

Welcome

DRF Conference 2011

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Welcome

David Mond
Chairman DRF

ANNUAL CONFERENCE 2011



Sponsors of the DRF Conference 2011

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Key 
RETIREMENT
SOLUTIONS



Housekeeping

- Fire precautions
- Programme for the day
- After conference networking
- The MCC Bar Area
- The Meeting Place
- Tweet, tweet: #debtdebate (@DRF_UK)



Morning Sessions



- Office of Fair Trading – David Blocksidge
- Insolvency Service – Nick Howard
- CertDR – Gaynor Loughnane
- Sawfish

Why are we here?

- Industry – at a crossroads...



Why are we here?

- Industry – at a crossroads...
- Money Advice Service



Why are we here?

- Industry – at a crossroads...
- Money Advice Service
- Debt Management Plan Protocol



Why are we here?

- Industry – at a crossroads...
- Money Advice Service
- Debt Management Plan Protocol

- New OFT Debt Management Guidance



Why are we here?

- Industry – at a crossroads...
- Money Advice Service
- Debt Management Plan Protocol

- New OFT Guidance
- Industry reputation



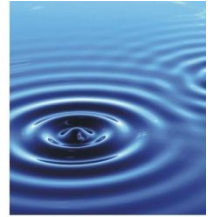
Looking ahead

- Free advice is not always good advice
- The need for us is huge
- Trust is the key.



Two offers you can't refuse

- Membership moneyback
- Come to BED with me courtesy of Armstrong Communications
- Join the wider debate #debtdebate on Twitter.



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OFT Regulation

David Blocksidge

Head, Debt Management Team

Office of Fair Trading

Overview

- **OFT regulatory approach**
- **Enforcement update**
- **Debt management guidance**
- **Looking ahead**

OFT Regulatory Approach

- **To protect consumers by:**
 - Maintaining standards of business behaviour through guidance and partnership
 - Ensuring competence of businesses – especially where high risk credit activities are concerned
 - Acting to take out bad practices and bad businesses

What we want in the debt management sector

- **Transparency**
- **Fairness**
- **Redress**

DEBT MANAGEMENT GUIDANCE COMPLIANCE REVIEW

Key aims and objectives

- Assess compliance levels across the industry
- Use findings to inform OFT's future enforcement strategy / actions, and
- Inform subsequent revision of the guidance

Follow up enforcement action

- **Published report of the compliance review in September 2010**
- **Announced that 129 audited businesses warned to address non-compliances**
- **Since then 61 firms have had their licence revoked, or have surrendered their licence, or had an application refused. Lesser enforcement action has been taken by the OFT in a number of other cases**

Current work

- **Action where standards are unacceptable**
- **Targeted enforcement**
- **Revised / improved guidance**

Guidance overview

- **Based on compliance review and enforcement experience**
- **Takes account of new practices**
- **Clarity – specific business practices**
- **Scope extended – lead generation and (some) claims management**
- **Clear on what we regard as acceptable business practices for all in the industry**

Examples of poor practice

- **Lack of transparency about ‘set up fees’**
- **Falsely stating that the service is ‘free’ or ‘impartial’**
- **Misrepresenting ‘status’ e.g. ‘charitable**
- **Provision of poor advice**
- **Identifying inappropriate debt solution**
- **Implying that options are ‘risk free’**
- **Not protecting client’s money**
- **Offering to ‘repair’ a consumer’s credit rating**
- **Failing to deal with complaints**

Guidance consultation

- **Constructive input**
- **Responses being considered**
- **Support for main principles and thrust of the guidance**

Way forward

- **Final guidance later in the year**
- **Ongoing enforcement action**
- **Standards for new entrants**
- **Other changes**

Contacts

- **Dmguidance-consult@oft.gsi.gov.uk**
- **Any questions?**

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Personal Insolvency Issues

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Nick Howard – Policy Director

