

Report for: ACTION



|  |   |
|--|---|
| <b>Contains Confidential or Exempt Information</b> | NO - Part I   |
| <b>Title</b>                                       | Delivering Differently - Future Delivery of Debt Recovery Enforcement Services                                  |
| <b>Responsible Officer(s)</b>                      | Simon Fletcher, Strategic Director of Operations and Customer Services  |
| <b>Contact officer, job title and phone number</b> | Andy Jeffs, Head of Revenues and Benefits and Deputy Director of Operations and Customer Services, 01628 796527 |
| <b>Member reporting</b>                            | Cllr Hill   |
| <b>For Consideration By</b>                        | Cabinet   |
| <b>Date to be Considered</b>                       | 27 October 2016   |
| <b>Implementation Date if Not Called In</b>        | 1 April 2017  |
| <b>Affected Wards</b>                              | All   |

## REPORT SUMMARY

1. In June 2016, as part of the Operations and Customer Services 'Delivering Differently' programme, Cabinet received a proposal and approved in principle, the development of a company joint venture with a commercial partner for the provision and trading of Revenues and Benefits services, including Debt Recovery and Enforcement.
2. The Royal Borough of Windsor and Maidenhead currently utilises the services of a number of external Enforcement Agents for collection of its unpaid Council Tax, Business Rates and Parking Debt. A number of authorities have successfully established commercially traded Debt Recovery Enforcement Services, as a means to developing new revenue streams and to further support those residents with debt.
3. This paper proposes the creation of a new Debt Recovery Enforcement Service, branded as Thames Valley Enforcement Agency, through our commercial trading arm, RBWM Commercial Services from 1<sup>st</sup> April 2017.
4. In the three financial years 2017-18 to 2019-20, £423,000 of new income (before tax) would be generated for the Council by RBWM Commercial Services from the new Debt Recovery and Enforcement service. In addition savings of £132,000 would be generated. (See Appendix A).

| <b>If recommendations are adopted, how will residents benefit?</b>  |   |
|---|---|
| <b>Benefits to residents and reasons why they will benefit</b>  | <b>Dates by which residents can expect to notice a difference</b> |
| 1. Vulnerable people or those who have smaller debts will be supported through the council owning the process.  | 31 March 2018   |
| 2. New income in the region of £423,000 would be generated for the Council from RBWM Commercial Services from 2017-18 to 2019-20, along with £132,000 in savings allowing the Council to invest this in services for residents. | 31 March 2018   |
| 3. An additional 4 FTE roles would be created in RBWM Commercial Services offering additional employment opportunities.   | 31 March 2017   |

## **1. DETAILS OF RECOMMENDATIONS**

### **RECOMMENDATION: That Cabinet:**

- i. Approves the creation of a Debt Recovery Enforcement Service, Thames Valley Enforcement Agency, from 1<sup>st</sup> April 2017, in RBWM Commercial Services.**
- ii. Approves a start-up loan of £114,000 to RBWM Commercial Services, required to set-up the Debt Recovery Enforcement service, and for this to be funded from the Development Fund.**
- iii. Delegates authority to the Strategic Director of Operations and Customer Service, in conjunction with the Lead Member for Customer & Business Services (including IT), to take all appropriate steps to set-up the council's new Debt Recovery Enforcement Services in RBWM Commercial Services in accordance with statutory requirements.**

## **2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED**

### **Changes to Bailiff Services and Fee Structures**

- 2.1. The Tribunal, Courts and Enforcement Act 2013 abolished all existing powers to use common law distress. The term 'Bailiff' was no longer used and instead Enforcement Agents (the new term to describe those carrying out the work) take control of goods when debts are outstanding.
- 2.2. Enforcement Agents are regulated in order to improve public perceptions of how they operate. The rules of operation and fee structure were also made clearer so that the public knew their rights and to ensure Enforcement Agents could not abuse their powers.
- 2.3. The Taking Control of Goods Regulations (S1 2013/1894) detail the procedure by which goods can be seized in order to obtain payment of money owed. The government's policy intention in clearly setting out the process is to ensure Enforcement Agents do not misrepresent their power, overcharge debtors and indulge in aggressive behaviour.

