent, others are using spurious claims and corrupt interpretations of the law to plead exclusion from the law of government.

While there has been an increase in violence and abuse against our staff, we are not the only industry having to work harder to protect frontline staff.

It's a problem for those working in retail, transport, hospitality and the healthcare sector. We know that enforcement agents are experiencing abusive behaviour on the doorstep. It cannot be tolerated or go unchallenged.

This means closer cooperation with police forces in England and Wales. In discussion with the police it is clear that the issue affects police officers as much as enforcement agents. Possibly the difference is that it's considered to be an occupational hazard and assaults on civil enforcement agents are not treated with the same degree of importance or concern.

This point will resonate with incoming MPs, who following the election campaign will have had experience of incidences on the doorstep. The safety of our politicians is topical and I hope to be able to draw their attention to the daily risks our staff face.

The irony of this emerging situation is that while society has gone in one direction since the pandemic which is leading to irresponsible and selfish actions, our industry has moved in the opposite direction leading to more protection of the public.

Enforcement firms have embraced the greater level of social responsibility placed on them since the pandemic, especially towards protecting vulnerable people. We have voluntarily established independent oversight of our industry to ensure the highest standards of conduct are maintained and provide funding for the Enforcement Conduct Board.

As well as briefing politicians, we need to educate the public about our work by working with media sources. We need to shift the public attitude to enforcement practice that ensures that taxpayers are not subsidising those who evade payment of taxes, penalties and fines.

We are always keen to have new contributors to *Enforcement News*, so please get in touch if you would like to write an article. If you have any comments about the magazine we welcome feedback.

CIVEA CEO

Russell Hamblin-Boone

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Russell Hamblin-Boone
CEO
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Broken Budgets

New research (Broken Budgets) from the Money Advice Trust, the charity that runs National Debtline and Business Debtline, shows 6.8 million (13%) UK adults are struggling to pay for their essential costs, such as rent and council tax.

The charity says its findings point to an increased debt burden for the most essential costs, which if unpaid can have severe consequences. Amongst callers to National Debtline:

- The average amount owed in rent arrears has increased by 21% in the last year, now standing at £1,904.
- The average amount owed in energy arrears has also risen by £419 to £1,541 – with more than a third (35%) of clients now dealing with energy debt.
- The average amount owed in council tax debt is up 49% since 2019 to £1,762 this year.

School Summer Holidays

New research by StepChange Debt Charity ahead of the school Summer holidays reveals that almost one in three (29%), equivalent to around 15.5m people, expect their household spending to increase over the next few months, including 31% of parents with children aged 18 and under.

HOC Library - Household debt as a % of disposable income

Household debt peaked in Q3 2008 at 156.4% of household disposable income. It then declined to 134.6% by early 2016. Growth in household debt levels has been slowing since the beginning of 2022. In Q4 2023 the debt-to-income ratio was 123.7%.

Collection rates for council tax and non-domestic rates in England, 2023 to 2024

Department for Levelling Up, Housing and Communities.

- In 2023-24 local authorities collected a total of £38.5 billion in council tax, irrespective of the year to which it related. This was an increase of £1.9 billion, or 5.3%, over 2022-23.
- By the end of March 2024, authorities had collected £37.8 billion of council tax that related to 2023-24 and achieved an average in-year collection rate of 95.9%, a decrease of 0.1 percentage points over 2022-23.
- In 2023-24 authorities collected a total of £23.7 billion in non-domestic rates, irrespective of the year to which it related. This was an increase of £316 million over the figure for 2022-23.
- By the end of March 2024, authorities had collected £24.1 billion in non-domestic rates that related to 2023-24 and achieved an average in-year collection rate of 97.2% in 2023-24, an increase of 0.4 percentage points over 2022-23.
- At 31st March 2024, the total amount of council tax still outstanding amounted to £6 billion. This is a cumulative figure and includes arrears that may stretch back a number of years. This is an increase of £488 million over the figure at the end of 2022-23.
- At 31st March 2024, local authorities reported the total amount of non-domestic rates still outstanding amounted to £2.4 billion. This is a cumulative figure and includes arrears that may stretch back a number of years. This is a decrease of £33 million on the 2022-23 figure.

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

Lord Young of Cookham Deputy Chairman of Committees, Deputy Speaker (Lords): My Lords, I welcome the noble Baroness to her post. Further to the question about spending commitments, can she confirm that the firm commitment in the Labour manifesto, "Labour will not increase taxes on working people", applies to council tax?

Baroness Taylor of Stevenage Parliamentary Under-Secretary (Housing, Communities and Local Government), Baroness in Waiting (HM Household) (Whip):

"I thank the noble Lord for his question. Council tax increases, of course, are ultimately decided by local authorities, but the Government are committed to keeping taxes on working people and households as low as possible. We will carefully consider the impact on councils and taxpayers before making any decisions on taxes. Decisions on referendum principles will be part of the next spending review process and of course we will seek the views of local government before we take any decisions on those."

Harriett Baldwin Conservative, West Worcestershire: Economy, Welfare and Public Services.

"Some of the measures we heard about in our private session with the IMF [International Monetary Fund] were as follows ... the third was ending inheritance tax loopholes for pensions, family businesses and farms. I hope that Ministers will rule that one out. The fourth was revaluing all of England's homes for council tax, and especially those over £320,000 in value. I hope that Ministers will rule that one out. The IMF also liked the idea of road pricing; I hope that Ministers will rule that one out."

Marie Rimmer Labour, St Helens and South Whiston: Debate on the Address, House of Commons 17 July.

"The current system of relying on local authorities whose budgets have been cut for more than a decade is not good enough. Even with the additional social care levy, local authorities are struggling to cope. The levy is based on council tax levels, so the areas with the lowest returns will receive a pittance. It is in those areas that more people need care and support. According to the Local Government Association, 57% of council tax already goes on social care. It is not sustainable, because there is less and less money, and more and more people."

Laurence Turner Labour, Birmingham Northfield: To ask the Secretary of State for Housing, Communities and Local Government, with reference to the Written Ministerial Statement published on 5th February 2024, HCWS241, on Local Government Finance Update, whether her department carried out impact analyses on allowing Birmingham City Council flexibility to increase council tax bills by an additional 5%.

Jim McMahon Minister of State (Housing, Communities and Local Government):

"In line with the practice of successive administrations, detailed minutes of ministerial meetings - even those that are declared publicly - are not normally disclosed..."

The Council has provided the Department with their estimate of the equal pay liability, including as part of their request for additional financial support in February 2024. That estimate is £867 million. In line with the Public Sector Equality Duty, an equalities analysis was carried out in relation to requests from councils for additional flexibility to increase council tax for 2025/26."

Preparing for the new Standards

It has been a busy summer for CIVEA and its members as we prepare for the new Standards to be implemented and supervised by the **Enforcement Conduct Board (ECB)**.

For many firms that are not familiar with regulatory oversight this is a significant change, which will take time to embed.

The traditional model of rules-based supervision is being replaced by principles-based supervision under the ECB. In all industries the regulator's role is evolving to oversee the conduct, attitude and behaviour of firms, over and above simple compliance with rules. This means it's no longer enough to demonstrate that you are working to the word of law, now you must show that you are operating within the spirit of the law.

