



Introduction

This factsheet concerns the role of enforcement agents, formerly known as bailiffs, in the recovery of council tax, business rates and road traffic debts owed to councils. It should be read together with our general information available [here](#).

What the Ombudsman can do

The Ombudsman can consider complaints about:

- Inadequate notice to a debtor of the debt and the fees incurred
- Charging fees with no legal basis, or for action that has not been taken
- Taking control of a vehicle, or removing a vehicle that does not belong to the debtor
- Failing to take account of a debtor's vulnerability
- A public body failing to investigate a complaint about an enforcement agent acting on its behalf.

What the Ombudsman cannot do

The Ombudsman cannot:

- Investigate complaints about an enforcement agent's fitness to practice
- Investigate complaints that have already been looked at by a county court
- Change the amount that a debtor owes
- Remove reasonable charges and fees
- Put a hold on further enforcement activity
- Investigate the grounds for a court order once it has been made
- Order an enforcement agent to accept reduced payments or instalments.

Issues to bear in mind

The Ombudsman can only consider complaints about enforcement agents when they are acting on behalf of a public body.

The Ombudsman recognises that enforcement agents have a legitimate role to play in the recovery of debts, and that the experience of being visited by an enforcement agent can be unpleasant. Enforcement agents will remove belongings if they do not receive payment, and they are allowed to charge fees and costs on top of the debt that is owed.

The Ombudsman normally expects someone to appeal to a court if they have a right to do so. Complaints about charges or an enforcement agent's conduct or fitness to practice can be made to the county court where they obtained their certificate to practice.

The Ombudsman may consider that it is reasonable for a complainant to take legal action, particularly where there is an allegation of serious misconduct or where the law or the facts are unclear. There may be costs involved, however, and legal advice should be sought from a qualified legal practitioner before doing so.

Further information

Citizens Advice can offer free, confidential and impartial advice about money and debt. Further information can be found here: <http://www.citizensadvice.org.uk/>

Examples of cases that the Ombudsman has looked at can be found on our website. Please see www.ombudsman.wales.

Contact us

If you are unsure whether the Ombudsman would be able to look into your complaint, please [contact us](#).

Also available in Welsh.

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Enforce

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