



Tracey Stone
Certificated Enforcement Agents Association

By email

21 August 2020

Dear Ms Stone,

COVID SECURE GUIDANCE FOR TAKING CONTROL OF GOODS AND GUIDANCE ON LOCAL LOCKDOWNS

I am writing to inform you that the Government is publishing guidance for those using the taking control of goods process on how to operate in a COVID Secure way once the current restriction on enforcement agents and bailiffs taking control of goods at homes and on highways ends on the 23 August. The published guidance will be available on Gov.UK.

Protecting public health is of utmost concern to the Government and my department has worked with Public Health England to produce this guidance, in order to help ensure that enforcement commences safely. I am writing to request that you ask your members not to recommence visits to residential properties until they have been able to review the guidance and ensure they are able to comply with it. The published guidance will be circulated to interested parties and will be made available on Gov.UK as soon as possible. I appreciate all the work that the sector has undertaken in order to be ready to restart activity following the end of the restriction and I apologise for the inconvenience caused by the delay in publication.

It is vital that the latest public health advice is followed at all times and the guidance for the enforcement sector makes clear that it must be considered alongside local health and safety requirements, legislation and guidance. This includes national public health measures in England and in Wales, as well as localised restrictions.

I want to ensure that enforcement agents take a consistent approach in interpreting the local lockdown regulations that are in place to reduce the spread of the virus. I am therefore also writing to request that you ask your members to adhere to the following additional guidance:

“Enforcement agents should not enter residential properties in areas where local lockdown regulations place any restriction on gatherings in residential properties. Unless specified as part of lockdown restrictions, entry to business properties can continue during a local lockdown.

Enforcement agents should monitor local lockdown restrictions and ensure that they are compliant with the measures in place. Information about local lockdowns can be found on Gov.UK.”

For the avoidance of doubt, this guidance means that enforcement agents currently should not enter residential properties in areas covered by the lockdown regulations in Leicester and the North of England.

While it is important that those who can pay do so, the Government recognises that the coronavirus pandemic has negatively impacted the finances of many individuals and households. The Government also expects enforcement agents and creditors to take into account the impact of coronavirus when considering vulnerability and in complying with their responsibilities under the Taking Control of Goods legislation and the National Standards. This includes not pressuring people into making unrealistic offers, signposting them to free debt advice and allowing them sufficient time to seek help.

As you will appreciate, this is a rapidly changing situation and we will continue to keep our approach under review in order to ensure it remains responsive and proportionate.

I am writing to CIVEA and the High Court Enforcement Officers Association in similar terms.

Yours sincerely

A handwritten signature in black ink that reads "Robert Buckland". The signature is written in a cursive, slightly slanted style.

RT HON ROBERT BUCKLAND QC MP