The question every business must ask is "Are we doing the right thing?" or put another way, "Would I be happy for anyone in my family to be treated the way we treat our debtors and manage our cases?"

The way to ensure that we are not caught in a trap of popular opinion is to present a coherent, collective, and consistent voice. CIVEA is the mouthpiece for the industry and the way that we can communicate how we are meeting the success criteria.

I am sometimes asked what is the future of CIVEA now that we have the ECB?

The answer is that CIVEA performs an essential but different role to the ECB.

The ECB has been tasked with driving up standards in the enforcement sector, building on the **National Standards**, monitoring performance and conduct in the enforcement industry and issuing firm and proportionate sanctions for non-compliance.

The role of CIVEA remains to represent the interest of the industry and unlike the ECB, it can be partisan in this role. CIVEA aims to create the best market and level playing field on which its members can compete and grow their businesses.

For example, with the new Labour government we have a specific challenge to inform and lobby incoming Ministers about the challenges we face with revenue collection for public bodies. The ECB has no obligations to make representation to government on our behalf; although we would hope that it will not obstruct our lobbying campaigns.

"Unlike the ECB, which succeeds through its impartiality, CIVEA aims to ensure that Ministers recognise how essential enforcement is."

CIVEA also has a unique role as a communication channel for the industry with government officials.

Unlike the ECB, which succeeds through its impartiality, CIVEA aims to ensure that Ministers recognise how essential enforcement is, to ensure that social justice is maintained and local taxation is effective. We also have a specific lobbying objective to address the unfair use of social and added value in public procurement. Civil enforcement is subject to fixed fees and cannot flex the costs of delivery. When firms are asked to commit to hundreds of thousands of pounds of cost, under the heading of added or social value, to secure a contract, there is no direct benefit to people who owe the council and is anti-competitive in a fixed-price market.

Fundamentally, the ECB's role is to maintain high standards in our industry by supervising conduct and speaking to the evidence it attains. It is not a consumer champion or an industry ambassador. It should not make any judgement or offer any intervention where the evidence is not conclusive. It should be impartial and non-opinionated, speaking facts to the evidence.

As an industry we must support the ECB to ensure that the evidence it obtains is robust and complete. That means we must fully complete the new data returns and submit them on time. We should respond to consultation requests and co-operate with research projects.

For too long, the enforcement industry has been judged on unsubstantiated and unverified anecdotal evidence. Previous Ministry of Justice reports that have reviewed the industry typically state that most firms are performing well and meeting conduct requirements. Despite this, the minority of cases, are often wrongly used to define the majority. Now, with the ECB collating industry data, we are in the strongest position to present robust evidence that cannot be drawn from any other source and cannot be challenged by those without relevant expertise.

We have a positive story to tell, which is evidenced by the high levels of hard-to-collect debt that is recovered and the low level of complaints. The success of industry-driven reform is also evident when comparing with wider financial services and debt collection sectors. CIVEA members are breaking into the more mainstream sectors with their consistent award entries and successes. I am proud that Dukes Bailiffs has been acknowledged and the recipient of awards for its vast technological innovation.

As we all prepare for the next round of autumn conferences, I am feeling confident that the reform programme that CIVEA has led has put us in a better position with the new government. With the failure of the last government to implement the fees uplift, we will need to be cost-conscious and ensure that any future reforms and investments remain cost-efficient and not simply change for change sake, or to placate a noisy minority of views.

Rest assured, CIVEA will lead the political engagement to ensure that Ministers recognise how essential enforcement is for an incoming government. Highlighting that a viable and sustainable enforcement procedure is essential to maintain the administration of justice for local taxation, parking and traffic management, as well as to support social justice, environmental and health policies.

In summary, CIVEA and the ECB have distinct roles but both are critical for our businesses and the industry to thrive.

Council Tax, House of Commons 1st August 2024

Kemi Badenoch Minister of State (Housing, Communities and Local Government), Minister of State (Foreign, Commonwealth and Development Office), Minister for Women and Equalities, Shadow Secretary of State for Housing, Communities and Local Government:

To ask the Secretary of State for Housing, Communities and Local Government, whether she plans to set a council tax referendum threshold for 2025-26.

To ask the Secretary of State for Housing, Communities and Local Government, whether she plans to review council tax (a) discounts, (b) exemptions and (c) disregards.

To ask the Secretary of State for Housing, Communities and Local Government, whether she plans to cap council tax rises.

Jim McMahon Minister of State (Housing, Communities and Local Government):

"Future local authority funding decisions will be a matter for the next **Spending Review** and Local Government Finance Settlement in which we are engaged."



Sarah Naylor
President
CIVEA



Borrowers in Financial Difficulty

Since my last article in the Summer edition of *Enforcement News*, we have a new government, interest rates started to reduce (to 5%), inflation is on target and the **Financial Conduct Authority Consumer Duty** was fully implemented on 31st July 2024, with regulated firms having approved their first annual review reports. We now look ahead to November 2024 and the impact of the policy statement PS24/2 ('Borrowers in Financial Difficulty') on regulated firms and their supply chains.

The FCA is also following up on a number of vulnerability management, consumer support and business model surveys. Their DCA survey in June 2024 is a case in point. Much of this may be relevant to legal services and enforcement agencies that support the sector as part of their supply chains. Surveys frequently reference outsourcing arrangements and the treatment of consumers in problem debt down litigation and 'statute barred' process paths. This has been consistent for firms selected to provide quarterly cost-of-living responses, which includes the proportion of vulnerable customers at a portfolio level.

FCA Debt Collection Survey – w/c 10 June 2024

Phase one complete

This included a short survey to all debt recovery firms in this portfolio, which covered questions on the following topics:

- Your business model
- Type of regulated and unregulated debt collection you undertake, including through suppliers if you undertake Utility or Telco collections
- Revenue from both regulated and unregulated debt collection
- Frameworks and oversight you have in place to manage complaints and **quality assurance**
- How has the Consumer Duty been embedded into your day-to-day operations**
- Consumer complaints (volumes, oversight, resolution process)

The FCA has moved into Phase 2 and the Debt Services team following up at a firm level

For larger creditors and debt buyers, this is all a prelude to the Product Sales Data (PSD under PS24/3¹) in 2025. The new PSD returns will require firms to provide detailed information on the initial sale, and ongoing performance, of **individual agreements**.

The quarterly performance data will include cases in arrears management processes at an agreement level. This will include outsourced accounts and those in debt remedies.