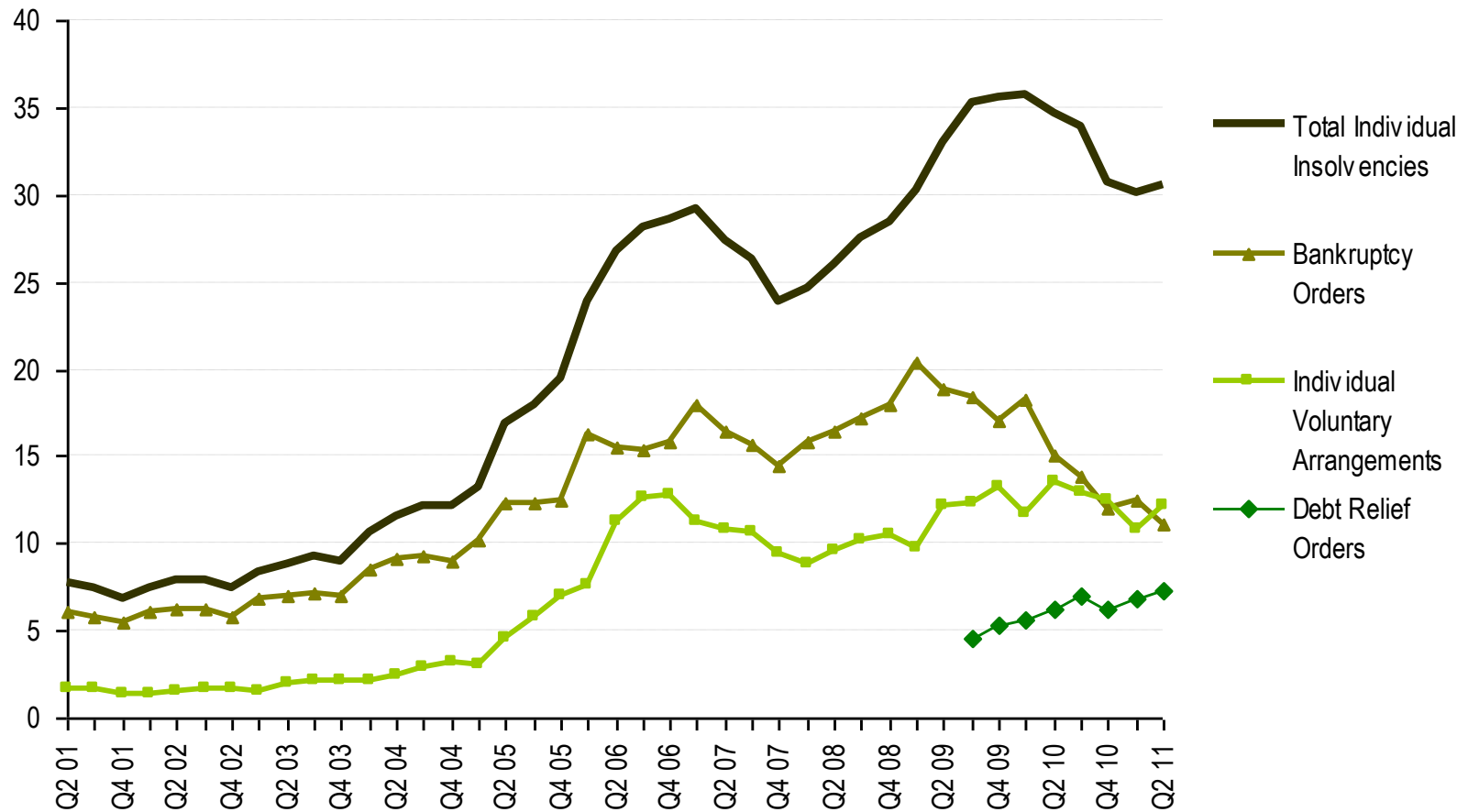
The Insolvency Service - challenges

- Falling case numbers
- Public Sector spending constraints
- Estate strategy
- Delivery Strategy

Regulatory challenges

- Coalition Agreement
- Regulatory Reduction Committee
- One In, One Out
- Micro-business exemptions
- Impact Assessments

Latest figures – personal insolvencies



Developments in 2011

- Summary of responses on the Call for Evidence
- Government response on the way forward on debt advice and personal insolvency issues

Personal Insolvency – responses

- Impartial, high quality debt advice is key to getting debtors into the most appropriate options
- Current range of options strikes a reasonable balance
- Concern that profit drives advice on offer
- More sophistication in credit scoring

Government Response

Place free-to-debtor advice on a sustainable footing

Protocol for the debt management industry

Build on existing codes on forbearance

Future proposed consultations:

