Request for Information – RFI20110540

I refer to your letter received 13 April 2011. Your queries on page 3 of your letter have been dealt with as requests for information under the terms of the Freedom of Information Act 2000 (the Act).

Before I respond to your queries, it may be helpful if I first explain the nature of the relationship between TV Licensing and the BBC. “TV Licensing” is a trade mark used by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Ltd (which undertakes the majority of the administration of the TV Licensing system), with the administration of our cash related payment schemes contracted to iQor UK Limited. PayPoint Network Ltd and PayPoint Collections Ltd are contracted to provide over-the-counter services. Marketing and printing services are contracted to Proximity London Ltd as are public relations and advertising services. The latter are subcontracted by Proximity to Fishburn Hedges Boys Williams Ltd, Abbott Mead Vickers BBDO Ltd and PHD Media Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

Turning now to your specific queries:

1. I would like to see the manual or guidelines of training that your inspectors receive. More particularly I would like to establish whether they are trained to create the misleading impression that the householder is under a legal obligation to allow your employees to enter and that the failure to do so will result in sanctions.
Please find attached a copy of the TV Licensing Visiting Procedures’ document. Please note that I have redacted some parts of this document since in my view they are exempt under sections 31(1)(a), (b), (d) and (g) and (2)(a) of the Act which relate to law enforcement, specifically that disclosure would, or would be likely to, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, the collection of the licence fee and the BBC’s ability to discharge its public functions in respect of such matters. I am satisfied in terms of section 2(2) of the Act that in all the circumstances of the case, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information. I have provided further explanation of my consideration of the public interest test in the section ‘Why information has been withheld’ below.

2. I would like clarification of whether the training you give your employees is consistent or not with your understanding of the law in relation to this matter.

I confirm that the TV Licensing Visiting Procedures’ document is consistent with TV Licensing’s understanding of the law.

3. I would like clarification of what your organisation believes is the legal position with regard to those who have written to state they do not possess a television.

The requirement to hold a TV Licence and to pay a fee for it is clear and is mandated by law under the Communications Act 2003 and Communications (Television Licensing) Regulations 2004 (as amended). It is an offence to watch or record television programmes as they are being shown on any channel and on any broadcast platform (terrestrial, satellite, cable and the internet) without a valid TV Licence.

If an individual does not require a TV Licence, then they can contact TV Licensing to make a No Licence Needed declaration. TV Licensing’s current policy is to stop contacting that property for a period of approximately two years. It is the BBC’s view that two years is a reasonable length of time given that residential circumstances frequently change. For example, occupiers may move house or decide to watch live TV programmes on a computer. TV Licensing reserves the right to visit properties where a No Licence Needed declaration has been made. This is unfortunately necessary because where TV Licensing enquiry officers are able to make contact, a fifth of claimants are found to require a licence.

4. I would also like to see your policy of how to treat those people who have written to you indicating that they have no television.

Please find attached a copy of TV Licensing’s No Licence Needed Policy. I note that this policy, and others, is available from TV Licensing’s website at www.tvlicensing.co.uk/about/foi-policies-AB17/.

Why information has been withheld

I am required under section 2(2) of the Act to assess whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
The following factors are in favour of disclosure:

1. Ensuring that the licensing authority is exercising its functions appropriately and proportionately

2. Ensuring that public funds are being appropriately applied, that is:
   a. ensuring that the TV Licensing system is being efficiently run; and
   b. ensuring that value for money is being obtained.

I consider that the above public interest factors in favour of disclosure are served by the following:

1. The BBC is required to satisfy the National Audit Office (‘NAO’) as to the value for money of the collection and enforcement arrangements and is accountable for the economy, efficiency and effectiveness of such arrangements. NAO’s most recent audit is published on the NAO website at www.nao.org.uk.

