



Ministry  
of Justice

# Working safely during COVID-19: enforcement agents (bailiffs)

## Guidance for enforcement agents (also known as bailiffs) using the Taking Control of Goods process

This guidance applies in England and Wales – there's different guidance in [Scotland](#) and [Northern Ireland](#). We will be providing a Welsh language translation of this guidance in due course.

This document has been prepared by the Ministry of Justice (MoJ) in consultation with Public Health England (PHE). This document is kept under review and may be updated to reflect changes in public health advice. The latest advice should be followed at all times.

Public health is devolved in Wales and this guidance should be considered alongside public health and safety requirements, legislation and guidance in Wales, where restrictions may differ significantly to those which apply in England.

The coronavirus (COVID-19) vaccines are safe and effective. They give you the best protection against COVID-19.

The Government recommends that adults should get vaccinated when invited to do so. It usually takes around two to three weeks for an antibody response to develop. Like all medicines, no vaccine is completely effective, so you should continue to take recommended precautions to avoid infection.

This document is intended to help those using the taking control of goods process – including all enforcement agents (both public and private), their employers and the creditors that use their services – understand how to work safely during the pandemic. The

government is clear that no one should be forced to work in unsafe conditions and that the health and safety of workers and the public should not be put at risk. There may be localised health and safety measures in place within England and Wales. This guidance should be considered alongside any local public health and safety requirements and legislation. Employers and enforcement agents must follow all instructions from authorities in the event of new local restrictions. This guidance does not supersede any legal obligations arising from the Taking Control of Goods legislation and should be considered alongside the existing guidance set out in the National Standards for Taking Control of Goods. This guidance has been developed to address use of the Taking Control of Goods legislation, however those using it should also consider the general Government guidance and should take steps to follow this where it applies to their activities. Information on further guidance is available below under [Where to obtain further guidance](#).

This guidance does not supersede any legal obligations relating to health and safety, employment or equalities and it is important that businesses and employers continue to comply with their existing obligations, including those relating to individuals with protected characteristics. It contains non-statutory guidance to take into account when complying with these existing obligations. When considering how to apply this guidance, the safety of agency workers, contractors and members of the public, as well as employees, must be taken into account.

Employers and enforcement agents must carry out an appropriate COVID-19 risk assessment, using this guidance to inform the decisions and control measures taken. This must be done in consultation with unions or workers. Further guidance is available under the [Risk assessments](#) section below and from the Health and Safety Executive (HSE) at <https://www.hse.gov.uk/simple-health-safety/risk/index.htm>.

## Preventing transmission

1. On arrival at a property, enforcement agents should undertake a dynamic risk assessment. They should remain alert to risk throughout the visit and should withdraw if they identify a risk to their own or another's safety. Mitigation measures should be put in place throughout the entire visit.
2. In England, if an enforcement agent develops COVID 19 symptoms and/or tests positive for COVID 19, he or she should follow Government guidance which can be found here: [Guidance for people with coronavirus \(COVID-19\) and their close contacts](#)
3. If enforcement agents are working in pairs, they are advised to operate in fixed teams where possible to minimise contact between different individuals.

### Enforcement at residential properties

4. Enforcement agents or those acting on their behalf are advised to make reasonable attempts to contact households prior to visits to residential properties where possible in order to assess risk and ensure that the visit can proceed safely. This includes

contact via telephone (if a number is known and it is appropriate to do so) and otherwise by means such as SMS, letter or email. Enforcement agents are advised to ask households to notify them if anyone has symptoms or has COVID-19. In these circumstances, the agent should not proceed with the visit at that time.

5. When someone answers the door, the agent should introduce themselves, and ask if anyone in the household has COVID-19. If this is the case, the agent should terminate the visit, withdraw safely and record the reason for doing so. Enforcement agents should not attempt to get people to make or agree to payments in these circumstances. They can notify the householder about when they will return and provide contact details. This should be done safely while maintaining as much distance as possible, for example by waiting for the householder to re-enter the property and then pushing a card through the letterbox.
6. Enforcement agents are advised to establish from a distance whether there is a requirement for them to enter the property. If this is the case, before doing so they should assess the risks and discuss arrangements with the householder from a distance to enable them to do so safely. This could include taking steps to:
  - maintain distance between people as far as possible, including use of face coverings if considered appropriate. For example, if requested by someone in the household.
  - minimise contact with householders;
  - minimise physical contact with surfaces and objects by the enforcement agent;
  - keep interactions to well-ventilated areas where possible, for example by asking the householder to open doors and windows;
  - follow good hand hygiene as described in sections 12 –13.
7. It is important to consider that others may wish to take a more cautious approach. Enforcement agents should all be considerate of this, for example regarding the use of face coverings.
8. Enforcement at commercial premises

Enforcement agents visiting a place of business should observe any measures that the business has in place to ensure the safety of their customers and workers.

### **Vulnerability**

9. When considering if an individual should be deemed vulnerable for the purpose of the Taking Control of Goods legislation, enforcement agents should take into account impacts of COVID-19, such as whether an individual is or has been symptomatic. Enforcement agents should also be aware that some individuals or groups of people may have a greater clinical vulnerability to severe illness from COVID-19 – further information is available [here](#).