- 2.4. Under the present scheme, only a Certificated Enforcement Agent can enforce a Liability Order obtained in a Magistrates' Court and it must be administered in accordance with the Council Tax Administration and Enforcement/National Non-Domestic Rates Regulations. These regulations detail the way in which the Liability Order must be executed and the way in which fees charged must be detailed.
- 2.5. The Taking Control of Goods (Fees) Regulations 2014 introduces the following fee structure:
- i. Compliance Stage - £75 which is the fee for notifying the debtor
  - ii. Enforcement Stage - £235 which is the cost of a visit
  - iii. Sale or Disposal Stage - £110 which is for removal and sale of goods
- 2.6. Where a debt is greater than £1,500 a 7.5% fee is added to Enforcement and Sale Fees. The Enforcement process ensures there is a timely interval between Compliance and Enforcement Stages to allow time for the debtor to make payment or proposals for payment. The new regulations also make time restrictions on processing the Liability Order in the Enforcement Stage of 12 months.

### **Current Debt Recovery Enforcement**

- 2.7. The Council currently undertakes its own Debt Recovery Enforcement utilising the services of Enforcement Agencies (formerly Bailiffs) for collection of unpaid Business Rates, Council Tax and Parking Debt.
- 2.8. The Council uses two main Enforcement Agencies at present, Rundles and Jacobs, however, recently the Council has used to a lesser extent Ross and Roberts and Bristow and Suitor.
- 2.9. In 2014-15 3,480 cases with a total debt of £2,852,000 were passed to Enforcement Agencies to recover. Of this amount £1,042,000 was collected, split £594,000 in Council Tax, £401,000 in Business Rates and £47,000 for unpaid Parking Warrants. In 2015-16 the numbers were fairly similar.
- 2.10. This collection equated to 52.5% of Council Tax, 36% of Business Rates, and 42% of all Parking Enforcement.
- 2.11. The Enforcement Agencies earned between c£500,000 to £575,000 in fees and interest from the Council's residents from collecting the debt.

### **Future Provision of Debt Recovery Enforcement**

- 2.12. As part of the Operations and Customer Services 'Delivering Differently' programme, Cabinet received a proposal and approved in principle, the development of a company joint venture with a commercial partner for the provision and trading of Revenues and Benefits services, including Debt Recovery and Enforcement. Further work is required before a full proposal to create a company joint venture can be brought forward; an important first step though is the creation of a debt recovery service

- 2.13. The total projected savings/income generation for Revenues and Benefits in 2017-18 within the June Cabinet paper were £400,000. The creation of a Debt Recovery Enforcement service in RBWM Commercial Services would deliver £166,000, £122,000 in new income and £44,000 in savings.
- 2.14. A separate paper also before October Cabinet on a proposal to remove the 1-month empty and unfurnished exemption will generate a annual increase in Council Tax collection of £325,000, of which, the council will retain £267,000, and a annual reduction in the cost of administering Council Tax collection of £25,000.
- 2.15. As stated, a number of authorities have successfully established a commercially traded enforcement service, for example Merton and Sutton (as a shared service) and Burnley.
- 2.16. Others such as Poole, Christchurch, East Dorset, North Dorset (as Stour Valley and Poole Partnership), Breckland, East Cambridgeshire, Forest Heath, Fenland, St Edmundsbury, Suffolk Coastal District and Waveney (as the Anglia Revenues Partnership) and Weymouth & Portland together with West Dorset have created entities managing the entire revenues and benefits service on a shared basis of which enforcement is a part.
- 2.17. It is recommended that we create a new Council Debt Recovery and Enforcement Service, Thames Valley Enforcement Agency, that would manage the three stages of Enforcement, the Compliance Stage, the Enforcement Stage and the Sale or Disposal Stage.
- 2.18. This would be a natural progression of the Local Taxation service, which in 2015/16 successfully collected more Council Tax and Business Rates in-year than at any time in our history previously. As a service, we have also successfully supported a reduction in overall 'debt' owed to the Council from £20.1 million to £11.3 million from 2013-14 to date.
- 2.19. In placing Debt Recovery and Enforcement in RBWM Commercial Services the Council would manage the debt collection process from raising the charge through to collection of the debt. Doing this would allow the Council more control over the entire collection and Enforcement process and therefore for us to be able to provide more support to those customers considered vulnerable or had 'smaller' debts to pay as a result of them receiving up to 90% under the Localised Council Tax Reduction Scheme.
- 2.20. Once the new service is up and running RBWM Commercial Services could offer Debt Recovery and Enforcement Services to other neighbouring Councils. Soft market testing suggests there is a market for this service, and legal advice suggests it should therefore sit in RBWM Commercial Services, and not be brought in house.
- 2.21. Alternatively, the Council could look for a JV partner at some point in the future to run these services using their expertise to trade them externally.