Examples

PSD009	Performance data	Borrower Details	Was the borrower subject to a formal insolvency solution at the end of the reporting period?	A = Yes – Bankruptcy B = Yes – IVA C = Yes – Debt Relief Order D = Yes – BRO (sequestration) E = Yes – protected trust deed W = Yes – other statutory X = No Z = Unknown
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With regard to enforcement:

PSD009	Performance data	Default and Enforcement	Had a county court judgment been made against the borrower(s) in relation to this agreement?	Y = Yes N = No Z = Unknown
PSD009	Performance data	Default and Enforcement	Had an enforcement order been made against the borrower(s) in relation to this agreement?	Y = Yes N = No Z = Unknown
PSD009	Performance data	Default and Enforcement	Have steps been taken to enforce the security?	Y = Yes N = No Z = Unknown

Ahead of this, the arrears management handbook (CONC 7²) changes have a deadline of November 2024, which include:

- widening the spectrum of risk around vulnerability management
- more robust policies around affordability assessments & time-to-pay arrangements
- use of tools like the Standard Financial Statement (SFS)
- better engagement with the debt advice sector**
- encouraging data sharing, notably income & expenditure ('tell me once').

Some of these topics were picked up in the FCA webinar on 31st July 2024 entitled 'Consumer Duty – one year on'. Sheldon Mills published his speech entitled 'Taking the leap on the Consumer Duty'³. This included data sharing and the 'tell me once' approach, where there is an expectation that firms at all stages of the process will use shared affordability assessments and disclosed vulnerabilities.

This followed communications from the FCA and the UK Regulators Network (UKRN⁴) in March 2024 regarding the treatment of consumers with multiple debts, including those with essential service providers (e.g. utilities) and central (e.g. DWP)/ local government debts (e.g. council tax). This remains closely aligned with the FCA Financial Lives survey data in a cost-of-living crisis, with the latest results from January 2024⁵.

One of the final parts of the Consumer Duty was bringing 'closed products' into scope from 31st July 2024. This included debts purchased before 31st July 2023. These are often the hardest to engage with and likely to be outsourced with third parties. The FCA has provided a number of action prompts around these cases that firms need to take heed of. These will include cases with debt management firms and personal insolvency practitioners.

Good MI and portfolio analysis, including oversight of third parties working on behalf of the data controller, is essential.

Gone-away or disengaged consumers

"If [firm] carry out debt purchasing activities, where a regulated loan is purchased from a lender, the purchaser becomes the creditor under the agreement. **The product that the purchaser holds will be closed if the purchase took place before 31 July 2023 and the product is not being marketed or distributed to retail customers (including by way of renewal) by the purchaser.** Whether or not the original lender is continuing to market or distribute the original credit product is irrelevant to the open/closed status of the product held by the purchaser."

FCA action prompts for firms

- Has your firm followed all reasonable and proportionate avenues to contact gone-away or unresponsive consumers? This might include enhanced tracing activities, including through specialist third parties.
- Have you assessed the effectiveness of activities and channels to re-contact customers marked as gone away?
- What processes do you have in place to establish the appropriate course of action when it cannot successfully contact a customer?
- What processes do you have in place to establish the appropriate course of action when a 'gone-away' customer does contact your firm?

<https://www.fca.org.uk/publication/correspondence/fcar-cao-letter-implementing-consumer-duty-closed-products-services-all-other-firms.pdf>

I have focused on a couple of other areas that are very topical, starting with the importance of an '**Affordability Policy**' and when this requires that a detailed affordability assessment has been undertaken and is available 'on record', including supporting evidence. This should align with Section 9 of the CIVEA code⁶.

CONC 7 changes for November 2024 (PS24/2)

- 7.3.5D R** Where a firm assesses income & expenditure, it must do so in an objective manner.
- 7.3.5E G** When complying with **CONC 7.3.5D R**:
- (1) the assessment should be informed by sufficiently detailed information;
 - (2) a firm may have regard to the spending guidelines in the Standard Financial Statement (SFS) or an equivalent tool (e.g. Common Financial Tool in Scotland); and...
- 7.3.5F G** **A firm should have clear written policies setting out how and in what circumstances it conducts I & E assessments.**

<https://www.fca.org.uk/publications/policy-statements/ps24-2-strengthening-protections-borrowers-financial-difficulty>

I welcome these changes and more consistent use of these policies in payment portals.

With the Credit Information Market Study progressing in the form of the Interim Working Group (IWG⁷), the impact of a debt on someone's credit files is becoming more prominent with the objective of better customer understanding when deciding whether to engage with a creditor or their collector.

A lot of the FCA correspondence and expectation setting is around better quality communications, including consumer education at the right point in time. This is especially important for 'non-engagers' in the process where they may well experience worse outcomes than those that do engage. Fair Value Assessments become timely when legal or enforcement charges can be added to a debt. This is a key aspect of the debt adviser's role when explaining what can happen if someone doesn't fully engage. This requires a more collaborative approach.

CONC 7 changes for November 2024 (PS24/2)

Under **7.3.7A** – further guidance

- (4) Where possible, a firm should make available to the customer a record of any I & E assessment that the firm has made **to enable the customer to share the record with other lenders and debt advice providers.**

Under **7.3.13 A** – credit file impact under 2b)

Is sufficient to enable the customer to understand their financial position in relation to their debt, including how it is reported to the customer's credit file

<https://www.fca.org.uk/publications/policy-statements/ps24-2-strengthening-protections-borrowers-financial-difficulty>

A lot of challenges ahead for the debt recovery sector with the bodies like CIVEA and the Credit Services Association taking leading roles.

In the debt advice sector, the final changes have just been implemented by The Insolvency Service on the new DRO criteria⁸ from 28th June 2024 with Money Wellness and Citizens Advice as the primary providers with MaPS funding.

- Someone is now eligible for a DRO (at a high-level) if they:
- owe less than £50,000 in total
 - have savings or valuable items worth less than £2,000 in total
 - own a vehicle worth less than £4,000 (if you were to sell it today)
 - do not have enough money left at the end of the month to make your debt repayments
 - have lived or worked in England & Wales in the last three years
 - are not currently bankrupt, have an interim order or an IVA

- have not had a DRO in the last six years.

More generally, I have been engaged in The Insolvency Service personal insolvency reform and awaiting the next steps of the review of the Debt Advice sourcebook (CONC 8). The review of the vulnerability guidance continues (FG21/1).

On the topic of 'Tell me once', I was delighted to be co-author of the '10-principles of vulnerability data sharing', which remains very topical in the public sector and with essential service providers. I can align this with Section 10 of the CIVEA code around 'Support for vulnerable people' and there is wider take-up of tools like the Vulnerability Registration Service (www.vrshhs.org). This is now more apparent with local councils and collaboration with the Illegal Money Lending Team (IMLT). The FCA has encouraged that vulnerability and accessibility data is shared with outsource providers with the right UK GDPR provisions to deliver better consumer outcomes.

On a final forward-looking note, there are now 10.09m⁹ active consumer and small business users of Open Banking in the UK, with one in five SMEs regularly using Open Banking technology, according to OBL (Open Banking Limited). This is a 66% increase in 18 months.

The new Labour Government has committed to pass into law a Digital Information and Smart Data Bill¹⁰, as announced in the King's Speech on 17th July 2024, to "*harness the power of data for economic growth*".

On the topic of data sharing, the King's Speech stated: "*By empowering consumers to share their data with sectors we also hope to encourage the economic growth we've seen from Open Banking, across the economy. This is crucial in markets where customer engagement is low, or where businesses hold more information and data than the customer.*"

I am looking forward to speaking with Russell Hamblin-Boone at the Insolvency Practitioners Association (IPA) conference in Manchester on 28th November 2024.