- Improving access to basic bank accounts
- Increasing the petition debt level for creditors
- Review county court administration orders

The Future of Debt Advice

- Vital role of debt advice
- Role of Money Advice Service
- Mapping the landscape
- Develop a new model

Improving standards in the debt management industry

- Still a major source of complaints and concerns
- Need for improved data on this industry
- OFT's revised guidance – gives very clear steer to providers
- Protocol – will build on this and involve all players

Breathing Space

- Voluntary codes already exist
- OFT's Irresponsible Lending Guidance
- How can we improve on current codes

Future Proposed Consultations

- Improving access to basic bank accounts
- Increasing petition debt levels for creditors
- Repeal county court administration orders

Access to basic bank accounts

- Financial rehabilitation following bankruptcy can be lengthy
- Lack of banking facilities has definite financial impact
- Banks would like to offer the facilities but....
- ...risk of after acquired property claim by trustee

Increasing petition debt levels

- The debt level for creditors is £750 and has been since 1986
- It is the right remedy in certain circumstances
- BUT, to be able to ‘threaten’ bankruptcy for such a small amount is, we believe, disproportionate

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Training

Certificate in Debt Resolution
BTEC Level 3
Award or Certificate



Agenda



- What is it?
- Why is it needed?
- Who would benefit?
- How long will it take to complete/costs?
- Test
- Which companies have fully qualified staff?
- Futures
- Who should you contact to register?

What is it?



- Certificate in Debt Resolution (CertDR) BTEC level 3 (equivalent to "A" level)
Accredited by Edexcel - the largest awarding body in the UK
- All material and exams are "on line" learners can study in their own time
- 3 Modules each with an exam. Material is updated quarterly.
- Formal exams each quarter - on your business premises.
- Exam results within 10 working days



Why is it needed ?

- No other accredited qualification exists for those offering advice, guidance or support in Debt Resolution
- A formal qualification for the Debt Resolution industry aimed at raising the standards in a non-statutory market place, acknowledged by the OFT

What's included?

- **Module 1**

An overview of the UK Financial Services debt market, debt resolution and debt regulations. Learners should be able to demonstrate they can calculate the level of debt and affordability

- **Module 2**

Debt resolution in detail, including in depth financial statement completion, creditor action and court process, mortgages, equity release, bankruptcy, IVA's

- **Module 3**

Learners should be able to demonstrate ability to give correct conclusion on a range of client debt case studies, create an audit trail to support advise and follow up service for client relationship



How long will it take to complete and costs

- 3 modules, each module typically 3 months study with exam at the end of each module.
- Full CertDR typically **12 months**
- Module 1 £250
- Module 2 £250
- Module 3 £300 or if all 3 modules purchased together **£750**
- Either companies or individuals must be members of DRF



Who would benefit?

- Debt Management Advisors
- Mortgage Advisors
- Insolvency Practitioners
- Credit Managers
- Debt resolution call centre staff
- Independent Financial Advisors

The qualification offers recognition across the industry by DR firms, clients and creditors. Improved reputation for your firm, staff loyalty, higher quality of knowledge leading to improved productivity, better individual career chances, higher income potential.



Who has the DRF Factor

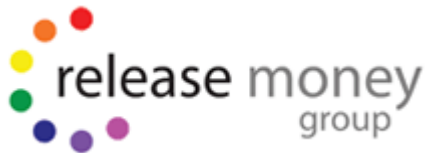
- To give you a flavour of the CertDR now a Quiz based on practice papers and exam.
- Please complete the paper under your seat, all correct papers will be put into a hat and a bottle of bubbly for the winner at the drinks reception.

Success to date

- 221 learners currently studying, from 30 different organisations
- 126 learners from 13 different locations took exams in July/Aug 2011
- 144 learners have successfully completed all 3 modules and can now use CertDR initials