## **Provision and Funding for a Debt Recovery and Enforcement Service**

- 2.22. It is anticipated that the Debt Recovery and Enforcement Service would actively enforce 2,028 of the 4,575 Liability Orders for Council Tax and Business Rates, and 1,452 for Parking Warrants. It is estimated that this level of activity would generate between £500,000 and £575,000 in new fee income and the application of interest as based on the incumbent Enforcement Agents level of performance.
- 2.23. In order to service this level of activity we would need to recruit two experienced Enforcement Agents and two Business Services Officers to handle the Compliance Stage and to manage the workload of the Enforcement Agents. These would be newly recruited staff and TUPE from existing Enforcement Agents would not apply.
- 2.24. The new team would be managed by the current Head of Revenues and Benefits and the Debt Recovery Team leader.
- 2.25. RBWM Commercial Services would need to have an appropriate structure and facilities in place to be able to manage, recruit and pay the new people, along with all other requirements of a business such as IT, finance etc.
- 2.26. The new Enforcement Agents would need to be certificated by the County Court, and have appropriate bonds/insurance in place.
- 2.27. The operation would need to train all staff employed and the new business would require its own identifiable website, call handling capability and appropriate software/mobile technology to handle customer enquiries and payments and to support visiting Enforcement Agents etc.
- 2.28. In 2016-17 start-up costs (a loan which it is assumed would be repaid to the Council) of £114,000 would be required to facilitate the purchase of equipment and to set-up the Enforcement Agency. The proposal is that this is funded from the Development Fund. The 2016-17 start-up costs will cover management costs, purchase and implementation of enforcement software, County Court Bonds and IT.
- 2.29. In the three financial years 2017-18 to 2019-20 £423,000 of new income would be generated by RBWM Commercial Services. In addition £132,000 in savings would be generated. (See Appendix A)

## **Options Considered**

- 2.30. The following options have been considered:

| <b>Option</b>  | <b>Comments</b>   |
|--|---|
| Carry on with the existing external Debt Recovery and Enforcement Services – Not recommended | The contracts for the current services are being delivered on a rolling 12-monthly basis and would need to be re-tendered |
| Re-tender the current Debt Recovery and Enforcement Services – Not recommended               | This would provide the Council with the existing services only  |

| <b>Option</b>   | <b>Comments</b>   |
|---|---|
| Bring Debt Recovery and Enforcement Services back in house into the commercial trading arm of the Council from 1 <sup>st</sup> April 2017 – <b>This is the recommended option</b> | This would provide the Council with greater control of the Billing to Enforcement of Debt Collection for Council Tax, Business Rates and Parking and provide new income of £423,000 to the council from 2017-18 to 2019-20, along with £132,000 in savings. |