1. <https://www.fca.org.uk/publications/policy-statements/ps24-3-consumer-credit-product-sales-data-reporting>
2. <https://www.fca.org.uk/publications/policy-statements/ps24-2-strengthening-protections-borrowers-financial-difficulty>
3. <https://www.fca.org.uk/news/speeches/taking-leap-consumer-duty>
4. <https://ukrn.org.uk/cost-of-living-working-group-joint-letter-2/>
5. <https://www.fca.org.uk/publications/financial-lives/jan-2024-recontact-survey-summary>
6. https://www.civea.co.uk/assets/img/ss_CIVEA_Code_final.pdf
7. <https://www.fca.org.uk/firms/credit-reporting-interim-working-group>
8. <https://www.gov.uk/guidance/how-to-get-a-debt-relief-order-dro>
9. <https://www.openbankingexpo.com/news/open-banking-users-top-10m-in-the-uk/>
10. <https://www.openbankingexpo.com/news/labour-introduces-smart-data-bill-in-kings-speech/>



Kevin Still MCICM
Director
DEMSA

Enforcement Conduct Board news

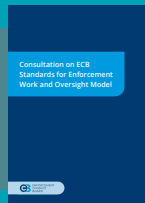


Over the last few months, the ECB team has been out and about listening and learning from a wide range of our stakeholders.

We have run workshops with those who have lived experience of enforcement, enforcement agents, firms and debt advisors to seek views on our upcoming new standards; we've spoken at sector events and conferences and have held a series of meetings with CIVEA, the HCEOA and LGSCO about our complaints handling function, which we will launch at the start of 2025.

This has been invaluable engagement, and the whole team would like to thank all those who have shared their views.

This engagement has informed the development of our new standards, which are now out for consultation. You can find the consultation here: **Standards - enforcementconductboard**



Our new standards will build on the current **National Standards** owned by the Ministry of Justice and will incorporate existing good practice and set clear expectations to ensure there are consistently high standards across the whole market in this important work.

The consultation document also includes the accreditation criteria for year two and our operational oversight model, which is how we will actually do our oversight in practice.

This is because going forward, adhering to our standards will be a condition of accreditation. In the consultation you will see updates to the accreditation criteria to reflect this.

In addition to the accreditation criteria, you will see the wider accreditation framework which sets out the process for applying for accreditation and the steps the ECB can take where accredited firms are found to have breached this, including sanctions.

As the standards will also form the basis of our assessment for complaints, the consultation includes some high-level detail on what our complaints model will look like and starts to introduce the key principles that will underpin what we define as fair complaints handling.

I hope that many of you will take part in the consultation, which closes on 13th September.

Following consultation, we will refine and finalise our standards, accreditation criteria and oversight model, prior to launching these by November this year. When we publish these documents, we will set out where and how we have taken views into account.

As always, we will continue to work with all our stakeholders across the sector to ensure that those on the frontline understand the new expectations and will be ready to adapt to the new requirements as and when they launch.

Please do keep an eye on our website and social media for updates and as always, you can email us to share views on any of our work at contact@enforcementconductboard.org

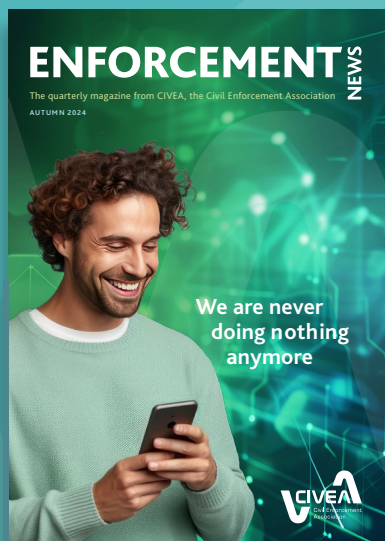
Until next time!



Chris Nichols
Chief Executive
Enforcement Conduct Board

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CIVEA MEMBERSHIP NEWS

We are pleased to announce that we have a new corporate member - Bryan Lecoche Limited.

Bryan Lecoche has been a long-standing private member of CIVEA, but has upgraded his membership to corporate.

Bryan Lecoche says that having been in the enforcement and investigation business since the late 1970s he has only been a personal member of CIVEA for the past 12 years during which he has appreciated their support. He is pleased, that in the interest of the continuity of Bryan Lecoche Ltd. we have now got corporate membership and will undoubtedly continue to benefit in all respect, including the credibility provided by being member of CIVEA.



We are never doing nothing anymore, and the change will alter enforcement

We are never doing nothing anymore! Next time you are at an event, conference or even shopping centre, look at the people around you, they are either engaged in what is going on or playing with their phones. Having that device in our hands has become an extension of how we live and organise our lives. The device is our direct contact with everything and everyone else.

So as technology evolves, so too does the landscape of our internet usage. In the United Kingdom, internet usage trends are constantly shifting, driven by advancements in technology, changes in customer behaviour, and socio-economic factors.

These trends shape internet habits of UK residents and affect how debtors interact or are willing to interact. With enforcement services, effective and reactive communications are king.

The rise of 5G mobile services

With the rollout of 5G networks across the UK, this high-speed internet availability on mobile devices has increased significantly. This advancement has led to a surge in data-intensive activities such as streaming high-definition video and online gaming. As a result, more customers rely on 5G connectivity to manage their lives and if the action is not prompted by digital it is less likely to happen.

It is now the case that more transactions are made on mobile phones than any other device including laptops or tablets.

A good article can be found at <https://www.statista.com/topics/6757/mobile-payments-in-the-uk/#topicOverview>

“Rich Communication Services (RCS) offers a more secure and reliable feature-rich messaging experience compared to traditional boring SMS text messages.”

So it is finally happening that **Rich Communication Services (RCS)** will become the new messaging standard this October on all types of mobile handset. Until now this next generation of messaging tools to be used by everyone only worked on Android handsets.

Apple has announced that its Messages app will now support RCS, or Secure SMS in iOS18. The new standard will replace SMS text messages as the default communications protocol.

This comes after years of pushing by many parties including the EU, but how will this affect and help enforcement with customer engagement?

RCS was developed some 13 years ago as a replacement to SMS. COVID-19 and the rapid rise in scammers led to customers being told to be wary of messages with payment links.

That low-cost debt recovery tool had a new large hurdle to cross when trying to get the customer to pay. And let's face it, postage costs have gone through the roof and are not helping.

RCS was relaunched and due to its verified sender and security, it could fight scammers and put confidence back into messaging.

With Apple now joining Android on this new standard it will fight fraud and scammers, offer self-service features within the message and be able to support images and videos. So how will this help enforcement case resolution?

RCS offers a more secure and reliable feature-rich messaging experience compared to traditional boring SMS text messages.

It supports higher-quality media sharing, read receipts, typing indicators, and better group chat functionality. By firms adopting RCS, debtors in receipt of messages from enforcement firms will have an enhanced experience they now expect with workflow interactions to help them navigate processes for better self-service.

