



CIVEA CODE OF PRACTICE FOR ENFORCEMENT

Clause	Recommended or Mandatory	Details / Explanation
1a. Taking Control of Goods		
i) Use of Body Worn Video (BWV) Systems	Mandatory	BWV systems must be deployed by Members to provide supporting evidence in response to EA complaints and for compliance monitoring and training purposes. The use of such equipment needs to be monitored with appropriate policies, guidance and justification.
ii) BWV and audio recording retention	Mandatory	Members should retain audio recordings and Body-Worn Video footage for a minimum of 28 days
1b. Enforcement Agents		
i) Provision of ID and disclosure of documents	Mandatory	All EAs employed or engaged by Members must comply with the regulations and law including requirement to provide identification on request, provision of authority and disclosure of information ensuring that such information is not divulged or shared with 3 rd parties without authority.
ii) Monitoring	Mandatory	Members should have adequate audit procedures in place to monitor EA compliance with company procedures. An audit of individual EAs must be conducted at least annually.
	Mandatory	This Code will be independently assessed, and members will be regularly audited to ensure compliance.
iii) Behaviour	Mandatory	Members must ensure that EAs must carry out their duties professionally and not misrepresent their powers, qualifications, capacities or do anything to prejudice the representation or integrity of their client, employer or the profession.

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		Members must always take responsibility for EAs to be respectful of the religion and cultures of others. Members should be aware of and sensitive to the dates for religious festivals and carefully consider the appropriateness of undertaking enforcement on any day of religious or cultural observance or festival.
iv) Compliance Stage	Mandatory Recommended	<p>Members will have adequate systems and processes in place to correctly “link” cases for the same debtor to ensure, where reasonably possible, only one Enforcement Fee is added to the total debt where cases for the same debtor can be enforced at the same time.</p> <p>Members will accept payment and consider payment arrangements from debtors up to the point of the subsequent visit, in accordance with paragraph 5 of the TCOG (fees) Regulations 2014.</p> <p>Members will adhere to revised standardisation of mandatory documents, which will ensure that information is available in a consistent form.</p>
v) Enforcement Stage	Mandatory	<p>Members will have adequate systems and processes in place to correctly “link” cases for the same debtor to ensure, where reasonably possible, only one Enforcement Fee is added to the total debt where cases for the same debtor can be enforced at the same time.</p> <p>Members will accept payment and consider payment arrangements from debtors without the Enforcement fee up to the point of the subsequent visit when the Enforcement fee will be applied, in accordance with paragraph 5 of the TCOG (fees) Regulations 2014.</p> <p>A family member or other third party should not be pressured into paying on behalf of a debtor, although a voluntary payment can be accepted where this avoid goods being seized or removed.</p> <p>The name of the EA attending the premises must be made clear on any documents left with the debtor or at the premises. All relevant contacts and telephone numbers should be displayed clearly as should the relevant reference number(s).</p>

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iii) Whistleblowing	Mandatory	Members should refer any employee or contractor to the Courts and/or CIVEA where significant non-compliant behaviour is found as a result of the complaint
3. Complaints Handling		
i) Complaints policy	Mandatory	All Members shall have a fully documented complaints process that should be available in print form and available via the Members website.
ii) Complaints process	Mandatory	Members should have at least a two-stage process that enables complainants to have their complaint escalated and reviewed by someone more senior if they are unhappy with the initial response
iii) Complaints process	Mandatory	Members shall include reference to CIVEA or the Local Government and Social Care Ombudsman (or Public Service Ombudsman for Wales) complaint contact information when the internal stages have been exhausted
iv) Complaints process	Mandatory	Members should acknowledge receipt of a complaint within 5 working days
v) Complaints process	Mandatory	Members should aim to respond fully to complaints within 10 working days and achieve this in 90% of cases. If the member is unable to do this, they must contact the debtor to explain why and let them know when they can reasonably expect to receive a full response.
vi) Complaints process	Mandatory	Members must respond to requests from the ombudsman in relation to complaints within 10 working days providing all the information requested
vii) Complaints process	Mandatory	Members must abide by the decision and the direction made by CIVEA or the Local Government and Social Care Ombudsman (or Public Service Ombudsman for Wales) in relation to complaints unless there is a compelling reason that they are unable to do so; for example, if they are contractually or operationally unable to implement the decision.
4. Training and Development		
i) Qualifications and Training	Mandatory	Members will ensure all EAs are qualified to at least a Level 2 Award on the Regulated Qualifications Framework (RQF) or equivalent as determined by a nationally accredited awarding body. The CIVEA IRRV Level 2 Award is recommended.
	Advisory	It is recommended that EAs that have completed basic training are progressed to achieve a level 3 Award on the RQF or equivalent as determined by a nationally accredited awarding body.

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	Mandatory Advisory Mandatory	<p>EAs should be trained to recognise and avoid potentially hazardous and aggressive situations and to withdraw when in doubt about their own or others' safety.</p> <p>It is recommended that CIVEA members' employees receive accredited training on vulnerability.</p> <p>EAs should be trained to identify and respond appropriately to cases of vulnerability, with referral to the client/creditor where required.</p>
5. Policies and Procedures		
i) Policies and Procedures	Mandatory	<p>Members will put in place relevant policies and procedures and will ensure all staff responsible for the delivery of the services have a thorough understanding of them.</p> <p>A copy of the CIVEA Code of Practice and National Standards should be available on the member's website and be made available upon request.</p>
6. Staff and Subcontractors		
i) Responsibility	Mandatory	Members are responsible for the conduct of all staff, including enforcement agents and sub-contractors enforcing their instructions, whether those agents are employed staff or third-party contractors.
7. Financial Integrity		
i) Client Accounts	Mandatory	Members must submit annual auditor's declaration in respect of adequate funds
ii) PI Insurance	Mandatory	Members must provide CIVEA with proof of appropriate insurance policies
iii) GDPR	Mandatory	Members must have in place relevant, documented GDPR policy and compliance strategies
8. Working with Clients		
i) Debtor details		Members will work with clients to ensure EAs have appropriate detail about the debt they are recovering.
ii) Contact numbers		Members will ensure EAs can provide debtors with contact numbers.
iii) Breathing space		Members will implement breathing space in line with client requirements.

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iv) Debt recovery performance		Members will work with clients to publish information on debt recovery performance.
9. Payment Plans		
i) Income and expenditure assessment		Members to work with clients to support use of income and expenditure assessment.
ii) Negotiating payment plans		Members to provide guidance to EAs and all staff on negotiating payment plans.
iii) Extended payment plans		Member will agree to longer payment plans, following an affordability assessment and evidence of circumstances, where appropriate.
10. Support for Vulnerable People		
i) Dealing with vulnerable people	Mandatory	Members must ensure all public facing staff working with/for the Member, who engage with debtors, will undertake mandatory training in identifying and dealing with vulnerable persons, dealing with conflict, customer care skills and techniques.
		Members will agree standard procedures with their clients for supporting vulnerable people.
11. Data requests		
i) Data requests	Mandatory	Members will provide a comprehensive response to data requests from the CIVEA executive
12. Privacy and confidentiality		
i) Data protection	Mandatory	Enforcement agencies must comply with the relevant data protection regulations.
ii) Contact with debtors		Enforcement agents and enforcement staff must take reasonable steps to ensure they are speaking to the debtor either in person or on the telephone. If the person is not the debtor, every effort should be made not to discuss the nature of the account or, if applicable, the reason for an agent's visit.