

Ross & Roberts have a Company Code of Practice (shown below) which all staff follow when carrying out their duties. We will, of course, adhere to the Council's own Code of Practice where this differs from our own.

## **COMPANY CODE OF PRACTICE**

***Ross & Roberts (hereafter called the Company) will ensure that all its employees, agents, and contractors comply with the following Code of Practice at all times.***

### **GENERAL STATEMENT OF INTENT**

The Company will ensure that all involved:

- Act within the scope of current legislation and statutory requirements.
- Act lawfully at all times.
- That all notices left with or sent to a debtor are neither ambiguous nor misleading.
- Having been provided with a copy of a warrant or other authority, leave appropriate documentation required by current legislation at the premises or ensure that it is given to the debtor.
- Have the appropriate knowledge and understanding of relevant legislation and powers (Specific training will be given where necessary).
- Act in a professional, responsible and courteous manner and conduct themselves in the interests of our clients.
- Will not misrepresent their powers nor intentionally make false statements whilst working on behalf of their clients.
- Maintain an acceptable standard of dress consistent with the provision of a professional service.

The acceptance of information and documentation will be in good faith. The Company will not assume responsibility for its accuracy though any discrepancies found will be reported to the client at the earliest opportunity.

Enforcement Agents will:

- Be aware that they represent our clients when dealing directly with debtors.
- Be holders of a current enforcement agent certificate issued by the county court or shall be undergoing training to obtain the same. No enforcement agents will work solely on any liability orders or warrants for our clients unless they are certificated.

- Only use the title in appropriate work (e.g. not when acting as debt collection officers, welfare officers or tracing agents).
- Make appropriate decisions and take no further action on vulnerable cases. We will put such cases on hold and refer to the client at the earliest opportunity. We will also signpost cases to the local Citizens Advice Bureau or other similar agencies. Typically these might be cases of:
  - (a) Mental disability, (b) long term or acute illness, (c) fragility from old age, (d) recent bereavement, (e) the final weeks of pregnancy or (f) any case the enforcement agent considers appropriate for special consideration.
- Not remove for any debts:
  - (a) any item or items detailed on the list of exempt goods as per the "Taking Control of Goods" Regulations .

Ross & Roberts will make initial contact with the debtor at the Compliance Stage by letter and telephone with the intention of obtaining immediate payment. Where this is not possible a payment arrangement plan will be set up.

Enforcement agents will not visit the premises named on the enforcement notice unless payment of the correct amount has not been made or the debtor defaults on the payment plan agreed at the Compliance Stage. Ultimately the enforcement agent may take control of goods which may be removed and sold at auction.

The Company will ensure that:

- A certificated enforcement agent always directly supervises the removal of goods
- All goods removed are stored safely pending return on payment or sale, and that adequate insurance is in place.
- All monies received either direct to the enforcement agent or by other means, will be officially receipted.
- Debtors are advised against sending cash by post but may do so at their own risk. A receipt will only be sent if a stamped addressed envelope is provided.
- All money is accounted for and kept in a separate client bank account. Reasonable appropriate access to these accounts will be allowed to the client's auditors.
- All information is handled in accordance with the Data Protection Act.
- All instructions received are processed within the time scale agreed and a report sent back at intervals on the reasons for cases which remain outstanding.
- All abortive and withdrawn instructions are returned.
- Visit frequencies will be made in accordance with our agreement with each individual council.
- A declaration of all interests in companies, firms, associations or groups considered relevant or appropriate to divulge to clients will be made prior to performing work on their behalf.

- Professional indemnity insurance is sufficient to cover acts and omissions by any of its employees, agents or contractors.
- Whenever possible, all correspondence from debtors is answered within five working days of being received.

**Please note:** The Company feels it advisable that the client should appoint a supervising officer to liaise with the company on all mutual matters. It is the Company's experience that such a liaison enhances communication and thus assists our ability to produce the high quality service our clients have come to expect from the Company.

The Company and the appointed supervising officer will be responsible for the operation of this Code of Practice and resolving any complaints from debtors in accordance with the Company's laid down Complaints Procedure Policy.

### **APPLICABLE LEGISLATION**

Ross & Roberts are Corporate Members of the Civil Enforcement Association (CIVEA) and comply with the terms of all relevant legislation and shall at all times abide by all Acts of Parliament and subsequent regulations and requirements (Amendments). In particular:

- Taking Control of Goods Regulations 2013 (SI 2013 No. 1894)
- The Taking Control of Goods (Fees) Regulations 2014 (SI 2014 No. 1)
- National Standards For Enforcement Agents 2002 (revised 2012)
- The Civil Enforcement Association Code of Conduct and Good Practice Guide
- The Council Tax (Administration and Enforcement) Regulations 1992
- The Non – Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1988
- The Traffic Management Act 2004
- The Local Government Finance Act 1988 & 1992
- The Administration of Justice Act 1960
- The Criminal Justice Act 1994
- The Data Protection Act 1994
- The Freedom of Information Act 2000
- The Human Rights Act 1998
- The Equalities Act 2010

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