Messages will change from those dull grey rectangles with text displayed on your mobile screen, to become colourful, branded and interactive messages that can have much more content.

Customer satisfaction and adoption is key with any change to services and tools that we use. The many official messages sent by local authorities are for important service applications and clearly not for marketing purposes. Results collected by Telsolutions from early adopters of the RCS standard, show interaction rates **50% higher than basic SMS messages**. This is so important with debt collection applications where debtors won't take action if the process is time-consuming, complex or difficult to understand based on a short message.

Adopting RCS will enhance the communication experience for these users, leading to higher customer satisfaction and loyalty. Thinking about how frustrated many of us become when a process for a service is complicated and we are in a rush. RCS is designed to make this smoother and more supportive.

Although in the UK, the greater percentage of mobile users have Android handsets, with Apple onboard the options and opportunities will be excellent as innovations drive development.

Data Privacy and Security

Apple is known for its strong stance on privacy and security. By adopting RCS, Apple can implement and potentially enhance RCS's security features, such as end-to-end encryption, to meet its high standards. RCS will reassure users that their communications remain private and secure.

RCS Messages use a verified sender indicator in the form of a shield and tick image displayed at the top of the message. This confirms to the recipient that the message is from a genuine source and sent from the authority. This will greatly help fight scammers or the debtors perception of whether the message is real or not.

Conclusion

When Apple adopts RCS this October, messaging standards on all mobile handsets will rise and investment will flood in to develop services to help debtors. Enforcement firms must adopt this new standard or face a harder challenge getting debtors to communicate, respond and ultimately pay. This is a small change that will not affect how they operate, but will help debtors and them to achieve more interactions and results.



Daniel Pearce
Director of Business Development
Telsolutions Ltd



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Enforcement Services



Preparing for the future of High Court enforcement

Alan J. Smith, Chair of the High Court Enforcement Officers Association (HCEOA), looks at the future of the enforcement profession and reflects on how the HCEOA's recent public perception research can help us set out a clear case for enforcement supporting the economy and delivering a fair and important service.

The enforcement profession is at a pivotal juncture. Enforcement businesses are awaiting the implementation of a 5% fee increase recommended by the Ministry of Justice, new standards from the Enforcement Conduct Board (ECB) and digitisation within the court system.

Add that to a new Government and set of Ministers to engage with, and there has never been a more important time for the profession to confidently be able to set out the valuable role it provides in the justice system across the UK.

With that in mind, this April the HCEOA commissioned an independent survey of 2,000 people across England and Wales and it provides compelling insights.

Strong Public Support for Fair and Effective Enforcement

- 83% of respondents agreed that fair and effective enforcement is essential to the justice system.
- Almost 80% believed that people and businesses owed money should have access to a regulated enforcement system to recover debts.
- 72% thought unpaid debt would increase without fair and effective enforcement.

As the incoming Labour Government finds its footing, policymakers and civil servants face the challenge of ensuring enforcement is properly funded to meet public expectations.

The enforcement profession is still awaiting the first fee increase in 10 years, alongside potential system and fee structure reforms. Implementing the recommended 5% fee increase, establishing a regular fee review mechanism linked to inflation and carefully considering further reforms are essential steps in futureproofing fair and effective High Court enforcement for UK plc.

This fee increase is crucial for enforcement businesses to manage rising costs, ensure fair compensation for agents, enhance customer service systems, provide additional training for agents and staff, and invest in systems and technology to better support everyone involved.

Freedom of Choice to Support Court Users

As an association, we have been campaigning for some time to allow creditors the freedom of choice to transfer debts under £600 to the High Court for enforcement. While this would not be the answer for every creditor, it would help to alleviate some of the burden on the County Courts and could have a role in increasing future satisfaction of judgments.

We've proposed that the fees that HCEOs charge for collecting debts under £600 should match the non-High Court fee scale for debts of the same amount – they would be 100% in line with the current system.

We are still in discussion with the Ministry of Justice about implementing this as part of ongoing High Court enforcement fee discussions. The High Court enforcement profession is ready, willing, and able to support this change, which is backed by the Civil Court Users Association and would be a positive step in allowing creditors better access to flexible enforcement options.

Leveraging Technology for Efficiency

The HCEOA is collaborating with Her Majesty's Court and Tribunal Service (HMCTS) to help modernise outdated processes and some

of our members are currently trialling High Court writs by email. However, a comprehensive digitisation plan for writ enforcement is needed. Not only will this simplify processes for creditors, it will also allow further reform of the court systems currently in place, providing cost and time saving measures that are desperately needed.

Fairness to All

Our research highlights the public's emphasis on fairness to both debtors and creditors. Vulnerability considerations, repayment plans, and the ability of creditors to reclaim the full amount owed are seen as important.

- 89% believed clear rules and regulations should protect vulnerable people and offer repayment plans to those who cannot pay their debts.
- 82% thought it's important that creditors receive the full amount specified in court orders.

Enhancing Standards and Trust

While there is general confidence in the judicial system, improvement is needed. Although 69% of the public believe there are adequate rules governing enforcement agents, only 61% trust these agents to follow the law. Increasing transparency and educating the public about enforcement processes are vital for building trust and dispelling misconceptions.

The ECB has made significant progress since launching its Accreditation scheme in September 2023. With a majority of enforcement businesses now accredited, the ECB's focus on developing new standards, handling complaints, and active monitoring is commendable.

The HCEOA is working closely with the ECB, CIVEA, and other stakeholders to ensure we achieve shared outcomes and meet the public's expectations around supporting the vulnerable while ensuring creditors receive the full amount specified in their judgments.

Next Steps for Government

To support the enforcement profession, we're calling on the new Labour Government to take three simple steps:

1. Implement the recommended 5% increase in enforcement fees. Proposed last summer, this increase addresses rising costs since fees were set in 2014. As of now, we await an implementation date for this long-overdue fee adjustment.
2. Establish a regular fee review mechanism linked to inflation. Recognised by the Ministry of Justice last year, we hope this will be introduced soon.
3. Ensure any further reforms proposed after year's wide-ranging consultation are carefully considered and properly funded. The 5% fee increase addresses a historical challenge but does not create additional funds to tackle new challenges.

The HCEOA is committed to working closely with the Government, the ECB and CIVEA to achieve shared outcomes that benefit the public and UK plc. With recent cabinet changes, the enforcement profession looks forward to decisive action that aligns with public support for a fair, effective, and well-funded enforcement system. This alignment will ensure that creditors and debtors receive the service they deserve.



Alan J. Smith

Chair
High Court Enforcement Officers Association



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2024

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INSTITUTE OF REVENUES
RATING & VALUATION

Empowering Customers Through Tailored Signposting: A Win-Win for Agents and Clients

As an enforcement agent, how do you respond when a customer shares personal struggles affecting their ability to repay? What's your go-to reply when clients open up about the challenges they're facing?

While many agencies have specialist teams or referral partnerships for high-risk customers experiencing suicidal thoughts, countless others fall through the cracks. It can seem impossible to help everyone, all the time.



The Challenge: Complex Problems, Limited Resources

The sheer variety and complexity of issues customers face often leave agents feeling ill-equipped to respond effectively. This can lead to emotional fatigue and burnout across your teams. Agents want to help but don't always know how.

