

# The Enforcement Conduct Authority

what does it mean for you?



# CIVEA is the principle trade association representing civil enforcement companies that employ enforcement agents

40

Member companies

1800

Certificated Enforcement Agents

>95%

Market coverage

>3.5  
million

Warrants per annum for unpaid council tax, business rates, parking penalties, child support payments, commercial rent and magistrates court fines

>£500m

Recovered per annum for the public purse at **no cost** to the tax payer

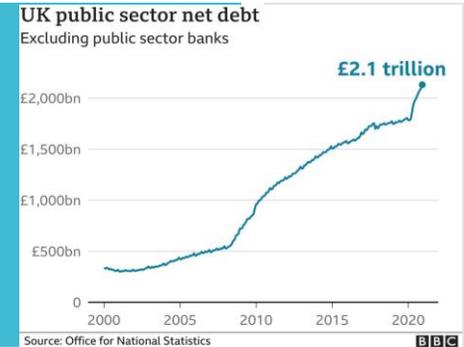
# Calls for action



- Rising levels of household problem debt
- Regressive tax system
- Recycled uncollected debt
- Historic debt arrears

**= Concerns about enforcement process**

# The fiscal case for enforcement



- Collection rates average 97% (95% in 2020/21).
- £3bn uncollected
- Over £500 million shortfall in CT due to Covid
- Councils could face Covid costs of £10 billion
- 36% average CT arrears of £1,292

# 2014 Reforms



- Taking Control of Goods
- Compliance Stage
- Fixed fees
- Certification of agents

# Impact of 2014 Reforms



- Fewer doorstep visits
- Less complaints
- Better awareness of vulnerability
- Externally verified training
- Investment in technology

# New Code of Practice



- **Beyond statutory regulations**
- **Code compliance audit visits**
- **Independent oversight by CARE Panel**
- **Mandatory use of body-worn video cameras**
- **LGSCO adjudication of complaints**

# Post-lockdown Support Plan



- Voluntary suspension of visits
- Redeployment of EAs
- Bespoke health and safety training
- National re-engagement programme
- Contactless visits

# HOC Justice Committee and MOJ Review



- Independent complaints body
- Options for independent regulator
- Review of fee structure
- Body-worn cameras compulsory
- Fair treatment of vulnerable people



ENFORCEMENT  
CONDUCT  
AUTHORITY



## Background

- April 2020 **Publication of Collecting Dust by the Centre for Social Justice**
- November 2020 **High-level roundtable debate with Baroness Morgan and Lord Lucas, plus MOJ, debt advice, CSA**
- November 2020 **Rapid call for input by the Centre for Social Justice**
- **CIVEA offer plans for an 'Enforcement Commission'**
- January 2021 **Working Group established with Taking Control group**
- **Framework document for ECA drafted over 5 months**
- **Government ministers and SPADs kept informed throughout**



# Principles

- **Independence - Upholding the principle of independence**
- **Ambition - continually drive improvements**
- **Proportionate - avoid burden or excessive restriction**
- **Collaboration - between the enforcement sector and the debt advice sector**
- **Transparency - a published annual report to the Secretary of State**



## Objectives

- Raising standards
- Improving accountability
- Adjudicating complaints
- Recognising vulnerability and achieving fairness



## Remit

- **Certificated enforcement agents**
  - consult on the most effective way to bring in other types of enforcement agents



## Standard setting and rule making

- **The ECA will seek the powers to create new binding rules and set minimum conditions**
  - **Review National Standards**
  - **Guidance on vulnerability**
  - **Fair and affordable repayment**



## Supervision and monitoring

- **Responsible for overseeing the conduct of enforcement agents and agencies under its remit**
  - **Data and information**
  - **Audit visits**
  - **Sample checks**
  - **Research**



## Complaint adjudication

- **Independent complaints mechanism to adjudicate escalated complaints**
  - **Simplified two-stage process**
  - **A set timeframe for complaint handling**
  - **EAs to self-report EAC2 complaints**
  - **LGSCO to transfer oversight**



# Authorisation

- **Develop an appropriate and workable authorisation process**
  - **Encourage local authorities to align SLAs to ECA compliance**
  - **Legislative change**



## Enforcement and sanctions

- The ECA will have the autonomy to impose sanctions on agents and agencies for non-compliance with the minimum conditions
  - Tariff-based sanctions
  - Strong deterrent
  - Appeal process



## Funding

- **Funded by pro-rata contributions from all participating firms**
  - Budget to be drafted and agreed by ECA



## Transition

- For a time-limited period, ECA will be assisted by an Advisory Panel tasked with managing a consultant to:
- Establish the ECA as limited company
- Managing the recruitment process



## Next steps

- **Appointment of CEO, chairperson and board**
- **On-going engagement with Government and other stakeholders**
- **Governance and operations**



Questions