Companies who have invested in their staff training for Cert DR





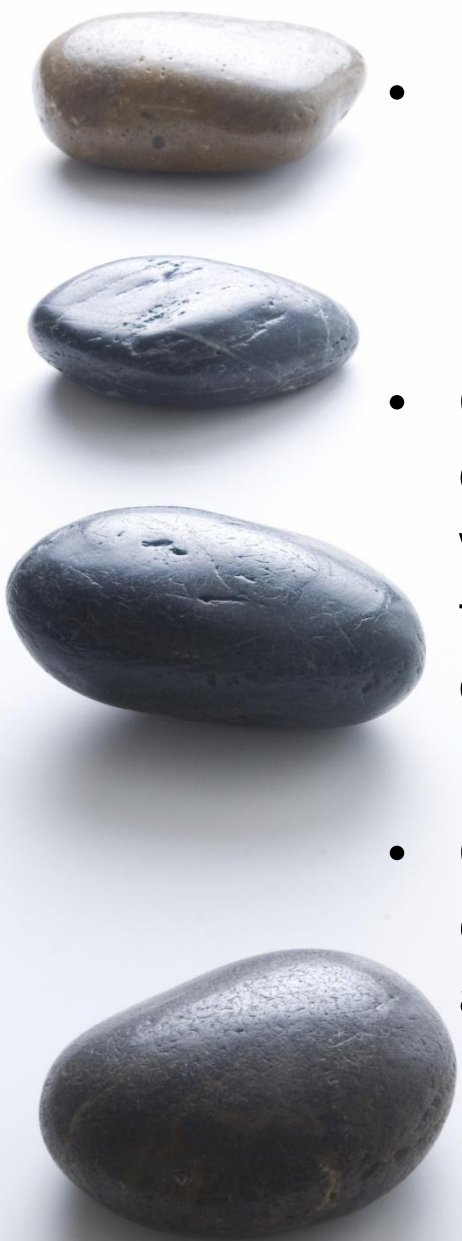
Number of Fully CertDR qualified staff

Fairpoint	26	Kensington Finance	23
Abacus	20	Invocas	10
Release Money Group	7	Debt Release Direct	6
ClearDebt	5	Debt Stop Direct	5
Money Tailor	5	The Debt Advisor	3
Paymex	5	Dissolve Debt	2
BrightOak	4	Gemstone	2
NewTomorrow	4	Byrom & Keeley	1
RSM Tenon	4	Other	9
Debt Free Me	3		



Futures

- Continuous Professional Development
- Diploma

- 
- Demsa/Institute of Money Advisors – launching November 2011, 16 week training course accredited by Staffordshire University.
 - CertDR is accredited by Edexcel which is part of [Pearson](#), the **UK's** largest awarding body and the **world's** largest education business and the owner of the FT and Penguin. Their vocational portfolio has over one million registrations across 45 countries.
 - CertDR is flexible to meet your business needs, exams on your premises, training material all on line available at any time, register any time you like.



Who do I contact to register or find out more?

Gaynor Loughnane
Head of Administration

CertDR@debtresolutionforum.org.uk

Tel: 0161 905 8372

Thank you and any questions.