### 3. KEY IMPLICATIONS

3.1. The defined outcomes are:

| <b>Defined Outcomes</b>             | <b>Unmet</b> | <b>Met</b> | <b>Exceeded</b>       | <b>Significantly Exceeded</b> | <b>Date they should be delivered by</b> |
|-------------------------------------|--------------|------------|-----------------------|-------------------------------|---|
| Year 1 payment                      | <£122,000    | £122,000   | >£122,000<br><135,000 | >£135,000                     | 31 March 2018                           |
| Council Tax collection delivered    | <99%         | 99%        | >99%<br><99.2%        | 99.2%                         | 31 March 2018                           |
| Business Rates collection delivered | <98.8%       | 98.8%      | >98.8%<br><99%        | 99%                           | 31 March 2018                           |

### 4. FINANCIAL DETAILS

4.1. In 2016-17 start-up costs of £114,000 would be required to facilitate the purchase of equipment and to set-up the Enforcement Agency. The proposal is that this is funded from the Development Fund. The 2016-17 start-up costs will cover management costs, purchase and implementation of enforcement software, County Court Bonds and IT.

4.2. The estimated new income (before taxation) generated from RBWM Commercial Services for Debt Recovery and Enforcement is £423,000 between 2017-18 and 2018-19. The estimated savings over this period are £132,000 (see Appendix A):

|         | <b>2017/18</b> | <b>2018/19</b> | <b>2019/20</b> |
|---------|----------------|----------------|----------------|
| Income  | £122,000       |                | £57,000        |
| Revenue | £44,000        |                |                |

4.3. The table below shows the gross income, cost and net financial contribution.

|                            | <b>2016/17</b> | <b>2017/18</b> | <b>2018/19</b> | <b>2019/20</b> |
|----------------------------|----------------|----------------|----------------|----------------|
| Gross Income               | £114,000       | £500,000       | £500,000       | £500,000       |
| Expenditure                | £114,000       | £321,000       | £321,000       | £321,000       |
| Profit before tax          | £0             | £179,000       | £179,000       | £179,000       |
| Savings                    | £0             | £44,000        | £44,000        | £44,000        |
| Loan Repayment             | £0             | -£57,000       | -£57,000       | £0             |
| Net financial contribution | £0             | £166,000       | £166,000       | £223,000       |

## **5. LEGAL IMPLICATIONS**

- 5.1. Save as indicated in the report there are no other immediate significant other legal implications though future implementation may give rise to further legal consideration.

## **6. VALUE FOR MONEY**

- 6.1. In 2016-17 start-up costs of £114,000 would be required to facilitate the purchase of equipment and to set-up the Enforcement Agency. The proposal is that this is funded from the Development Fund. The 2016-17 start-up costs will cover management costs, purchase and implementation of enforcement software, County Court Bonds and IT.
- 6.2. In the three financial years to 2019-20 £423,000 (before taxation) of new income would be paid to the Council by RBWM Commercial Services. In addition £132,000 in savings would be generated.
- 6.3. The exact mechanism for the money coming back to the council from Commercial Services will be confirmed prior to the start of the new service.

## **7. SUSTAINABILITY IMPACT APPRAISAL**

- 7.1. There are no direct sustainability implications to what is contained in this report.

## **8. RISK MANAGEMENT**

### **Potential Issues and Risks**

- 8.1. Enforcement Agencies carry a reputational risk and as such many authorities and other organisations prefer that they operate at 'arms' length.
- 8.2. Whilst a number of Councils have seen improved collection rates from bringing the service back in house (with Merton for example seeing collection rates improve from 31% to 56.8% for Council Tax and Business Rates and 31.5% for Parking) this improvement level is not guaranteed. It should be noted, however, the current Council collection rate is 52.5% for Council Tax and 42% for Parking.