Consider recent events: Muslim support charity Tell Mama reports a fivefold increase in threats to Muslims and a threefold rise in hate crime incidents due to right-wing activity in the UK. If your customers share they've been affected by this, how would you respond?

Finding the Balance: Support Without Overstepping

It's natural to want to help, but drawing the line between enforcement agent and counsellor can be tricky. Traditionally, some agencies create lists of key support charities, often limited to household names like Samaritans, StepChange, and Cruse Bereavement. While well-intentioned, this approach limits effectiveness, as it's unlikely to address all customer needs.

A Better Solution: The NSN Support Hub Directory

At National Support Network ('NSN'), we offer a more comprehensive approach with our Support Hub directory. This powerful resource contains information on thousands of vetted support services available nationwide, covering over 1,000 topics from housing to relationships, and from health to work. With the Support Hub, agents can confidently share a single link, knowing customers will likely find support tailored to their specific needs and circumstances.

The Power of a Simple Gesture

Imagine being able to say:

"I'm so sorry to hear that. Can I share a link to a site where other customers have found support for similar situations?"

This small act can have a big impact:

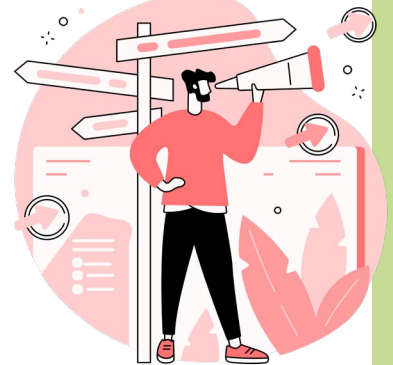
- Customers are more likely to engage with relevant support services, improving their overall wellbeing.
- Agents feel empowered to offer meaningful assistance.
- Your business delivers better results by going the extra mile.

Beyond the Usual Suspects

Our analysis of over 30,000 signposting referrals revealed a surprising fact: 99.6% of users opted for charities other than Samaritans, StepChange, or Cruse. This highlights the vast array of specialised support services available to address diverse customer needs.

The Lasting Impact

Customers will remember when you offer a helping hand in their time of need. By implementing a comprehensive signposting strategy, you're not just generating value for the business – you're making a positive difference in people's lives.



TellMAMA
Measuring Anti-Muslim Attacks

Support for those affected by anti-Muslim hate across the UK
 ☎ 0800 456 1226

Emotional support and listening service for young Muslims
 ☎ 0808 808 2008

Help to report and support for those affected by Islamophobia
 ☎ 020 3904 6555

Support includes the Amal Safety App for hate crimes and other issues
 ☎ 0800 999 5786

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Please contact Anthony Quinn for further information

07966 207 881

Unclaimed Income Related Benefits



It is estimated that total amount of unclaimed income related benefits and social tariffs is now £22.7 billion a year. This represents a 21% increase on earlier estimates.

The report by Policy in Practice – *Missing Out Report 2024*, makes for quite difficult reading. With DWP/HMRC unclaimed benefits totalling £14.4 billion, unclaimed locally administered benefits totalling £5 billion and unclaimed social tariffs and energy support totalling £3.3 billion.

Personal debt is increasing year on year, the demand for food banks are increasing. The cost of personal rent is increasing, and there is a lack of properties available for rent. And we could just go on...

The bottom line is there are more people, each year, that are finding themselves in financial hardship

The benefits and social tariffs that go unclaimed can be for many reasons:

- **Unaware** – many people are not aware of the benefits they are entitled to. This may be because the threshold has changed, or just total unawareness. They may never have heard of social tariffs.
- **Difficulty** – navigating the application process, proving eligibility, understanding which benefits they should be applying for. It can all be too difficult, especially if you're not computer literate or have limited or no access to the internet.
- **Stigma** – asking for help isn't always easy, finding yourself in financial hardship and admitting you are in debt. Knowing where to turn, so that you won't be judged.

During 2024, 400,000 working-age households are migrating to Universal Credit (UC). In their report, Policy in Practice stated that there is £8.3 billion in unclaimed UC alone. This equates to 36.6% of all unclaimed benefits and social tariffs.

If you throw into the mix that a majority of people who are in financial difficulty and have been for some time are also suffering from mental health issues. The situation just escalates.

"I cannot say whether things will get better if we change; what I can say is they must change if they are to get better."

- Georg C Lichtenberg

Who is helping the vulnerable and how many are slipping through the cracks?

There needs to be a proactive approach. If we can support those that are in financial hardship, at the very minimum, by ensuring they are receiving all the benefits they are entitled to. This will have a positive impact on their wellbeing. This impact will allow them to better manage their financial situation. With support, it will help them reduce their debt, in the first instance their priority debt.

This type of proactive approach can help reduce Local Authority (LA) debt. This isn't a new concept. The difficulty is the resources to be able to facilitate this change.

At Welfare Together we can proactively identify and support your vulnerable customers. We have the tools, processes, and the resources to help them. Our approach is a fully supportive one, we want to help them to become more financially stable. Improve their mental wellbeing. Learn to manage their finances better and reduce their debt. No judgement, only practical supportive help.

In the last 30 days we have supported customers to reduce their LA debt by £30,000. This does not include debt payments received or arrangements. This figure not only reduces the LA debt, but in most cases the customer has received an increase in monthly income.

Helping improve their mental wellbeing, improving their financial wellbeing and helping them to get out of debt.

Case Study

BACKGROUND

This case study details the assistance provided by Welfare Together to a man living on a limited UC allowance of £276 per month. The individual faced multiple challenges, including a lack of essential household appliances, food insecurity, significant financial debt and inadequate living conditions due to a non-functional boiler.

CHALLENGE

The subject of this case study was contending with severe financial and living condition challenges:

Financial hardship: The individual was living on a minimal UC payment and had accumulated over £11,000 in arrears in council tax.

Lack of essential appliances: He did not own a refrigerator, which severely limited his ability to store perishable foods.

Heating and housing issues: His boiler was broken, leaving him without heating.

Unclaimed benefits: He was not claiming available benefits like Council Tax Reduction Scheme (CTRS) and Single Person Discount (SPD) due to difficulties in navigating the application processes.

SOLUTION

Immediate Relief: Welfare Together provided immediate relief by:

- Delivering a refrigerator and a food parcel to address immediate food security and storage issues.
- In process of organising a boiler replacement.

Navigational Support:

- Assisted in communicating with the LA to ensure that the SPD was applied and backdated, leading to a saving of over £2,000.
- Initiated a review for a council tax support claim for the current year to alleviate ongoing financial burdens.

Long-term Financial Strategy:

- Applied for a hardship grant to address the arrears accumulated over the years.
- Explored the possibility of additional relief under Section 13A for exceptional financial relief.

RESULTS

Financial Improvement:

- The backdated SPD significantly reduced the existing arrears.
- Application for council tax support has been successful and backdated to again reduce the arrears.
- Hardship grant has been granted and reduced the debt further.
- Customer setting up a direct debit to clear the small charge for the current year.
- PIP application successful.
- UC Incapacity to work successful.

