Bailiff code of practice

The bailiff code of practice tells our bailiffs how they should behave when they collect Council Tax, Business Rates and Benefit Overpayment owed to us.

We make special efforts to be sensitive to vulnerable people. Vulnerable people are defined as:

- those suffering from mental disability;
- the long-term sick or those suffering from serious illness;
- people who are deaf or blind, or have limited sight or hearing;
- those suffering from domestic violence, sexual or racial harassment;
- pensioners aged 75 years or over;
- those who have suffered a recent bereavement in the family or in the household; or
- those whose financial circumstances have changed within the last three months, for example they have become unemployed.

If you have been contacted by a bailiff and you fall into one of the categories shown above, contact the Revenues and Benefits Division immediately.

1. The bailiff will either write to or visit you within five working days of us referring the debts to them.
2. The bailiff will visit you to enforce liability orders or to seize your goods between 7am and 9pm unless your circumstances are exceptional.
3. The bailiff will collect the debt within three months of us referring the case to them unless we have agreed a longer repayment period.
4. Any bailiff who seizes goods must be approved by the County Court.
5. Bailiffs should be able to recognise possible:
   - benefit cases;
   - discount cases; and
   - disabled relief cases.
6. If a bailiff seizes goods, he or she must introduce himself, with identification, which will include a photograph, and give reasons for his or her visit.
7. The bailiff should be dressed smartly and be polite in all circumstances.
8. The bailiffs must carry written authority from us and show it to you if you ask.
9. Bailiffs should give you the chance to:
   - question the amount you owe;
   - provide evidence of any payments we have not taken into account; and
   - make payment, explaining that this will stop further proceedings.
10. The bailiffs must not enter your home if there is no person over the age of 18 there.
11. The bailiff must not threaten you with other ways of enforcing the action, for example, imprisonment.
12. If you or your partner are not in when the bailiffs visit, the bailiff must not discuss the visit with any other person.
Bailiff code of practice

13. If a bailiff wants to get information about where you are, he or she should do so discreetly and without giving the reason for their visit.

14. The bailiff should wait to receive instructions from us before going ahead if there is evidence of:
   • mental handicap or mental confusion;
   • long-term sickness, serious illness or frailty;
   • deafness or blindness or limited sight or hearing;
   • recent bereavement (for example a close family relative has died);
   • pensioners aged 75 years or over (possibly other pensioners; and
   • a recent change in financial circumstances, for example, unemployment.

If a bailiff finds unusual circumstances, which may need special treatment, he or she should contact the Council.

15. If your second language is English and is limited, bailiffs should contact us to get help from the interpreter service.

16. Bailiffs should give you a form showing our complaints and appeals procedures if you ask for one.

17. Bailiffs should make sure they do everything possible to contact you personally.

18. The bailiff must do everything possible to discuss the money you owe with you and to arrange payment by instalments within three months.

19. If we find out you are receiving Income Support or Jobseeker’s Allowance we may decide to stop the bailiff action against you.

20. Bailiffs should know about the rules of entering your home.

21. If a bailiff comes to seize your goods, he or she must clearly tell you what they cannot take legally.

22. If a “walking possession” order has been entered into, the bailiffs will give you a list of the goods they can take. It means you can keep the listed goods at your home while you pay off the debt, but they will be sold if you do not.

23. If a bailiff removes your goods, he or she must make sure that your goods are handled with care and attention and kept safe.

24. The bailiff must make sure that the goods are insured and safely stored before they are sold.

25. If you make a complaint about the bailiff, their company must investigate the complaint and provide a full written report to us within 48 hours of us asking them to.

26. If we ask them to, the bailiffs must give us a full breakdown of the costs they are charging you within five working days.

27. All bailiffs must act according to our Equal Opportunities Policy.
Bailiff code of practice

However hard we try, occasionally things go wrong. Please help us to put them right. You may want to complain if you think:

• we have not treated you fairly;
• we have not treated you politely;
• we have not done something you think we should have done; or
• we have done something badly.

Please write to:

The Complaints Manager
P.O. Box 63
Civic Centre
Silver Street
Enfield
EN1 3XW

Or if you prefer, phone our complaints line:

020 8379 4629

We will investigate complaints and send you a written reply within 10 working days.