- 8.3. Given the nature of the industry, legal compliance is important and ensuring the company keeps abreast of legal developments and issues is of paramount importance.
- 8.4. The quality and experience of staff used in a front facing and sensitive environment is essential and, therefore, recruitment/retention of good quality staff together with investment in appropriate levels of training is essential.
- 8.5. One of the government's policy intentions in modifying the legislation was to deter creditors from engaging in unnecessary enforcement action in favour of a stronger focus on the compliance stage. Provision of a modern service requires the ability to invest in supporting technology such as SMS texting, identifying mobile numbers, address searches and effective call centre services to increase customer contact, including out of normal working hours, at the Compliance Stage.
- 8.6. Debt Recovery and Enforcement Services are a specialist service and large Enforcement Agencies have wider resources, continually investing in improving their enforcement activity as it is their core business. There is an argument that the Council, in carrying out this work alongside a wider range of Revenues and Benefits activities, is too small to provide this service economically and efficiently in isolation. In order for the service to have the necessary resilience and investment capability it may need to scale up and gain work from other Councils.
- 8.7. The Council currently does not have any experience of establishing a Debt Recovery and Enforcement business; however it does have a number of staff who have experience of running these services.
- 8.8. Whilst third party Enforcement Agencies are providing the services, current activity is being managed on a rolling contractual basis and any handover would need to be handled sensitively to avoid any loss of income during the transition. No contract termination issues are envisaged.
- 8.9. The following key risks have been identified:

| <b>Risks</b>  | <b>Uncontrolled Risk</b>             | <b>Controls</b>   | <b>Controlled Risk</b>                     |
|---|--------------------------------------|---|--|
| Complaints and negative press   | Public relations potentially damaged | Clear and constant communications about advantages of having the service in house   | No impact on public relations              |
| Current levels of collection are not maintained during the establishing of the in-house service | Potential drop in collection rates   | Project must be properly resourced and managed. Enforcement already in progress with existing suppliers remains in place. | No detrimental impact on collection rates. |



## **9. LINKS TO STRATEGIC OBJECTIVES**

9.1. Bringing Debt Recovery and Enforcement services into Commercial Services best aligns with the strategic priority to “deliver together”. A key outcome of this priority is “To improve service delivery by implementing, and benchmarking against, best practice learned internally, nationally and internationally as well as exploring ways of delivering services differently to improve outcomes for residents. This paper demonstrates that other local authorities have successfully established this, learning from their success in taking this proposal forward. This is also an example of how the council is actively exploring ways of delivering services differently to improve outcomes for residents, for instance by having greater discretion on a case by case basis about whether or not we would charge fees – a choice we currently do not have.

## **10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION**

10.1. It is not possible to demonstrate that the impact of bringing in-house Debt Recovery and Enforcement Services will bear any relevance to the Equality Duty, or that persons affected are impacted to any disproportionate degree on the basis of having protected characteristics.

10.2. The assessment therefore concludes that the recommendations to bring in-house Debt Recovery and Enforcement Services cannot be shown to affect people with protected characteristics or the Equality Duty, they are assessed as equality-neutral and a further Equality Impact Assessment is not required at this time.

## **11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS**

11.1. If the new Debt Recovery and Enforcement Service is brought into RBWM Commercial Services this will lead to the creation of 2 FTE Enforcement Agent roles and 2 FTE Business Service Officer roles.

11.2. The team would be managed by the current Head of Revenues and Benefits and the Debt Recovery team leader.

## **12. PROPERTY AND ASSETS**

12.1. Other than those mentioned in the report there are no other significant property or assets.

## **13. ANY OTHER IMPLICATIONS**

13.1. It is assumed that the new Debt Recovery and Enforcement service will be managed by the Head of Revenues and Benefits and Debt Recovery Team Leader.