2. The BBC has reduced the cost of collection from 6.2% of the total licence fee collected in 1991/2, when it took over this responsibility from the Home Office, to 3.5% for the financial year 09/10. This demonstrates that the TV Licensing system is being efficiently run. This and further related information is available in the BBC’s annual report (see www.bbc.co.uk) and the TV Licensing Annual Review (www.tvlicensing.co.uk/about/our-performance-AB6/).

In addition, the following factors are in favour of withholding the information:

1. The BBC has a duty to enforce the television licensing system and it is essential that effective deterrents against evasion are maintained for this purpose.

2. Without an effective deterrent to licence fee evasion, evasion would invariably increase. This would be to the detriment of the honest majority of people who are properly licensed and to the overall amount of revenue available to the BBC.

3. An increase in the rate of licence fee evasion would lead to an increase in detection costs.

4. An increase in the costs of detecting licence fee evasion would lead to a decrease in the available funds to be put towards producing the BBC’s content.

In this instance, the public interest is served by maintaining an effective deterrent to licence fee evasion and thus in turn protecting the BBC’s revenue stream to produce its output.

There is hence a greater public interest in ensuring the effective collection of the licence fee than in disclosing the information you have sought. I am therefore satisfied, in terms of section 2 of the Act, that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest (outlined above) in disclosing the information.
**Appeal rights**

This enquiry has been dealt with under the terms of the Freedom of Information Act, as indicated above. If you are not satisfied that we have complied with the Act in responding to your request, you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above explaining what you would like us to review and including the reference number given at the start of this letter. If you are not satisfied with the internal review, you may appeal to the Information Commissioner, whose contact details are as follows: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF; telephone: 01625 545700; [www.ico.gov.uk](http://www.ico.gov.uk).

Yours sincerely,

Dan McGregor  
**Senior Policy Adviser, TV Licensing Management Team**
Index

1. Purpose ................................................................................................................. 3
2. Scope .................................................................................................................... 3
3. Definitions ........................................................................................................... 3
4. General Principles ............................................................................................... 4
5. Processing declarations ....................................................................................... 4
6. Visiting addresses ............................................................................................... 5
7. Guards ................................................................................................................. 5
8. Changes in No Licence Needed Claims Status (including transfer of No Licence Needed Claim to a new address) ................................................................. 6
9. Detection and Search Warrant Procedures ....................................................... 7
1. **Purpose**

1.1 To state the BBC’s policy with respect to those places, occupied as residential accommodation and non-residential premises, whose occupier has declared that there is no television receiving equipment being used at the address to receive live broadcasts (known as making a No Licence Needed claim).

1.2 Note that ‘television receiving equipment’ refers to any apparatus used for receiving (by any means) any television programme service as defined in the Communications (Television Licensing) Regulations 2004.

1.3 Note also that “received” means receiving a TV programme as it is being broadcast on TV. It does not include receiving programmes by means of a DVD or the on-demand elements of services such as i-Player.

2. **Scope**

2.1 This policy sets out the procedure for:

- processing and maintaining No Licence Needed claims
- contacting addresses which have made a No Licence Needed claim and
- visiting addresses which have made a No Licence Needed claim

2.2 This policy applies to premises being used for the purposes of both residential accommodation and non-residential arrangements.

3. **Definitions**

3.1 **NLC** – a residential address is categorised as No Licence Needed Claim (NLC) when TV Licensing receives an oral or written (including email) declaration that television receiving equipment at the address is not being used to receive television programme services.

3.2 **NLCC** – a residential address is categorised as No Licence Needed Claim Confirmed (NLCC) following a visit where the visiting officer has verified that television receiving equipment at the address is not used to receive television programme services.

3.3 **NLSG** – a residential address is categorised as No Licence Needed Claim Short Guard (NLSG) when TV Licensing receives a No Licence Needed claim and is informed that the individual or occupier intends not to use television receiving equipment at the address for a period of time less than one year¹.

3.4 **BNLC** – a non-residential address is categorised as Business No Licence Needed Claim (BNLC) when TV Licensing receives an oral or written (including email) declaration that television receiving equipment at the address is not being used to receive television programme services.

