

# The Sheriffs Office strategy for return to full enforcement

The Sheriffs Office continues with its strategy towards the return to full enforcement adhering to the post-lockdown plan issued by the High Court Enforcement Officers Association (HCEOA).

- Since the 18<sup>th</sup> May 2020 we were one of the first enforcement companies to commence enforcement at commercial addresses and continue to do so
- We have a fully developed plan to return all our remaining PAYE enforcement agents to a full enforcement service, including enforcement at residential premises, from the 24<sup>th</sup> August 2020
- We are already preparing cases for [enforcement of residential possession orders](#) following lifting of restrictions on 23<sup>rd</sup> August 2020
- Since the 23<sup>rd</sup> March, we have continued to enforce [possession against trespassers and travellers](#)

## Resumption of enforcement visits

Following the Prime Minister's announcement on Monday 23<sup>rd</sup> March 2020, visits by our enforcement agents were suspended.

On the 25<sup>th</sup> April 2020, The Taking Control of Goods and Certification of Enforcement Agents (Amendment) (Coronavirus) Regulations 2020 came into force which restricted no enforcement at premises which included a dwelling-house.

Following the first phase of relaxation of restrictions, we began enforcement visits to commercial premises to take control of goods in accordance with Government guidelines and the Best Practice issued by the HCEOA.

On 19th June, the Government passed the Taking Control of Goods and Certification of Enforcement Agents (Amendment) (No. 2) (Coronavirus) Regulations 2020 amending regulations 10 and 23 of The Taking Control of Goods Regulations 2013.



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The amendments prescribe that the emergency period that applies to restrictions on the taking control of goods by enforcement agents will end on 23 August 2020 in respect of residential addresses.

Provided no other amendments are made, the end of these restrictions will mean that enforcement visits to residential property will recommence from 24th August.

## **Transfer up and notices of enforcement**

So that your writ will sit first in the queue ahead of any other writs received against the same debtor, we encourage you to transfer your judgments to the High Court now.

We are seeing ever increasing volumes of new instructions from clients and think it likely that the priority of writs will be an important factor, particularly with regards to commercial debtors who may have several creditors.

Working closely with the Courts our applications for writs of control are currently coming back within 48 hours.

Upon receipt of the sealed writ we are issuing Notices of Enforcement throughout all phases of lockdown.

## **Post-lockdown enforcement**

The Sheriffs Office fully supports and will be adhering to the [post-lockdown plan](#) issued by the HCEOA on 28th May 2020.

We recognise that some judgment debtors will be experiencing significant effects because of the COVID-19 situation. Our existing vulnerability processes are designed to consider the case-by-case circumstances of judgment debtors and ensure they are treated fairly. This plan reinforces and extends these processes.

Where appropriate vulnerable people or those who have been severely impacted financially by the pandemic, e.g. loss of job, Statutory Sick Pay, will be referred to debt advice agencies for additional support.

Visits will be contactless in line with HCEOA safe working practices guidance, including observing appropriate social distancing measures and have supplied our enforcement agents with appropriate protective equipment to use during any visits.



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## **Residential addresses**

We will not enter premises or take control of goods where we are notified that any individual living at that address has coronavirus or is isolating.

Where payment is not made in full, we will enter controlled goods agreements and/or make arrangements to pay at Enforcement Stage 1 to reduce the burden of increased fees.

## **Commercial premises**

Enforcement visits continue to be made, where payment is not made in full, we will enter controlled goods agreements and/or make arrangements to pay at Enforcement Stage 1.

Where neither payment nor an arrangement is made, we will proceed to taking control of goods.

## **Pre-lockdown cases**

Where enforcement activity began pre-lockdown, we have continued to attempt contact in advance of any further enforcement visits by telephone, email, letter and live chat to identify any vulnerabilities or changes in circumstances.

This is to provide sufficient opportunity for engagement with debtors prior to the attendance of an enforcement agent, which could prevent additional fees being added to the outstanding debt.

## **Training**

All our enforcement agents are salaried and they have undertaken additional, mandatory industry approved training and a further refresher course designed by our award-winning Training Division prior to any recommencement of visits.

This refresher training included how to identify any vulnerabilities or changes in circumstances.



The Sheriffs Office's parent company has unique training and regulated qualifications regarding vulnerability including:

- Level 2 Award (CILEx endorsed) in Understanding Mental Health
- Level 3 Certificate (RQF & CILEx endorsed) in Vulnerability & Mental Health Awareness in Relation to Enforcement Practices
- Vulnerability & Mental Health Awareness Workshop (CILEx endorsed)
- Mental Health First Aid (MHFA England training)

The newly designed training programme includes: the effective use of protective equipment and social distancing requirements, how to protect themselves and those that they encounter in the community.

## **Getting in touch**

If you have any queries, or would like further information, please [get in touch](#).



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