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User Guide | Ref No: 001200

Enforcement Agency Services





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About YPO

YPO provides procurement solutions for public sector organisations to set up or renew contracts for a wide range of services.

Established in 1974 by a group of 13 local authorities, we're the UK's largest public sector buying organisation and we're still 100% publicly owned today. We work closely with our suppliers and collaborate with other public sector buying organisations to achieve efficiencies and value for money, returning all our profits back into the heart of the public sector. Our team of qualified procurement professionals can offer advice, guidance and expertise on procurement, as well as regular engagement and communication to make sure your objectives are achieved.

Overview

Start date

14.05.2024

Expiry date

13.05.2028

Extension(s) (if applicable)

N/A

Contracting authority (CA) call-off period

CA's can specify a contract period, based on the term that will best suit their requirements. YPO generally recommend a call-off period of no longer than 4 years.

Contract notice reference number

TBC

Potential maximum value

£100 - £150m

Rebate

0.7%

Geographical location(s)

National

Concession Contracts Restrictions

This solution is not a DPS in its practice form and takes the form of a vetted Supplier list.

Based on the nature of the services that may be procured, YPO recognises that there is a potential for Enforcement Agency Services to, (depending on the specification and means of recovery of costs set at Further Competition) be a “services concession contract” as defined by the Concessions Contract Regulations 2016 (CCR).

Use of this solution for contracts that fall within the scope of the CCR definition and threshold as defined in regulations 3 and 9 of the CCR is not permitted and guidance will be provided to Contracting Authorities advising them of this restriction.

Use of this vetted Supplier list for Contracts that would be defined as a concession contract as set out in Regulation 3 of the CCR but does not meet the threshold amount for being within scope of the CCR

under regulation 9, (an “**Under Threshold Concession Contract**”) is permitted but;

- is subject to remaining outside of the scope of the CCR for its duration;
- is subject to the terms of competition set out in the establishment Tender Particulars at paragraph 15 and 16;
- is subject to the terms set out within the awarded contract; and
- shall not otherwise be subject to the PCR including all obligations and remedies within unless otherwise required by legislation, guidance or judgment as made by a court of law in England and Wales.

Use of this solution for contracts that do not fall into the scope of the CCR definition, of a service concession contract will continue to be subject to the PCR when applicable.

Specification & Key Customer Benefits

This solution has been designed for the provision of Enforcement Agency Services including High Court Enforcement.

This includes the collection of all debt types which a Contracting Authority may have a requirement to collect and other services an Enforcement Agent can typically provide.

Examples of the debt types include but are not limited to; council tax, parking fines, non-domestic rates/business rates, road traffic fines, sundry debt, housing benefits overpayments, social care debts and university accommodation fees.

Examples of other services may include but are not limited to repossessions, evictions, tracing services and debt collection advice/consultancy.

Key Customer Benefits

Vetted Supplier List – all appointed providers have already been vetted against the following requirements:

- All providers must be registered Enforcement Officers and/or High Court Enforcement Officers and comply with The Taking Control of Goods Regulations 2013, The Taking Control of Goods (Fees) Regulations 2014 and The Certification of Enforcement Agents Regulations 2014 (including any amendments).
- All providers must comply with an industry acknowledged code of conduct. Examples include but are not limited to; CIVEA, BPA, IRRV, HCEOA.
- All providers must comply with the MoJ Taking Control of Goods: National Standards.

Holding Account – all appointed providers can hold all monies collected on behalf of an authority in a holding account which is kept separate to any operational bank account of the provider

Enforcement Conduct Board – All providers appointed must have current accreditation (or similar authorisation) with the Enforcement Conduct Board, the oversight body for enforcement.



How to use the Solution

The first step in using this solution is to complete and return the Non-Disclosure and Customer Access Agreement. This will enable customers to receive all the necessary information needed to call-off.

This solution only allows for a call off to be put in place following a further competition.

A further competition gives contracting authorities the ability to create a specification, method statements (questions) and social value that is relevant to their own organisations.

The CA will be responsible for the further competition process with assistance from YPO on the process and documentation review if required.

Carrying out your further competition

CAs can use YPO templates or their own documents if they prefer.

The specification detailed in the further competition template should give providers a good understanding of the specific services you want them to deliver. There are no set questions for CAs to include in their further competition, however we would suggest that these are related back to your specification.

Once you have created your further competition document you are required to publish the documents to all providers on the solution. This can be published via your own e-Tendering system or by using the YPO portal.

Your further competition will need to be published for a minimum of 4 weeks, there is no maximum timescale that a further competition should be published for, however YPO would suggest that the timescales are

proportionate to the detail of the specification and documents you publish. Please ensure that providers have sufficient time to respond to your further competition template.

Once the deadline has ended, the response documents should be evaluated in accordance with the criteria in the further competition.

Clarification responses, evaluation of submissions, drafting of award letters and contracts, and applicable Contract Award Notices are elements of the process that will need to be completed by the customer. Customers must inform YPO of the outcome of any further competition they undertake themselves.

A 10-day standstill period is then voluntary under YPO solutions. YPO would suggest carrying out a standstill period for a long term or high value call-off contract.

We're proud to be the first public sector buying organisation that has made it compulsory for enforcement suppliers on our solution to be ECB accredited.



Providers

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CDER Group

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Providers continued

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Terms and conditions

YPO has agreed a set of establishment terms and conditions; these are between YPO and the provider. These terms and conditions cannot be amended by the contracting authority or the provider.

To supplement the establishment terms and conditions, YPO has created call-off terms and conditions for contracting authorities to put in place with the provider.

The call-off terms and conditions can be utilised to ensure that they fit your requirements and if both

parties agree, they can be amended to support the delivery of the service.

Once the call-off terms and conditions are agreed you will need to specify these within the order form under the “amendment to terms and conditions” section.

The order form then forms the legally binding contract between you the customer and the provider.

