

Consensual Order between Enforcement Conduct Board and Paul and Julia Whyte trading as Whyte & Co.

This consensual order is made under Rules 5(b), 8 and 9 of the Enforcement Conduct Board's (ECB's) Non-Compliance and Sanctions Rules.

Findings

In late 2025 and early 2026, Whyte & Co collected council tax debts on behalf of a Local Authority from members of the public but did not remit this money to the Local Authority.

Paul Whyte and Julia Whyte accept that in the period leading up to 1 September 2026, Whyte & Co breached the ECB's Professional Values and Standards of Practice for Enforcement Firms ("**the ECB Standards**") in that the firm:

- i. did not act in a way that upholds public trust and confidence in the enforcement process and in the role of enforcement agents and enforcement firms, in accordance with FV1;
- ii. did not carry out the enforcement process in a manner which is appropriate, in accordance with FS1;
- iii. did not promptly report its breach of the ECB's Standards to the ECB, in accordance with FS6.7.

Procedure

The ECB considers this to be a compliance issue as defined in The ECB's Non-Compliance and Sanctions Rules. The ECB has explored the concerns with Whyte & Co, who have cooperated with the ECB's enquiries, including meeting with the ECB and responding to correspondence.

Having considered the evidence and the information provided on behalf of Whyte & Co, the ECB has determined that a Rule 5(b) consensual order incorporating a sanction represents a proportionate and appropriate disposal of this matter. This is on the basis that:

- i. the case is not suitable for closure under Rule 5(a) as none of the criteria in Rule 6 apply;

- ii. Paul Whyte and Julia Whyte have accepted that the firm's conduct was in breach of the ECB Standards and have agreed to accept an appropriate sanction;
- iii. Whyte & Co has already ceased trading and has left ECB accreditation. It would therefore be disproportionate to proceed with a referral to a Standards Panel when disposal by way of a consensual order would appropriately protect the public and uphold proper standards of conduct and competence.

Sanction

For a period of five years from the date of this order, Paul Whyte and Julia Whyte agree that they must not:

- i. become a partner, director or a role of equivalent status or seniority within an ECB-accredited enforcement firm; or
- ii. seek or hold ECB accreditation in respect of any enforcement firm in which they are a partner, or hold a role of equivalent status or seniority.

Following the expiry of this five-year period, Paul Whyte and Julia Whyte can apply for ECB accreditation, either as individuals or via a firm where they hold a position as a partner, director or another senior role. At that time, the ECB will be able to take into account the breaches agreed and set out in this consensual order when determining whether they or any firm they hold a role in meet the requirements of the ECB accreditation criteria in force at the time of the application.

Publication

Pursuant to Rule 27 of the ECB's Non-Compliance and Sanctions Rules, the Findings, Procedure and Sanctions sections of this order will be published on the ECB's website for a period of 5 years. The ECB considers publication of these sections to be in the public interest given the nature and seriousness of the agreed breaches.

Consensual Order

Paul Whyte and Julia Whyte, on behalf of Whyte & Co, confirm that:

- i. they have had the opportunity to seek independent legal advice before agreeing to and signing this order;
- ii. they agree to the facts, findings, sanction and publication arrangements set out in this consensual order; and
- iii. they understand that by signing this order, Whyte & Co waives its right of appeal in respect of the matters set out herein, in accordance with Rule 9 of the ECB's Non-Compliance and Sanction Rules.