

# THE IN-HOUSE TRAINING COMPANY

## Credit control and debt recovery – the legal issues

### Overview

It is essential that those charged with responsibility for credit control and debt recovery have a full appreciation of the relevant law: no-one can negotiate effectively to recover a debt if they don't understand the ultimate sanctions they can apply. This programme is designed to give them a practical, up-to-date understanding of the law as it applies to your particular organisation.

### Training objectives

This course will help ensure that participants:

- Understand the relevant laws
- Know how and when to invoke legal processes
- Avoid legal pitfalls in debt collection negotiations

Specific, practical learning points include:

- Definition of 'harassment'
- How to set up an in-house collection identity
- Whether cheques in 'full and final settlement' are binding
- The best steps to trace a 'gone away'

... and many, many more.

### Audience

The course is aimed at anyone whose job involves credit checking, credit control, debt recovery and related legal action, ie, County Court suing and enforcement. No prior knowledge of these various issues is required, although those with experience in the area will find the programme particularly useful.

### Format

A thoroughly practical one-day course, intensive but presented in a stimulating manner so that participants can see at once the practical relevance to their roles of the legal issues discussed.

### Special features

For maximum benefit, this programme can be tailored to reflect your organisation's internal credit control systems and procedures. The course can also emphasise those aspects of the law that are most relevant to your particular sector (eg, private sector, public sector, housing association, etc).

### The expert trainer

Mike is widely recognised as the UK's leading trainer in credit control, debt recovery and related legal issues. He has trained well over 45,000 people over the past twenty years. His clients range from utilities suppliers, local authorities and housing associations to banks, solicitors and private sector businesses both large and small, including: BT, Norwich Union, Royal Bank of Scotland, ITN, ICI, Bevan Ashford, RAC, Guernsey Electricity, British Gas, Centrica, DHL, Securicor, Federal Express, Leicester NHS, Manx Telecom, University of Liverpool, Middlesex University, P&O, Parcel Force, Thorn EMI, Philips, Thomson Directories, Standard Life, West Sussex County Council, Wycombe District Council, Zenith Windows, Scottish Power, Trinity Mirror and many, many others.

His approach is direct, clear and highly motivational. Participants leave his courses brimming with ideas and enthusiastic about putting them into practice. See what people have said about his training:

I asked Mike to conduct a number of trial courses and was greatly impressed with the results which indicated that in some cases individual performance increased by 50%. Because of this I decided to roll out the programme to 300+ staff and am delighted with both the results and

feedback from recipients.’  
*British Gas*

‘It was good to see the comments of the delegates reflected my own impression that the day had been a very successful one. I can assure you that it is most unusual to get such a positive and unanimous response to a training initiative.’  
*Highways Agency*

‘In the first week of tightening up credit control procedures as a result of the training we managed to collect £28,812.19 in bad debts proving how valuable the course was.’  
*Ernst & Young*

‘The course was great, really stimulating. It was so informative and I would recommend it to anyone collecting debt in the education sector.’  
*University of Aberdeen*

## Course outline

### 1 Data protection and debt recovery

There are a whole range of things which can be checked on members of the public and which are not affected by the restraints of the Data Protection Act. These will be explained in simple, clear terms so that staff can use this information immediately.

### 2 County Court suing

The expert trainer will show how to sue for money owed, obtain judgment and commence enforcement action without leaving your desk. This module is aimed at showing how to make the Courts work for you instead of the other way around!

### 3 Enforcement of judgments

There are many people who have a County Court Judgment (CCJ) against their debtor but who still remain unpaid. This session explains each of the enforcement methods and how to use them to best effect.

Enforcement methods covered include:

- Warrant of Execution
- Using the sheriff (now known as High Court Enforcement Officers)
- Attachment of earnings
- Third Party Debt Orders
- Charging Orders (over property and goods)
- Winding-up companies and making individuals bankrupt

### 4 Office of Fair Trading rules on debt recovery

Surprisingly few people are aware of the Office of Fair Trading rules on debt recovery and many of those that do know think they don't apply to them – but they do. Make sure you know what you need to!

### 5 New methods to trace elusive, absentee and 'gone away' debtors

Why write the money off when you can trace the debtor and collect the money you are owed?

### 6 Credit checking of new and existing customers

It makes sense to credit check would-be, new and existing customers to evaluate the likelihood of payment delays or perhaps not being paid at all. This session shows a range of credit checking steps, many of which can be done completely free of charge, including a sample credit application / account opening form.

### 7 Late Payment of Commercial Debts Regulations

Do your staff understand this legislation and how to use it to make people pay quicker than ever before? The trainer shows how.

## **8 The Enterprise Act**

The Enterprise Act made some startling changes to corporate and personal insolvency. What are the implications for credit control and debt recovery within your organisation?

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