## 14. CONSULTATION

14.1. Corporate Services Overview and Scrutiny Panel are yet consider this paper.

14.2. No external consultation has been carried out.

## 15. TIMETABLE FOR IMPLEMENTATION

15.1. A full implementation plan is contained in Appendix B.

15.2. The following table shows the key stages and deadlines for implementing the recommendation:

| Date          | Details  |
|---------------|--|
| 27/10/2016    | Recommendation to Cabinet for approval   |
| December 2016 | Procurement of Software & Payment System   |
| December 2016 | Procurement of out of borough/overflow Enforcement Services                          |
| March 2017    | Recruitment of new staff   |
| March 2017    | Communication of changes   |
| 01/04/2017    | In-house Debt Recovery and Enforcement Service goes live in RBWM Commercial Services |
| June 2017     | First 2017-18 Liability Orders actioned  |

## 16. APPENDICES

16.1. Appendix A – Benefits Analysis – Debt Recovery Enforcement  
Appendix B – Implementation Plan

## 17. BACKGROUND INFORMATION

17.1. None

## 18. CONSULTATION (MANDATORY)

| Name of consultee | Post held and Department                            | Date sent | Date received | See comments in paragraph: |
|-------------------|---|-----------|---------------|----------------------------|
| <b>Internal</b>   |   |           |               |                            |
| Cllr Hill         | Lead Member   | 28/09/16  | 29/09/16      |                            |
| Cllr Saunders     | Lead Member Finance                                 | 29/09/16  | 29/09/16      |                            |
| Simon Fletcher    | Strategic Director Operations and Customer Services | 21/09/16  | 27/09/16      |                            |
| Alison Alexander  | Managing Director & Strategic Director of           | 29/09/16  | 29/09/16      |                            |

| <b>Name of consultee</b> | <b>Post held and Department</b>   | <b>Date sent</b> | <b>Date received</b> | <b>See comments in paragraph:</b> |
|--------------------------|---|------------------|----------------------|-----------------------------------|
|                          | Adult, Children and Health Services                                     |                  |                      |                                   |
| Russell O'Keefe          | Strategic Director of Corporate and Community Services                  | 29/09/16         | 29/09/16             |                                   |
| Rob Stubbs               | Head of Finance and Deputy Director of Corporate and Community Services | 29/09/16         | 29/09/16             |                                   |
| Terry Baldwin            | Head of HR  | 29/09/16         | 29/09/16             |                                   |

## **REPORT HISTORY**

| <b>Decision type:</b> | <b>Urgency item?</b> |
|-----------------------|----------------------|
| Key decision          | No                   |

| <b>Full name of report author</b> | <b>Job title</b>  | <b>Full contact no:</b> |
|-----------------------------------|---|-------------------------|
| Andy Jeffs                        | Head of Revenues & Benefits and Deputy Director of Operations and Customer Services | 01628 796527            |

## Appendix A - Debt Recovery Enforcement

### P/L (£)

| Income                    | Description   | 2016/17        | 2017/18        | 2018/19        | 2019/20        |
|---------------------------|---|----------------|----------------|----------------|----------------|
| Income                    | Income generated by Debt Collection service from fees | 0              | 500,000        | 500,000        | 500,000        |
| Income                    | Payment from Development Fund                         | 114,000        |                |                |                |
| <b>Total Gross Income</b> |   | <b>114,000</b> | <b>500,000</b> | <b>500,000</b> | <b>500,000</b> |

| Expenditure                        |   | 2016/17        | 2017/18        | 2018/19        | 2019/20        |
|------------------------------------|---|----------------|----------------|----------------|----------------|
| Head of Service                    | Management cost of delivering service (cost transferred from R&B) | 11,000         | 22,000         | 22,000         | 22,000         |
| Team Leader                        | Management cost of delivering service (cost transferred from R&B) | 11,000         | 22,000         | 22,000         | 22,000         |
| Purchase of Enforcement Software   | Year 1 cost plus set-up and installation                          | 40,000         | 0              | 0              | 0              |
| Purchase of Equipment              | Year 1 cost plus set-up and installation                          | 20,000         | 0              | 0              | 0              |
| Staff Costs                        | 2 x Debt Recovery Officers plus 2 x Enforcement Agents            | 0              | 160,000        | 160,000        | 160,000        |
| Training Costs                     | Enforcement training  | 2,000          | 2,000          | 2,000          | 2,000          |
| Bonds                              | Year 1 cost only  | 20,000         | 0              | 0              | 0              |
| Maintenance Costs                  | System cost and telephony   | 0              | 65,000         | 65,000         | 65,000         |
| Support Costs                      | Vans Leasing/Storage of removed goods/payroll etc.                | 0              | 20,000         | 20,000         | 20,000         |
| Running Costs                      | Insurance, mobiles, fuel etc                                      | 0              | 20,000         | 20,000         | 20,000         |
| Accommodation                      | Office and IT   | 10,000         | 10,000         | 10,000         | 10,000         |
| <b>Total Operating Expenditure</b> |   | <b>114,000</b> | <b>321,000</b> | <b>321,000</b> | <b>321,000</b> |