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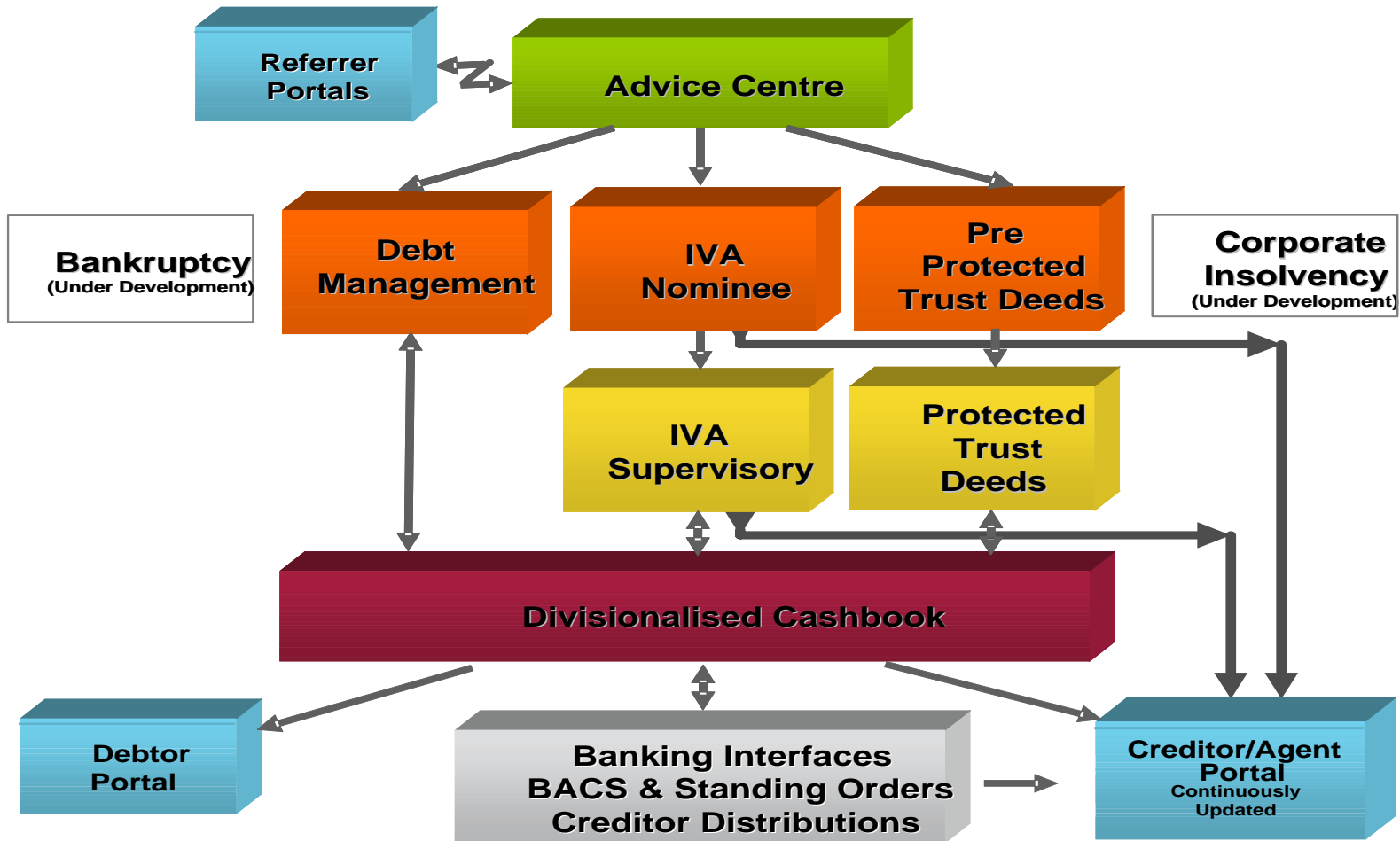
 Industry Issues