Let us help you to help your vulnerable customers and reduce your debt.

Talk to **Tracey Stone** today, call **01327 228595** or email support@welfaretogether.co.uk



Tracey Stone IRRV, CICM
Director
Welfare Together Limited

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ReachOut, solving the problem of resident disengagement

The challenge: councils have limited resource to proactively engage with indebted residents



A growing volume of vulnerable residents simply cannot afford their monthly Council Tax and other household bills, leading to residents disengaging for fear of the consequences of non-payment.

With little resource available to them, Councils struggle to proactively engage with these residents before the debt escalates. But without engagement, residents will only progress through the recovery process, incurring additional fees, often leading to enforcement action or an attachment of benefits/earnings. But for the most vulnerable households, enforcement isn't always the most appropriate next step and often the more vulnerable cases are simply returned to the council.

With a new Council Tax bill issued each year, and without the means to pay, multiple years' worth of Council tax arrears can build up, leading to further disengagement and a low awareness of support available directly from the council.

The solution: ReachOut



We believe more can be done to engage with and support those genuinely struggling to pay.

ReachOut is an award winning engagement strategy, designed to reach those residents who aren't engaging with the standard recovery process. We connect with residents, helping them to access the support they need to improve their financial, mental and physical wellbeing.

We then raise awareness of the initiatives and support you offer your residents in problem debt or vulnerable circumstances, and warm transfer them to your internal teams so you can work with your residents to resolve their debt.

reachout
BY SIGMA CONNECTED

To find out more visit: sigmaconnected.com/reachout
or get in touch: jonathan.shaw@sigmaconnected.com

reachout and the need beyond debt advice

Life is complex enough without debt.

The residents ReachOut call on behalf of councils need an average of three referrals to charities and other external support, ranging from help with relationship breakdown, to terminal diagnoses, to help with daily basics like food and much more.

This is noticeably higher than the customers of our clients in utilities and financial services, where customers need an average of 2.5 referrals.

This goes some way to demonstrating the multitude of issues people are facing, and how struggling with council tax arrears may well be an indicator of a greater need for more intensive support.

Our work with Walsall Council and Folkestone and Hythe District Council (FHDC) for example, saw us making almost 1,400 referrals to 44 different charities. Over 500 of those referrals were for support other than debt advice.

Listening to our recent calls with council residents has really brought this to life.

The following three stories are from real conversations with residents behind on their council tax. In each, you'll see that debt is just one of many factors preventing these households from reaching a far happier and healthier place in their lives.

Sally*

"I need to have spinal surgery, but there are so many risks, and I'm completely on my own in making this decision as my mum has Alzheimer's and my dad is 81. If I take the risk of surgery and my health goes downhill, I won't be able to look after mum. If I go ahead and recover, I might not get PIP and I'm completely dependent on that to survive. If I don't, I'm going to lose the use of my legs. I'm carrying this burden with me all the time and it's made me ill. I haven't spoken to anyone about this except you."

Sally revealed to us at least five issues she's struggling with, including physical and mental health concerns, caring for ill and elderly relatives, and all whilst living on a low income.

On top of that, her washing machine had broken, meaning she had to carry her washing down multiple flights of stairs, which was too much for her back.

We were able to signpost her to talking therapies for her mental health, and through a warm transfer to FHDC, Sally was supported with a brand-new washer/dryer machine fitted in her property, a Financial Support Payment to clear her arrears and support from the Household Support Fund.

Elaine*

"I feel like I'm drowning. I do a small care job, but I'm also self-employed doing a bit of cleaning. My mental health has become horrendous in the last few weeks, I don't think the stress has helped it to be honest. My son; he's 17, he's on anti-depressants, and my daughter has recently started home schooling because her mental health is terrible and she self-harms. I'm terrible at explaining stuff, my head doesn't work properly, and I can't think! I expect the worst, like with the (PIP) assessment I did, I'm thinking 'I've buggered that one up haven't I'. I can't think what to say."

Elaine shared how difficult it is to juggle work whilst also supporting her children, who both suffer with their mental health. Elaine's ex-partner hasn't been supporting her with child maintenance

payments, so her mortgage has become completely unaffordable.

We referred Elaine to Turn2us, for help in accessing her full benefit entitlement; Harmless, for help with her daughter's self-harming; and talked through the various debt advice organisations that can assess the best route forward with her debt.

We ended the call with a warm transfer through to Walsall Council's team for their support in addressing her council tax arrears. We explained the situation with her mortgage arrears so the council could act accordingly.

Theresa*

"I am trying to do my best, but I am properly struggling. I live in a caravan, and I have tried to cut back on so many things, I'm barely eating as it is. I've lost so much weight it's unreal, I feel like skin and bones now. I can't afford to live anymore, not with everything else I have to pay out on. I'm becoming a prisoner in my own home because I can't afford to go anywhere. I'm entitled to a blue badge to get out and about, but I can't afford to. I'm cold all the time. I'm paying £150 a fortnight for my electric. I don't know what I'm going to do."

Theresa hadn't engaged with previous offers of support from FHDC. Following a conversation with Lauren at ReachOut, FHDC's welfare team was able to provide Theresa with a heated throw, slow cooker, gas bottles, a food voucher and a Financial Support Payment towards her arrears.

ReachOut was able to refer Theresa to support agencies for her mental health and Trussell Trust and Turn2us for welfare support. Kath at FHDC keeps in touch with Theresa monthly, so their support can be ongoing.

ReachOut currently does an in-depth triage with approximately 475 people a day.

These are difficult, complex and lengthy conversations. Not something a typical recoveries or welfare officer has time to do whilst juggling the other parts of their role.

It would also be unreasonable to expect your officers to have an encyclopaedic understanding of all the support available for any and all situations.

Our strategy is specifically designed to engage those residents who haven't responded to your communications; those more vulnerable residents on track for further recovery action. If you'd like to learn more about how ReachOut can help you in your efforts to provide tailored support for your more vulnerable households, please get in touch.

**Not their real name*



Jonathan Shaw
ReachOut Partnerships Manager
Sigma Connected

Learning disabilities - do you see me?

Learning disabilities are an umbrella term for a wide variety of learning problems. People with a learning disability tend to take longer to learn and may need support to develop new skills, understand complicated information and interact with people.

There are lots of people with learning disabilities, but only a minority of whom are supported by social services: most get by with little or no help.

A learning disability involves the way someone's brain processes information. It makes it harder for them to learn new skills, understand, socialise or manage money. However, people with learning disabilities can be smart.

Learning disabilities are neurological differences that can affect how a person processes information and learns, but they don't define someone's overall intelligence or potential.

Having a learning disability (neurodivergence) is a life-long condition and may present problems getting access to financial services, opening a bank account or changing a utility provider. Advice may be hard to get because they don't know how or where to find help. They may have difficulties understanding the information available because it's too complex.

Learning disabilities are protected under the 1998 Human Rights Act and The Equality Act 2010 as 'Protected Characteristics'.