|                               |          |                |                |                |
|-------------------------------|----------|----------------|----------------|----------------|
| <b>Profit before taxation</b> | <b>0</b> | <b>179,000</b> | <b>179,000</b> | <b>179,000</b> |
|-------------------------------|----------|----------------|----------------|----------------|

### Cash Flow (£)

|                             |                |                |                |                |
|-----------------------------|----------------|----------------|----------------|----------------|
| <b>Opening Cash Balance</b> | <b>114,000</b> | <b>179,000</b> | <b>122,000</b> | <b>244,000</b> |
| <b>Loan Repayment</b>       | <b>0</b>       | <b>-57,000</b> | <b>-57,000</b> | <b>0</b>       |
| <b>Closing Cash Balance</b> | <b>0</b>       | <b>122,000</b> | <b>244,000</b> | <b>423,000</b> |

Appendix B – Draft Implementation Plan

|  | <b>Action</b>  | <b>By when</b> | <b>By who</b> | <b>Comment / Progress</b> |
|--|--|----------------|---------------|---------------------------|
|  | <b>General</b>   |                |               |                           |
|  | Join the Civil Enforcement Association (Civea), including signing up to their Code of Practice | 31/03/17       | Debt Recovery |                           |
|  | Agree location for business including cost / funding or recharge models                        | 31/12/16       | Debt Recovery |                           |
|  | Procure enforcement software   | 31/12/16       | Debt Recovery |                           |
|  | Set-up telephony / phone service   | 31/03/17       | Debt Recovery |                           |
|  | Set-up billing and payment systems   | 31/03/17       | Debt Recovery |                           |
|  | Set-up Web site  | 31/03/17       | Debt Recovery |                           |
|  | Communicate changes  | 31/12/16       | Debt Recovery |                           |
|  | Set-up enforcement letters   | 31/03/17       | Debt recovery |                           |
|  | Lodge bonds with the court   | 31/03/17       | Debt Recovery |                           |
|  | Procure out of borough and overflow enforcement services                                       | 31/03/17       | Andy Jeffs    |                           |
|  | Give notice to existing Enforcement providers  | 31/12/16       | Andy Jeffs    |                           |
|  | Lease vans for enforcement agents  | 31/03/17       | Debt Recovery |                           |
|  | Procure personal body cameras  | 31/03/17       | Debt Recovery |                           |
|  | Procure mobile technology  | 31/03/17       | Debt Recovery |                           |
|  | Procure stab vests   | 31/03/17       | Debt Recovery |                           |