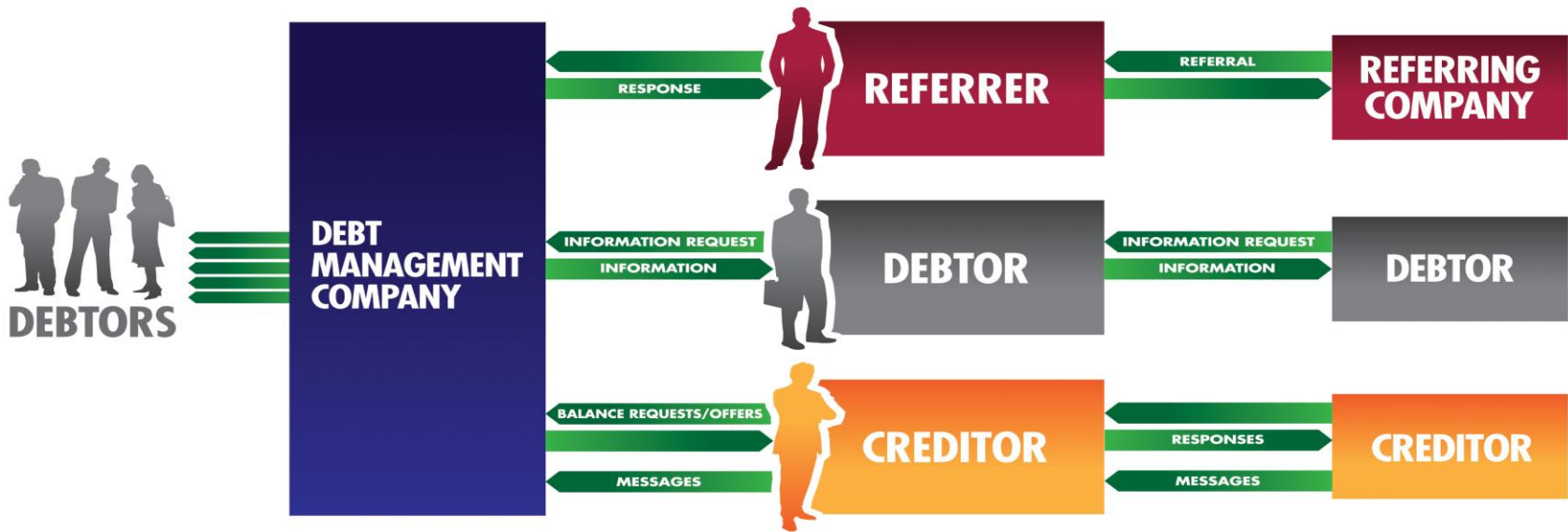
 Possible Solutions

 Sawfish Initiatives

- ✖ Increasing Regulation and cost of Compliance.
- ✖ Leads.
- ✖ High volume and cost of administration and paperwork.
- ✖ High cost of errors.
- ✖ Complex process leading to confusion between stakeholders.

- ❌ Better Collaboration (debtors/providers/creditors) – Why not?
- ❌ Shared Common Data – not as complicated as it seems!
- ❌ Relevance – what you need when you need it?
- ❌ Better business process = better margins!





Sawfish CreditorPortal

Sawfish Demo Logged on: admin@sawfishsoftware.com
(Change Password)

Balance Requests Offers Messages Logins Log Out

Creditor: MBNA Europe Change

Debtor	Your Ref	Our Ref	Postcode	Address	Balance	Correct	Confirmed
12/01/2011 1 Requests Outstanding							
Sonny Liston	4944545562123321	10642	YO23 2BD	134 Sim Balk Lane, Bishopthorpe,...	£6,321.00	<input type="checkbox"/>	0.00 ATA ✉ ✔
23/12/2010 1 Requests Outstanding							
Stephen Duffy	45678909876543456	10638	yO23 5HF	229 Sim Balk Lane, Bishopthorpe,...	£6,321.00	<input type="checkbox"/>	0.00 ATA ✉ ✔
15/12/2010 3 Requests Outstanding							
Darren Varden	45678987654567876	10636	YO23 2BD	1189 Sim Balk Lane,...	£6,321.00	<input type="checkbox"/>	0.00 ATA ✉ ✔
Miles Linley	14563523	10635	YO23 2BD	120 Bishopthorpe Road, York,...	£6,321.00	<input type="checkbox"/>	0.00 ATA ✉ ✔
George Dando	45678987654356787	10634	YO23 2BD	221 Sim Balk Lane, Bishopthorpe,...	£0.00	<input type="checkbox"/>	0.00 ATA ✉ ✔
30/11/2010 1 Requests Outstanding							
Duncan Bradshaw	456789876543567865	10628			£6,321.00	<input type="checkbox"/>	0.00 ATA ✉ ✔
23/11/2010 1 Requests Outstanding							
Gary Abblett	4567898765435676	10602	YO23 1BD	227 Bishopthorpe Road,...	£6,302.13	<input type="checkbox"/>	0.00 ATA ✉ ✔
17/11/2010 1 Requests Outstanding							

Page: 1 of 2

Internet | Protected Mode: Off 100%

The screenshot shows the 'Sawfish CreditorPortal' interface. At the top, it says 'Sawfish Demo' and 'Logged on: admin@sawfishsoftware.com'. There are navigation tabs for 'Balance Requests', 'Offers', 'Messages', and 'Logins'. A dropdown menu shows 'Creditor: MBNA Europe'. Below this is a table with columns: Debtor, Your Ref, Our Ref, Postcode, Offer, Accept, Reject Reason, Interest Frozen, Rate (%), and Review Period. The table lists several debtors with their respective offers. A 'Debts' popup window is overlaid on the table, showing a summary of debts from various creditors.

