

ECB Board Meeting – Wednesday 30 April 2025

Venue: Kingsley Napley, 20 Bonhill Street, London, England, EC2A 4DN

Member attendance: Catherine Brown (Chair), Alan Cavill, Gerard Curran, Althea Efunshile, Jenny Watson, Chris Nichols

In attendance: David Parkin, Louise Rubin, Holly Perry (minutes), Leonora Miles, Hope Okon, Claire Evans

DRAFT Minutes

Item 1: Welcome, apologies and declarations

1. The Chair welcomed all present, including Holly Perry, Director of Corporate Services, who was attending her first meeting after taking up post on 28 April. The Chair also noted Jenny Prior's apologies – Jenny was leaving the ECB team on 30 April. The Chair thanked Jenny on behalf of the Board for her huge contribution during her time at the organisation, for having played such a critical role in the set up of the ECB, and for her support to the Board in particular.

Item 2: Minutes of the previous meeting

2. The minutes of 17 March 2025 were **agreed** as an accurate record of the meeting, subject to some minor drafting amendments.

Item 3: Matters arising

3. The Board **noted** the action tracker and Board forward agendas.

Item 4: Chief Executive's report

4. The Chief Executive presented the report and the following points were raised in discussion:
 - i. The Board noted the pending applications for accreditation of two small civil firms. While these would not significantly impact the ECB's overall market coverage, they would contribute to the growing presence of the ECB. The CEO advised that another significant application from an in-house local authority team was imminent, which was encouraging.
 - ii. The team were continuing to assess options to replace X. Given there was limited capacity to have presence on a wide number of platforms, the best fit looked to be Bluesky, which had good reach in charities and the third sector. LinkedIn continued to be the best option for firms and the sector. A short paper would be presented to Board on this topic in due course [**ACTION**].

- iii. The Director of Policy & Oversight provided an oral update on the number of firms that had completed their self-assessments as at close 29 April, with the deadline for responses being that evening, 30 April.
 - iv. The Chief Executive provided an oral update on a matter relating to a reported potential breach of the standards. The ECB was currently seeking to establish the facts of the issue, and its possible impact, before deciding its approach.
5. The Board **noted** the Chief Executive's report.

Item 5: Complaints early trend analysis and demonstration

- 6. The Head of Complaints and the Complaints Investigator presented the Board with a demonstration of the complaints system, to accompany the Board paper which provided an early trend analysis, a Memorandum of Understanding with LGSCO and proposed changes to the privacy notice.
- 7. The paper reported that between the beginning of January 2025, when ECB complaints handling began, and 11 April, the ECB had received 85 complaints about enforcement. The ECB had completed its consideration of 74 complaints, with over 97% completed within target. Most complaints could not be taken forward for a variety of reasons, in the main because they were premature having either not been put to the firm or the firm had not had a reasonable opportunity to respond. The ECB were investigating 8 complaints, of which a provisional decision had been reached in 2.
- 8. The aim was for individuals to create an account, and to route their complaint that way, however it was possible for complaints to be handled via email, hard copy or via a telephone line (recorded message). The team was continuing to revise the fields and add guidance notes and pop-ups to assist with navigation of the system. Throughout the system, there was a high degree of sign-posting, to re-direct individuals to more appropriate organisations where appropriate. It was also explained that almost all firms had the ability to interact with the team via the portal (one firm was interacting via encrypted email).
- 9. The Board discussed the presentation and paper, and raised the following points:
 - i. In regard to the date of the event sparking a complaint, it might be helpful to add an option of 'not known'.
 - ii. In terms of the team's ability to access management data, it was currently possible to look at the live environment to see what was coming in. The case management provider was assisting with refining the ability to extract management data. For example, daily updates of data would be helpful.
 - iii. Pop-ups were being used to help with clarifying firm names that were very similar.
 - iv. Work was ongoing in relation to demographic data. A survey could be generated in the system; it would be important for access to the demographic information to be restricted.
 - v. The team's experience of the Level 2 training on Taking Control of Goods (a key requirement in becoming an enforcement agent) was largely positive, however there were points of feedback on how it might be improved.

