ECB Board Meeting – 16 and 17 July 2025

Venue: The Angel Hotel, Abergavenny, Wales NP7 5EN

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

In attendance: David Parkin, Holly Perry (minutes), Louise Rubin

Minutes

Item 1: Welcome, apologies and declarations

1. The Chair welcomed all present. No apologies had been received.

2. There were no new declarations of interest.

Item 2: Minutes of the previous meeting

3. The minutes of 4 June 2025 were **agreed** as an accurate record of the meeting.

Item 3: Matters arising

4. The Board **noted** the action tracker and Board forward agendas. A small number of self-assessments remained outstanding and these would now be escalated. In cases where TCOG activity had been undertaken by firms, it was imperative that a self-assessment was received otherwise the sanctions process would be engaged. In relation to the action on building six months' worth of financial reserves, the reference to this being prudent would be added (this had initially been picked up as a comment in the April minutes) (**ACTIONED**).

Item 4: Chief Executive's Report

5. The Chief Executive presented the report and the following points were raised in discussion:

Update on the compliance issue related to Marston Holdings

i. The Board considered and discussed compliance issues relating to Marston Holdings.

Update on significant complaint cases

ii. The complaints team were dealing with two significant cases in which agents had failed to deal appropriately with vulnerable individuals. In both cases the employing firms had failed to take appropriate action in response to the initial complaint. The ECB complaints process was being applied and rulings would be

reached and communicated. The issues arising would be followed up with the firms through oversight activity.

Other updates

iii. The level of complaints being received by the ECB continued to be at sustained high levels, and resourcing the work continued to be challenging. A secondment from industry was being sought to assist with triage and early assessment work in the short-to medium-term. The Board noted that there had been a number of attacks on agents reported in recent weeks, including a case where someone had threatened an agent with an axe, and two cases of agents ending up in hospital.

iv. The executive had identified an instance of a large firm sending a misleading text to people in debt, making threats about theoretical consequences related to bankruptcy which had been deemed inappropriate. Steps were being taken to follow up.

v. There had been extensive engagement with creditors in the last month or so, and in particular several meetings with the IRRV which had touched on a range of issues including the Ministry of Justice (MoJ) consultation on regulation of the debt enforcement sector.

vi. The Board congratulated the team on the engagement with media in relation to the MoJ consultation – notably the item on Radio 4's Moneybox which had attracted an interview with the Minister. There had been a number of related press articles.

6. The Board **noted** the Chief Executive's report.

Item 5: Final draft of ECB response to consultation on statutory powers – for sign off

7. The Director of Policy and Oversight presented a paper setting out the ECB's draft response to the MoJ consultation on regulation of the debt enforcement sector, the closing date for which was 21 July. The following points were raised in discussion:

i. A number of meetings had been held with MoJ officials in late June and early July in the lead up to the close of the consultation.

ii. Step Change and the Money Advice Trust had shared the draft response of the Taking Control Coalition with ECB, and this had been helpful to see.

iii. In terms of the overall shape of the draft response, the Board was content with the positioning of the ECB's arguments and commended the drafting. The substance and tone were appropriate, and reflected the Board's discussions at a workshop held earlier in the month. A small number of drafting points were discussed, and amendments agreed in relation to both the overall shape of the response, and on the policy detail (including in relation to data, alternative methods of collecting debt, fee-setting, reference to vulnerability, keeping licensing requirements in secondary legislation).

iv. While the Board considered that there was strong alignment with MoJ on the policy position, there was more work to be done on alignment with MoJ's thinking on the administrative status of the new body. There appeared to be two main options at this stage, given the reservations about creation of a new Arm's Length Body (ALB): oversight by a body already in existence (e.g. by the Legal Services Board, under the auspices of the Legal Services Act 2007) or closer Government control. The Board agreed that it would need to remain practical and flexible in relation to the vehicle to be adopted, to ensure that the aim of statutory underpinning was realised. MoJ would be asked to keep all options on the table – including the possibility of ALB status. A short briefing paper would be prepared for the Board on what the model of oversight by the Legal Services Board might look like (**ACTION**).

v. References to safeguards on the composition of the Board needed to be limited to ensuring that there was a lay majority.

8. The Board discussed the prospect of extending oversight by the new statutory body to housing possession work, to provide wider coverage of all enforcement work undertaken through High Court Enforcement Officers. The benefits of bringing together the work and providing protection to the public wholesale was attractive, and the ECB would remain open to it happening. However, there would be a significant amount of work to do administratively to prepare for taking over possession work, and a period of transition would be required if this route is taken by the MoJ (perhaps a 'sunrise' clause to control the implementation of the new arrangements to allow time for administrative arrangements to be put in place).

9. The Board thanked the Director of Policy and Oversight for the high-quality work on the drafting and **delegated** final approval for submission by the deadline of 21 July to the Chief Executive. The final response would be circulated to the Board for information (**ACTIONED**).