Debtor	Your Ref	Our Ref	Postcode	Offer	Accept	Reject Reason	Interest Frozen	Rate (%)	Review Period
12/01/2011 1 Requests Outstanding									
Sonny Liston	4944545562123321	10642	YO23 2						12 Months
23/12/2010 1 Requests Outstanding									
Stephen Duffy	45678909876543456	10638	yO23 5						12 Months
15/12/2010 3 Requests Outstanding									
Darren Varden	45678987654567876	10636	YO23 2						12 Months
Miles Linley	14563523	10635	YO23 2						12 Months
George Dando	45678987654356787	10634	YO23 2						12 Months
07/12/2010 1 Requests Outstanding									
Harold Bishop	4567890987654323456	10534	B5 7UT	£85.54				0.00	12 Months
17/11/2010 1 Requests Outstanding									
Amanda Jessop	44887568795893458	10627	M24 5HG	£86.67				0.00	12 Months
16/11/2010 1 Requests Outstanding									

Creditor	Value	Offer
MBNA Europe	£6,321.00	£87.29
Egg	£2,208.00	£30.49
Barclays Bank Plc	£1,750.00	£24.17
HFC Bank plc	£1,108.00	£15.30
Total Debt		£11,387.00

- Click on icon to display read only view of other creditors.

The screenshot shows the 'Sawfish CreditorPortal' interface. The main window is titled 'Income And Expenditure' and displays financial data for a debtor. The interface includes a navigation menu with 'Balance Requests', 'Offers', 'Messages', and 'Logins'. The 'Offers' section is active, showing a list of debtors with their references and outstanding requests. The 'Income And Expenditure' window is open, showing a table of income and expenditure items. The 'Review Period' is set to '12 Months'.

Income		Expenditure	
Your Net Income (Includi	£1,720.00	Contents and House In	£15.00
		Food and Housekeepin	£220.00
		Electricity	£40.00
		Gas / Oil	£40.00
		Mobile Phone	£20.00
		Telephone	£20.00
		Car Petrol	£100.00
Total Income	£1,720.00	Total Expenditure	£1,535.00
Surplus Income	£185.00		

Review Period: 12 Months

Page: 1 of 1

- Click on icon to view and query income and expenditure.

Sawfish Demo

 Logged on: dchambers@sawfishsoftware.com
[\(Change Password\)](#) [\(Admin\)](#) [\(Log Off\)](#)

[Home](#) [DMP](#) [IVA](#)

Cases Claims

Nominee Supervisory

Case Ref	Debt Ref	Debt Owner	Postcode	MOC Date	Status	
<input type="text" value=""/>	<input type="text" value=""/>	<input type="text" value=""/>	<input type="text" value=""/>			
18/05/2010 5 Cases						
NOM10307	67657567657	Andrew Duncan	M9 0PY	01/01/0001	In Prog	<input type="button" value="S PDF"/> <input type="button" value="P PDF"/> <input type="button" value="XML"/> <input type="button" value="31"/>
NOM10307	4565675686787	Andrew Duncan	M9 0PY	01/01/0001	In Prog	<input type="button" value="S PDF"/> <input type="button" value="P PDF"/> <input type="button" value="XML"/> <input type="button" value="31"/>
NOM10307	456575676576	Andrew Duncan	M9 0PY	01/01/0001	In Prog	<input type="button" value="S PDF"/> <input type="button" value="P PDF"/> <input type="button" value="XML"/> <input type="button" value="31"/>
NOM10307	56567768565676...	Andrew Duncan	M9 0PY	01/01/0001	In Prog	<input type="button" value="S PDF"/> <input type="button" value="P PDF"/> <input type="button" value="XML"/> <input type="button" value="31"/>
NOM10307	457568768768768	Andrew Duncan	M9 0PY	01/01/0001	In Prog	<input type="button" value="S PDF"/> <input type="button" value="P PDF"/> <input type="button" value="XML"/> <input type="button" value="31"/>
11/03/2009 11 Cases						
NOM10309	234543545	Lindsay Pedlar	YO1 9WP	01/01/0001	In Prog	<input type="button" value="S PDF"/> <input type="button" value="P PDF"/> <input type="button" value="XML"/> <input type="button" value="31"/>

1 of 14

- 🚫 Automated communication with creditors.
- 🚫 Improve quality of process for all stakeholders.
- 🚫 Quicker turnaround time.
- 🚫 Improved relationships.
- 🚫 Greatly reduced administration and postage costs.
- 🚫 Environmentally friendly.
- 🚫 Performance Improvement.