- vi. Rudeness seemed to be the key feature of the complaints received to date, as well as poor advice and poor complaint handling.
- vii. In terms of resourcing, the trend currently looked to be around 2.5 to 3 new cases per week. SLT would be reviewing resourcing soon, with a view to allocating more resource to the work – volumes were only likely to rise further with broader awareness of the complaints process (a link was shortly to be added to GOV.UK). While the Board agreed to the recruitment of a second investigator, it reiterated the importance of proportionality. There was also a need to communicate to industry now that it was looking likely that complaints would absorb more resource than planned, owing to the level of complaints being received. The ECB would find ways to feedback to industry on trends in complaints which should help to contribute to improvements in first-tier complaints-handling. Otherwise, the outcome would be a further increase in the levy in 2026/27. Differential charging (the ‘polluter pays’ model) may need to be considered as part of incentivising firms to improve their first stage complaint handling (ACTION).
- viii. The options for using machine learning to reduce the administrative burden, particularly at the triage stage, was felt to be worth exploration with the case management provider and more widely as there was an opportunity to integrate AI into the process at this stage and avoid the difficulties of retro fitting it later.
- ix. The MoU with LGSCO was felt to be very well drafted, covering all relevant bases and the Board congratulated the team on the work done on it. The reference to the Public Services Ombudsman Wales (PSOW) in the Privacy Notice would be deleted as no agreement had been reached with them as yet on the MoU.
- x. The Board thanked Alan Cavill for being the Board lead on complaints, and extended their thanks to the team for all their hard work on the complaints process to date.

10. The Board:

- **noted** the complaints data at Annex A;
- **noted** the update on the implementation of the complaints process;
- **agreed** the draft MoU with the LGSCO (Annex B), and **delegated authority** to the Chair to agree the MoU with PSOW provided it reflected the MoU with LGSCO; and
- **agreed** the changes to the ECB’s privacy notice, with the removal of the reference to PSOW (Annex C).

11. The Board noted that it was gratifying to see complaints being accepted and investigated by the ECB and thanked the complaints team for their work and the report.

Item 6: Public affairs and communications plan for legal powers

12. Following opening remarks and an update from the Director of Policy & Oversight, the Director of External Affairs explained that the influencing strategy had moved on, and there were six main objectives in the paper on which the Board’s thoughts were invited:

- i. Developing ECB's detailed vision for, and arguments in support of, statutory regulation. This needed to include a clear blueprint for regulation and new data and evidence that helped demonstrate the need for powers.
- ii. Persuading Government of the need to legislate, focusing on Ministry of Justice (MoJ), Number 10, Department for Business, MCLHG and HM Treasury, using the blueprint, data and evidence.
- iii. Building consensus among stakeholders, including the debt advice sector and the enforcement industry, through a series of engagement events.
- iv. Working with the MoJ before and throughout the consultation period to shape its thinking and improve the chances of securing the best possible outcome.
- v. Identifying and working with interested MPs and Peers to encourage the Government to take speedy steps to legislate.
- vi. Using media and social media to increase the reach of the ECB's influencing work, and growing awareness of the need for statutory regulation.

13. The Board discussed the plan and raised the following points:

- i. The considerable amount of work undertaken by the team and degree of progress made was acknowledged and welcomed.
- ii. In relation to the Government's growth agenda, there was a need to ensure that the arguments were compelling – both from an industry aspect, and from the creditors' perspective. The Board considered that there was a strong story to be told about how fair and proportionate regulation in this sector might contribute to the growth of the economy. From the point of view of creditors, properly regulated enforcement supported the collection of income and greater availability of public funds.
- iii. The small business angle also needed to be incorporated into the growth arguments. Engaging with the key small business stakeholders over the coming months would be key.
- iv. It would be important to ensure that the arguments were sufficiently strategic, and impact focused i.e. were not too focused on the benefits to the ECB itself. Arguments about the wider benefits to growth, society and vulnerable people needed to be front and centre.
- v. Making the industry more accountable would make it more reputable, and making it more reputable could help its effectiveness and growth. There may also be changes to be proposed to the enforcement process itself, should scope allow.
- vi. In relation to the ECB and models of accountability, a light touch oversight model was felt to be the most appropriate e.g. Ministers approving the appointment of the Chair, accountability to a Select Committee, and presenting the annual report and accounts to Parliament.
- vii. The Board's feedback could be used to refine the arguments on growth, and further work would be undertaken on the most appropriate accountability model.

14. The Board **approved** the draft influencing strategy for statutory powers.

Item 7: Board recruitment

15. A paper was provided setting out progress on the recruitment of two new Board members. The Board agreed that it would be helpful to include in the "desirable"

search criteria credible experience in the enforcement sector as long as conflicts of interest could be managed and candidates had other strong attributes. Other areas to be referenced in the requirements across the two roles included: public relations, debt advice, and experience in small business. There would be a need to ensure geographical spread and other elements of diversity in the two appointments.

16. The Board **noted** the update.

Item 8: AOB

17. There was no other business.

Item 9: Reflection session

18. The Board reflected on the meeting and agreed that it had been very productive.

Private session

19. The Board met for a private session after the main Board.