10. Enforcement agents should follow the guidance on vulnerability set out in the [National Standards for Taking Control of Goods](#) and ensure they act in accordance with all relevant legislation. Where appropriate, they should signpost individuals to debt advice organisations and give them an adequate opportunity to get assistance and advice.

### **Hygiene and use of protective equipment**

11. Enforcement agents are advised to wear a face covering when coming into contact with people they don't normally meet in enclosed and crowded spaces, or whenever asked to do so by individuals present at the premises. Further advice on the use of face coverings is available here: [Face coverings: when to wear one, exemptions, and how to make your own - GOV.UK \(www.gov.uk\)](#)

12. Enforcement agents are advised to follow good hygiene practices, including:

- hand hygiene – regular hand washing for 20 seconds using soap and water or use of hand sanitiser;
- covering the mouth and nose with a tissue or sleeve when coughing or sneezing, then immediately disposing of the tissue in a bin and washing hands, or coughing or sneezing into their arm;
- avoiding touching their face with their hands;
- avoiding contact with objects and hard surfaces where possible;
- use contactless payment methods where possible;
- avoiding sharing items such as pens.

13. Enforcement agents are advised to carry hand sanitiser on their person at all times, for example in a pocket.

14. Enforcement agents should assess risk situations on a case-by-case basis, but it is recommended that bailiffs wear a mask and gloves in enclosed and crowded spaces where it is not possible to maintain some distance.

15. If enforcement agents are using shared vehicles, the vehicles should be sanitised every day. This includes cleaning the frequently touched areas such as the steering wheel, gearstick, controls, keys and door handles using a bleach-containing product.

### **Employers**

16. Employers should ensure enforcement agents are aware of and understand this guidance.

17. Enforcement agents should be encouraged to get vaccinated.

18. Employers should provide enforcement agents with appropriate equipment to enable them to work safely free of charge. This includes face coverings, hand sanitiser and other cleaning equipment as required by the risk assessment.

19. Employers should follow government guidance and ensure measures are in place to enable employees to work safely. Employers should also be aware that some individuals or groups of people may have a greater vulnerability to COVID-19. Further information is available [here](#). Guidance for those whose immune system means they are at greater risk from COVID-19 is available [here](#).

### **Risk assessments**

20. Employers and self-employed enforcement agents must carry out an appropriate COVID-19 workplace risk assessment, just as they would for other Health and Safety related hazards. This risk assessment should consider and set out the mitigations that will be introduced. It must be done in consultation with unions or workers.

21. There are interactive tools available to help undertake risk assessments from the Health and Safety Executive (HSE) at <https://www.hse.gov.uk/simple-health-safety/risk/index.htm>.

22. A risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to control risks while working and ensuring that appropriate steps have been taken. Employers must share the results of their risk assessment with their workforce and ensure that employees have appropriate information and instruction in the control measures to be adopted. If possible, employers should consider publishing the results on their website (and we would expect all employers with over 50 workers to do so). Businesses with fewer than five workers and self-employed agents do not have to write anything down as part of the risk assessment. Employers should supervise, monitor and review the control measures as part of the [Plan, Do, Check, Act](#) approach to health and safety management.

23. The significant findings of the risk assessment should be brought to the attention of employees. Employees need information, instruction and training in the control measures to be adopted. The employer needs to supervise, monitor and review the control measures. [Plan, Do, Check, Act](#) approach to health and safety management.

24. We would expect all businesses to demonstrate to their workers and customers that they have properly assessed their risk and taken appropriate measures to mitigate this. They should do this by displaying a notification in a prominent place in their business and their website, if they have one. Businesses should provide enforcement agents working on their behalf with a copy of this notification and enforcement agents should show this to individuals they are visiting on request.

25. Failure to complete a risk assessment which takes account of COVID-19, or completing a risk assessment but failing to put in place sufficient measures to manage the risk of COVID-19, could constitute a breach of health and safety law. The actions the enforcing authority (such as the Health and Safety Executive or a local authority) can take include the provision of specific advice to employers to support them to achieve the required standard, through to issuing enforcement notices to help secure improvements. Serious breaches and failure to comply with enforcement notices can constitute a criminal offence, with serious fines and even imprisonment for up to two years. There is also a wider system of enforcement, which includes specific obligations and conditions for licensed premises.

### **Where to obtain further guidance**

[Guidance for people with coronavirus \(COVID-19\) and their close contacts](#)

[Working safely during coronavirus \(COVID-19\) - Guidance - GOV.UK \(www.gov.uk\)](#)

This guidance should be considered alongside the National Standards for Taking Control of Goods.

<https://www.gov.uk/government/publications/bailiffs-and-enforcement-agents-national-standards>

Guidance on risk assessments and the Plan, Do, Check, Act approach is available from the Health and Safety Executive:

<https://www.hse.gov.uk/simple-health-safety/risk/index.htm>

<https://www.hse.gov.uk/managing/plan-do-check-act.htm>

Further information on groups that are at higher risk from COVID-19 is available from the NHS:

<https://www.nhs.uk/conditions/coronavirus-covid-19/people-at-higher-risk/whos-at-higher-risk-from-coronavirus/> and the latest [Government Guidance for people previously considered clinically extremely vulnerable from COVID-19 - GOV.UK \(www.gov.uk\)](#)