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Afternoon Sessions

- Free Sector Panel Session – Chaired by Antony Sharp, Chairman of Money Advice Group joined by David Hawkes of Advice UK, Emma Bryn-Jones of Zero-Credit and Andrew Smith of DRF.
- Insolvency Practitioners Association – David Kerr and Caroline Sumner
- Creditor Panel Session – Chaired by Mike Sargeant, National Manager Client Services of KPMG and joined by Emma Wilson of Transcom and the Institute of Credit Management along with Mike Norris of JP Morgan/Max Recovery.
- DRF, The industry in the eyes of the media – Andrew Smith, DRF
- DRF Awards: nominees and winners – David Mond, DRF Chairman
- Closing Remarks – David Mond, DRF Chairman
- To BED



Free Sector – Panel Session

Chaired by Anthony Sharp –
Chairman of Money Advice Group

Joined by:

David Hawkes – Advice UK

Emma Bryn-Jones – Zero-Credit

Andrew Smith - DRF

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MONITORING VISITS

David Kerr MIPA
Chief Executive

Caroline Sumner
Inspector

Introduction: the IPA

- Specialist insolvency body
- Regulator of more than half of all IVAs
- Monitor of DMPs for DRF members/OFT
- Examiner in Personal Insolvency (CPPI)
- Leader on Protocol issues, VAT etc

Our work for DRF

- Round 1 monitoring programme
- Principles of better regulation
- Positive approach to inspection visits
- 19 visits completed/booked so far
- Round 2: shorter visits in 2012

Prior to the visit

- DRF Standards and OFT Debt Management Guidance
- Cost
- Notice
- Duration

Pre-visit information

- Organisation chart
- Advertisements, leaflets and brochures
- Terms and conditions, standard documentation, call scripts
- Inspection reports

Format of the visit

- Initial meeting
- Advice and debt management services
- Case management
- Advertising, marketing and promotions
- Contract terms & referral sources
- Banking arrangements
- Complaints handling
- Closing meeting

When is a bribe not a bribe?



What happens next?

- Reports submitted to DRF
- Correspondence between DRF & member
- Attention to recommendations in summary
- Member expected to action those points
- Review on 2nd round visit
- Process of continuous improvement



Insolvency Practitioners Association

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Creditor Sector – Panel Session

Chaired by Mike Sargeant –
National Manager Client Services, KPMG

Joined by:

Mike Norris – JP Morgan / Max Recovery

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DRF, the Media, and our world

Andrew Smith

Spokesperson, DRF



We do a great job

- But few believe we do
- Better or worse?
- It's down to you



The image

- Money-grubbing sharks
- Prey on the unfortunate and incapable
- Money for nothing
- No skills
- No results



The reality?

- Trained
- Inspected
- High standards



The reality?

- Partly trained
- Partly inspected
- Some have high standards
- Some will lose CCLs, some will have requirements made.
- ALL will suffer from this
- Bad news will be broadcast – and rebroadcast



The Challenge?

- Its not just the media anymore
- Will YOU engage?



The new forums

The Telegraph



theguardian



Rules of engagement

- Respect everyone
- Be robust
- Be fair
- Be accurate
- Be fast
- Be thick-skinned



Reputation

- Years to establish
- Seconds to destroy
- Built on facts
- Challenged and examined



Your job

- Building your reputation builds industry's too
- Take part:
 - In debates
 - In research
- Trust is the key.



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50  **Insolvency Practitioners Association**
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DRF Awards 2011

Nominees and Presentations



CertDR Learner of the Year 2011

- From 140 fully qualified CertDR professionals, we are proud to announce, this year's top scorer for CertDR of the Year.



DRF Advisor of the Year 2011

And the nominees are:

- Chris Cook from Debt Release Direct
- Nick Smith from Money, Debt and Credit
- Matthew Foley from ClearDebt
- Rochelle Taylor from Gemstone Financial Management
- Hayley Newton from Ashley Park



DRF Advisor of the Year 2011

The Criteria:

- The level of customer satisfaction received, based on client feedback, regarding the nominee and their work
- The nominee's overall performance at work
- The nominee's approach to team work
- The nominee's industry knowledge and contribution to the company
- Number of client votes sent in and the content of those testimonials



DRF Advisor of the Year 2011

- The runner up to this year's DRF Advisor of the year is.....



DRF Advisor of the Year 2011

- This year's winner of the DRF Advisor of the Year Award goes to....

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And so...

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courtesy of



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Thank you and good evening

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