|  |  |          |               |                                  |
|--|--|----------|---------------|----------------------------------|
|  | <b>Staffing / HR Structure</b>   |          |               |                                  |
|  | Agree HR support provider (RBWM or external)   | 31/12/16 | Andy Jeffs    |                                  |
|  | Draft job descriptions   | 31/12/16 | Debt Recovery |                                  |
|  | Undertake recruitment of Enforcement Agents  | 31/03/17 | Debt Recovery |                                  |
|  | Appoint Business Service Officers  | 31/03/17 | Debt Recovery |                                  |
|  | Set-up Payroll / PAYE  | 31/03/17 | Debt Recovery |                                  |
|  | Set-up admitted body status pension scheme   | 31/03/17 | Debt Recovery |                                  |
|  | Define people policies   | 31/03/17 | Debt Recovery |                                  |
|  | <b>IT structure</b>  |          |               |                                  |
|  | Agree IT support service provider (RBWM or external)   | 31/12/16 | Andy Jeffs    |                                  |
|  | Purchase and set-up website and point of sale system (software)  | 31/12/16 | Debt Recovery |                                  |
|  | Set-up company email account   | 31/03/17 | Debt Recovery |                                  |
|  | Agree access to council required systems   | 31/12/16 | Debt Recovery |                                  |
|  | <b>Company Structure</b>   |          |               |                                  |
|  | Choose a name for the new business activity  | Complete | Andy Jeffs    | Thames Valley Enforcement Agency |
|  | Register new business activity – Companies House   | 31/12/16 | Andy Jeffs    |                                  |
|  | Confirm 'agreements' between the Council and the Company:<br><br>The Council is likely to need, these tend to include:<br>a) Articles of association<br>b) Shareholders agreement<br>c) Services agreement<br>d) Support services agreement for services from the Council to the | 31/12/16 | Andy Jeffs    |                                  |

|  |   |          |            |  |
|--|---|----------|------------|--|
|  | <p>Company</p> <p>e) Directors' mandate</p> <p>f) Terms of appointment for directors</p> <p>g) Deed of indemnity for individual directors</p> <p>h) Leases/licences for the Company's occupation of Council premises</p>  |          |            |  |
|  | <p>Consider Regulation 18 requirements:</p> <p>a) Limit the pay of an individual director to the amount that the Council itself would pay for a comparable role, less any amount actually paid by the Council to the individual in their role as director of the Company.</p> <p>b) Limit allowances or reimbursement of expenses to an individual director to the amount that the Council itself would pay in allowances or reimbursement of expenses<sup>1</sup>.</p> <p>c) Make a copy of the minutes of any general meeting of the Company available for public inspection.</p> <p>d) Not publish any material which the Council would be prohibited from publishing<sup>2</sup>.</p> <p>e) State on the business letters, notices and other documents of the Company that it is controlled by the Council.</p> <p>f) Provide, and authorise or instruct its auditors to provide information to a member of the Council who reasonably requires that information.</p> <p>g) Provide, and authorise or instruct its auditors to provide information to the Council's auditors required for the purposes of the audit of the Council's accounts and to any person authorised by the Audit Commission<sup>3</sup>.</p> | 31/12/16 | Andy Jeffs | <p>a) Not applicable. The Board of Directors are RBWM employed officers. Part of Head of Revs &amp; Bens time also to be charged to company</p> <p>b) Not applicable.</p> <p>c) Agreed</p> <p>d) Agreed</p> <p>e) Agreed</p> <p>f) Agreed</p> <p>g) Agreed</p> |

<sup>1</sup> for the purposes of section 174 of the Local Government Act 1972

<sup>2</sup> by section 2 of the Local Government Act 1986

<sup>3</sup> for the discharge of any function under Part III of the Local Government Finance Act 1982; Audit Commission is now replaced by Public Sector Audit Appointments Limited

|  |  |          |               |  |
|--|--|----------|---------------|--|
|  | <p>h) Obtain the Audit Commission<sup>4</sup>'s consent before the Company appoints an auditor.</p> <p>i) Pass a resolution to remove a director who becomes disqualified as a member of the Council for any reason (other than because he or she is employed by the Council and/or company)</p> |          |               |  |
|  | <b>Finance structure</b>   |          |               |  |
|  | Appoint accountancy support (RBWM or external)   | 31/12/16 | Andy Jeffs    |  |
|  | Open bank account for company (same bank as RBWM)  | 31/12/16 | Andy Jeffs    |  |
|  | Purchase insurance (Public/General liability insurance etc)  | 31/03/17 | Debt Recovery |  |
|  | Agree pension provision to be offered to employees of the company  | 31/12/16 | Andy Jeffs    |  |
|  | Understand corporation tax / VAT implications  | 31/03/17 | Andy Jeffs    |  |

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<sup>4</sup> Now replaced by Public Sector Audit Appointments Limited