Part of the disability is socially created, as society is organised for people who don't have learning disabilities (neurotypical). When people have difficulty articulating by speech, or cannot read or write, they can become labelled, which may be perceived over time as a term of abuse by someone with a learning disability.

The neurodivergent person may feel stigmatised and excluded, making it difficult for them to take part on equal terms with neurotypical people.

At Excel Civil Enforcement we know that learning disabilities are not

mental health problems. However, people with learning disabilities may experience mental health problems because of exposure to risk factors that can seriously impact mental well-being.

All our customer service staff are qualified in taking control of goods and have had accredited training in vulnerability, mental health and dealing with customers with learning disabilities, giving Excel the most qualified team in the enforcement profession.

Excel recognises that a learning disability is linked to an overall cognitive impairment. Because of this, customer-facing staff are vigilant to signs of confusion or problems with speech articulation and adapt accordingly by giving them time to fully explain, speaking slowly and concisely, clarifying understanding and keeping terminology simple.

Understanding, active listening and empathy are essential components when dealing with people with learning disabilities whilst remaining respectful and patient.

It's important to remember that individuals with learning disabilities are unique individuals with their own strengths, capabilities and preferences. It's essential to treat them with respect, dignity, and understanding, just like any other person.



David Grimes

Group Head of Training
and Development
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Adopting a Local Approach to Enforcement

The countryside is a hive of activity at this time of year as gangs of farm contractors swarm into sleepy villages to bring in the harvest, filling the narrow lanes with their monster tractors and combines. Peace soon returns however, as their services are in great demand, and they race on to the next village after a few days of frenetic activity. Golden fields of corn are rapidly replaced by stubble as the contractors gather the harvest but, in their haste, they may leave a ring of uncut sheaves around the edge of the field and pools of spilt grain litter the roadway.

Like farm contractors, enforcement agents (EAs) are in demand given the current national shortage and work is plentiful at this time of year. In order to get through the workloads with limited resources many enforcement firms have adopted a blitz approach, flooding an area with EAs to get every case visited in the shortest possible time, before then moving on to the next authority. Many of these EAs will be self-employed and will push to collect as many full payments as possible on the doorstep whilst in the area to maximise their earnings. Often, they will only receive commission on fully cleared cases and offers of long-term arrangements may be rejected.

In today's economic environment where cash-strapped councils need every penny, this blitz approach to enforcement may leave some debts uncollected. In contrast a traditional approach to enforcement, where local EAs who 'know their patch' and can provide a constant presence in an area, is likely to increase overall collection in the long-term. This local approach to enforcement was highlighted in the last edition of *Enforcement News*, which reproduced the winning entry for CIVEA's *Outstanding Enforcement Officer*, Andrew McGregor from Hambury Tilmond.

Andrew has been working in the same areas for over 30 years and has built strong community relations in many deprived neighbourhoods, earning respect for understanding people's individual situations. By working the same areas EAs get to know over time those who are genuinely struggling rather than just trying to evade payment and can adapt their enforcement approach accordingly. Andrew has dealt with generations of families indebted to the council and assisted countless people to find a way out of debt, acting as a gateway to help 'the vulnerable'. He will discuss and agree realistic payment arrangements that are sustainable, thereby encouraging people to engage with him to find a solution to their debt, rather than hiding behind the door.

Overall, the caseloads may take longer to get through by adopting a 'local' approach to enforcement, but collectable debts will not be left in the field.



Adrian Bates
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Hambury Tilmond Collecting the Uncollectable



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Recycled Case Specialist

We are a leading provider of Enforcement services, for the collection of Council Tax and NNDR cases, previously returned as uncollectable. Our audited collection rate exceed 20% on recycled Council Tax cases with zero upheld complaints, and we can provide a balanced and ethical solution to increasing your collection rates.

Council Tax and NNDR

#1 Enforcement Agency (measured by value) for the collection of Council Tax and NNDR in over 90% of LA's where more than one Enforcement Agency has been appointed.

Closed Accounts/Write Offs

Send your aged debt securely to Hambury Tilmond for a free/no obligation evaluation. We'll cleanse, trace, contact append and financially profile your debt portfolio and provide a projected revenue report.

HBOP and Sundry Debts

We have an audited collection rate in excess of 50%. If your HBOP and Sundry Debt is being collected as an 'added value service' it's unlikely collections are being maximised, we have the solution.

Parking

We're more than just ANPR. Increasing collection rates through intelligence and door step collections, recycled and expired Warrant service available.

Award Winning Enforcement Agents

Our agents are well trained, only work for Hambury Tilmond, and ethically remunerated, ensuring ethical collections are at the core of what we do. We were thrilled for our longest serving Enforcement Agent, Andy McGregor, winning the Outstanding Enforcement Agent award at the CIVEA 2024 Excellence Awards. Andy exemplifies everything we do, We're extremely proud of our record of zero upheld complaints, and zero complaints to clients since 2018.

Award Winning Welfare and Vulnerability

We are thrilled to have won the CIVEA Excellence Award for Best Vulnerable Support Initiative (Tier 3), our holistic approach has made a real difference to the lives of our client's customers. Contact us to find out more about how your customer's can benefit from the market leading Welfare and Vulnerability support.



Challenge Us

We enjoy a challenge, on a trial basis under a simple SLA you can appoint us to challenge your incumbent enforcement provider. We have a proven track record of outperforming incumbent providers with cases they have previously returned as 'uncollectable'.

Rundles.

Rundles is a leading provider of ethical enforcement services that works with you to design and deliver a fairer approach to debt resolution.

Our advantage builds on a long-established reputation for great service, fair resolutions and a one team approach. With us it's simple, we provide excellent recovery rates, and the best customer service in the industry; delivered by dedicated experts, trained and qualified to the highest standards. With our commitment to fairness and recognising vulnerability early, our professionals act as part of your team, working to respond to your precise needs and achieving maximum recoveries together.

**Resolve
Together.**
As One Team

rundles.org.uk | acollins@rundles.org.uk



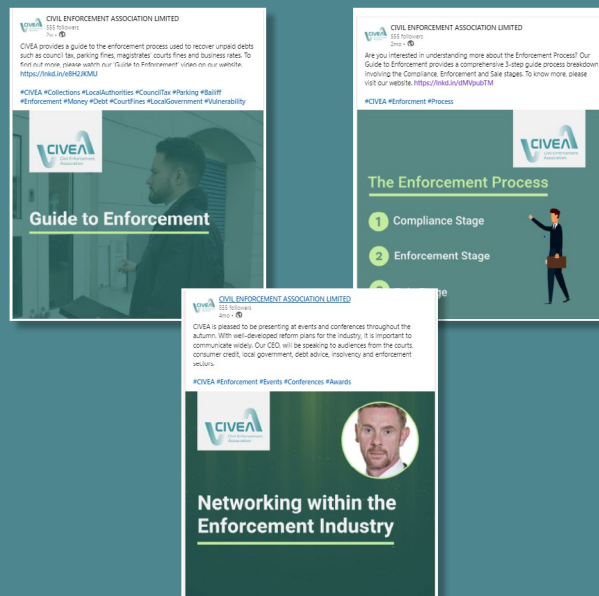
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