Item 6: Thematic Review proposals – linking cases and charging enforcement fees

10. The Director of Policy and Oversight presented a paper setting out the proposed work programme for the thematic review on the linking of enforcement fees following the recent compliance issue. In particular, the paper sought the Board's views on the proposed design and delivery of the planned thematic review work.

11. The following points were raised in discussion:
    i. It was confirmed that the thematic review would begin in August, with an update report to the Board in September, and final report by the end of the calendar year.
    ii. Subject to the findings of the thematic review, ECB guidance on debt linking was proposed to follow the review, which would apply to the whole industry.
    iii. The criteria for selecting firms to participate in the review was discussed – to allow a wider sampling of cases, it was agreed that the scope of the review extend from 1 November 2023, when accredited firms were first required to abide by operational ECB standards (rather than 1 January 2025 as originally suggested).

iv. The ECB would make clear that the selection of firms would be undertaken from within each of the three 'small', 'medium' and 'large' groupings. It would be important to avoid any suspicion falling unfairly on the firms selected for review, and to prevent any false confidence on the part of non-chosen firms. The point would also be made that the ECB reserved the right to determine the basis for selection in any way it chose, consistent with the accreditation framework.
v. The ECB would not extrapolate initial results to the industry, as had been done in the body-worn video research. Subject to the findings of the thematic review, the ECB may decide to extend its scope beyond initial firms. Therefore, reference would be made to the 'programme' of firm visits, rather than the 'sample' of firm visits – this would avoid any assurance being inferred by firms not covered in the first wave of visits.
vi. Unless there were exceptional circumstances, the participation of selected firms in the thematic review would be mandatory, as a condition of accreditation.
vii. It was acknowledged that undertaking the reviews would come at a cost to the firms selected; however, it was important to stress that over a period of around four years (25% of firms per year), all firms would eventually be visited.
viii. The output of reviews would remain confidential between the ECB and the firms involved, unless there was a need to publish the results, in line with the ECB's sanction process.
ix. At the point the review was launched, the ECB may, as part of its communications, encourage creditors to seek reassurance about debt-linking from the firms who provide them with enforcement services. When the work concluded, the aspects for creditors to follow up on would be drawn to their specific attention.

12. The Board thanked the team for their work on the plans to date, **noting** the proposals relating to the thematic review and next steps. The Board looked forward to receiving an interim update report in September.

Item 7: Publishing Evidence – Insights and Impact reports

13. The Director of External Affairs presented a paper setting out the proposals to publish (a) an annual Insights report, to be published in the autumn, and (b) an Impact report, to be published alongside the annual business plan in the spring. The Board was invited to comment on the proposed high-level scope and approach of each of these reports. The emphasis was on providing objective, evidence-based data to inform the reports. The Impact report would give the ECB the opportunity to celebrate successes, providing information on what had been achieved, as well as highlighting areas where more progress was needed. The Insights report would pull together complaints data, the data returns work, and information from other aspects of the ECB's regulatory work.

14. The following points were raised in discussion:
    i. The Board agreed that both reports were a very positive development. From a timing perspective, managing the resourcing of both pieces of work needed careful consideration given the size of the team and the range of work pressures which were being contended with.
    ii. In terms of the Impact report, care needed to be taken with the wording and meaning – more accurately, the report was likely to focus on outputs primarily

at least initially. Impact meant industry change, and this would be harder to pin down consistently. Proxies for impact should also be considered.

iii. The APPG was a helpful suggestion for hosting and launching the Insights report – this would be resource efficient compared to, for example, attendance at party conferences. There were likely to be a number of APPGs to target e.g. local government. Other approaches would be considered e.g. the possibility of making interventions at party conferences if partner organisations were attending and could provide a platform.

iv. It was important to ensure that Wales was sufficiently factored in – for example, inviting Wales parliamentarians to join or co-host events, and hosting or launching events in Wales. It was agreed that holding an event in Wales shortly after the May 2026 Senedd elections targeting the new group of parliamentarians would be helpful.

15. The Board thanked the Director of External Affairs for the helpful paper, **noting** its contents, and looked forward to receiving a further update in the autumn.

Item 8: Annual report and accounts 2024/25

16. The Director of Corporate Services presented the ECB's year-end accounts.

17. The Board discussed the accounts, reviewed the included notes and discussed the financial controls. The Board agreed that the ECB remained a going concern.

18. The Board **approved** the Annual Accounts.

19. The Chair would sign off the accounts before they would then be filed, by the ECB's accountants, with Companies House. It was agreed that for the financial year 2025/26, the accounts should be subject to external audit (**ACTION**).

Item 9: AOB

20. The Board was briefed on a conflict matter that the ECB's legal advisers had drawn the Chief Executive's attention to. There were no other items discussed.

Item 10: Reflection section

21. The Board reflected on the meeting and agreed that it had been a productive meeting with high quality papers.

Private session

22. The Board met for a private session, for which there were no papers.

Stakeholder session

23. The Board met the following day with Dŵr Cymru / Welsh Water for a discussion on late arrears collection and other aspects of creditor work. The Chair asked that a note of thanks be sent to Dŵr Cymru for their excellent presentation (**ACTIONED**).