

# ECB Board Meeting – 20 March 2023

Video-call, 9.30am to 11am

**Attending:** Catherine Brown (Chair); Alan Cavill; Ged Curran; Althea Efunshile; Jenny Watson; Chris Nichols (CEO).

## Minutes

### 1. Welcome & declarations of conflict of interests.

CB welcomed all present and invited declarations of conflict relating to the agenda. No such conflicts were declared.

### 2. Minutes of the previous meeting – 13 February 2023

Two minor drafting changes were agreed to the minutes, which were then accepted as being an accurate record, and the Board authorised publication on the ECB website.

### 3. Matters arising

There were no matters arising from the minutes of the previous meeting.

### 4. Board Members Updates

The Chair invited Board members to share insights, experiences and reflections gained in the period since the last Board meeting.

Board members reflected on the fact that this was the first Board meeting since the CEO had started. It was agreed that a future discussion should be scheduled on how Board members can best add value now that the ECB has the start of an executive team (**Action**).

The Chair reported on a number of meetings including:

- Senior Master Fontaine
- Energy UK and Octopus Energy
- Jane Hutt MS
- Dŵr Cymru (Welsh Water)

There was discussion about upcoming engagement with the Welsh Local Government Association and the need to focus efforts on also making progress with the Local Government Association for England.

### 5. Stakeholder engagement forum

The Chair provided an update on the first meeting of the stakeholder engagement forum, which had taken place on 23 February. The purpose of the forum is to provide insight and intelligence to support the ECB in business planning and achieving its objectives, and to encourage continuing collaboration between the enforcement industry and the debt advice sectors in support of the ECB.

The forum was attended by representatives from CDER, Marston Holdings, Christians Against Poverty, Money Advice Trust, StepChange, CIVEA and the High Court Enforcement Officers Association. At the meeting, the group agreed terms of reference for the forum, which have since been circulated to Board members.

The Chair reported that it had been a productive and constructive session. Key points from the meeting included:

- Overall support for the five priority areas of activity outlined in the draft business plan
- Encouragement to undertake a public consultation on the draft business plan before it is finalised
- Discussion about the role of the forum in supporting the ECB's accountability
- The need to get an accreditation scheme up and running quickly, as some creditors are already asking about it through tendering processes.

The feedback from the forum had been taken into account in preparing the updated version of the draft business plan that was on the agenda for the March Board meeting. Future meetings of the forum will be Chaired by the CEO.

Board members discussed the feedback and terms of reference. In relation to data gathering, it was noted that the Information Commissioner's Office can provide helpful proactive advice on addressing GDPR concerns.

## 6. CEO report

The CEO introduced his written report, which covered activity from his first week in post. In addition to the content of the report, he provided the following updates:

- The ECB has received a letter from Clive Betts MP, who is Chair of the Levelling Up, Housing and Communities Committee. He requested an update on the ECB's progress and an update on any further details of assurance of ongoing funding from the industry.
- The CEO will be meeting with Alistair Townsend to discuss Local Authority tenders and the ECB, following some issues identified in a recent exercise. An update will be provided to the Board.

The following points were covered in discussion:

- It was agreed that the CEO's report should be published on the ECB's website, in the interests of transparency.
- The CEO will develop criteria for determining when content is not appropriate to be published in the report (**Action**). Future reports may include an annex for confidential material that is not appropriate for publication. The intention should be to publish as much information as possible and to only withhold information where there is a strong and compelling reason to do so.
- The vast majority of firms have paid their levy for the initial implementation of the ECB. There are six small firms that are yet to pay. The Board agreed not to publish the names of these firms at this stage but is minded to do so in the future if the situation persists. The Board will revisit this decision at its next meeting, following further engagement. It was noted that in the future, under

the proposed accreditation scheme, there would be transparency on any firms that are late in paying the levy, as this would impact on their accreditation status.

- In relation to the letter from Clive Betts MP, this could be a good opportunity to note the support from the industry for the ECB's establishment. To inform a response, the CEO will seek some assurances on ongoing funding from CIVEA, particularly in the light of some comments made linking future funding to the outcome of the Ministry of Justice's fee review.

## 7. Draft business plan and budget

The Board discussed the revised draft business plan, budget and accompanying consultation paper. The business plan had been updated following the engagement forum and the budget had been refined and also updated to reflect the receipt of turnover figures from 2022, that had been obtained from industry.

It was explained that the overall budget for the year had been set at £881,828. Whilst the budget had been amended and refined, the bottom line remained similar to the previous version that the Board had discussed in January. This budget would require a levy of 0.4% of turnover for firms.

When requesting turnover figures for 2022, the ECB had indicated that it would be likely to set the levy at around 0.5% of turnover. It has been possible to reduce this to 0.4% as a result of greater reach (to include high court enforcement providers) and also a net overall increase in turnover across the industry.

The CEO committed to provide the Board with a first draft of an operational plan, with milestones, for delivering the actions in the business plan. This would be ready for discussion at the May Board meeting, with the intention to publish it soon after **(Action)**.

Discussion covered the following:

- The Board sought assurance that a levy of 0.4% would be sufficient to support delivery against the business plan, including maintenance of sufficient reserves to support ongoing viability.
- The goal should be to move towards a single payment date of April for all providers. The proposed scheduled for this year was proportionate, given the proximity of the payments for the ECB's initial set up. It may take a couple of years to get to a single payment date.
- The draft business plan explains that we expect the budget to rise for 2024/25 as we encounter full year costs for the first time and as we take on additional operational capacity to undertake complaints and audit. We need to ensure that this point is clearly communicated by other means and is understood by industry.
- In future years, the ECB would plan to start its business planning earlier, in order to allow for a slightly longer public consultation. The consultation paper should make reference to this **(Action)**.

The Board agreed to launch a three week public consultation on the draft business plan and levy of 0.4% of turnover.

## 8. Any other business

No further issues were raised.

## 9. Dates of future Board meetings

- May 4 and 5 – London
- July 26 and 27 - Wales
- Oct 4 and 5 – in person (location TBC)
- Jan 10 and 11 – in person (location TBC)

There will also be standing remote Board sessions on the following dates:

- May 22
- June 26
- September 4
- Nov 6
- Dec 4
- Feb 5 (remote)

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