¹ Note that this circumstance only applies to residential addresses and not to non-residential addresses. In practice, it is most likely to apply to student accommodation.
3.5 **BNLCC** – a non-residential address is categorised as Business No Licence Needed Claim Confirmed (BNLCC) following a visit where the visiting officer has verified that television receiving equipment at the address is not used to receive television programme services.

3.6 **NLE** – an address (residential or non-residential) is categorised as No Licence Needed Expired when a No Licence Needed Claim (or No Licence Needed Claim Confirmed) has expired. This is an internal classification designed only to provide a full history of the address for the TV Licensing Field Operations team.

3.7 **Place** – refers to a licensable place, as defined by the BBC’s Licensable Places Policy.

3.8 **Occupier** – incorporates both domestic residents and non-residential premises representatives (e.g. the manager of a business).

### 4 General Principles

4.1 Addresses which claim No Licence Needed shall be dealt with in accordance with the principles set out in this policy. The BBC has an obligation under the Communications Act 2003 to enforce the TV Licensing system. Consequently, the rationale behind TV Licensing’s monitoring of residential No Licence Needed Claims is based on the fact that figures from the Broadcasters’ Audience Research Board (BARB) estimate that the percentage of households in the UK without a television is under 3%\(^2\).

4.2 In line with the obligations outlined above, TV Licensing reserves the right to visit addresses which have claimed No Licence Needed. This is because, although the majority of No Licence Needed claims received by TV Licensing are genuine, latest figures show that a quarter of such addresses are found to need a licence when TV Licensing makes contact with them.

4.3 This policy will be reviewed regularly and may be adapted on receipt of suitable evidence for change.

### 5. Processing declarations

5.1 TV Licensing’s policy process for dealing with No Licence Needed claims is outlined at Appendix I\(^3\).

5.2 After an individual has made a No Licence Needed claim to TV Licensing, written acknowledgement and an explanation of the NLC process will be sent to the individual. The address will be given NLC status, mailings to the address will cease for a specified period of time and the premises will become available for visiting in order to confirm that television receiving equipment at the address is not being used to receive television programme services.

---

\(^2\) More information on BARB can be found on their website at [http://www.barb.co.uk/](http://www.barb.co.uk/)

\(^3\) The BBC considers the information in the policy appendices to be confidential.
6. **Visiting addresses**

6.1 TV Licensing will visit a sample of NLC addresses to confirm that there is no television in use at that address or that television receiving equipment at the address is not used to receive television programme services. A methodology will be used to determine which addresses will make up the sample for visiting. This methodology is outlined in Appendix II\(^4\).

6.2 However, in some circumstances NLC addresses will be specifically excluded from the sample for visiting, in the interests of fairness. These circumstances are set out in Appendix III\(^5\). In these circumstances, any confirmation on expiry of the NLC guard that the relevant circumstances remain unchanged will result simply in the maintenance of its NLC guard and the address will remain within the exceptions from visiting.

6.3 A No Licence Needed visit may have a variety of outcomes. A list of these outcomes is set out in Appendix IV\(^6\).

7. **Guards**

7.1 The relevant **residential** guard lengths are as follows:

- NLC Two years from end of calendar month in which claim received
- NLCC Two years from end of calendar month in which visit took place
- NLSG Any length up to one year from end of calendar month in which claim received\(^7\)

7.2 When a NLCC guard expires, confirmation that the circumstances remain unchanged will lead to the address returning to NLC status and becoming available for a further visit. When any guard expires, TV Licensing will maintain a “No Licence Needed Expired” category on its database in order to provide a full history for the TV Licensing Field Operations team.

7.3 It is the BBC’s view that two years is a reasonable length of time for residential guards, given that residential circumstances frequently change. For example, occupiers may move house or decide to watch live TV programmes on a computer. As noted above, latest figures show that a quarter of such addresses are found to need a licence when TV Licensing makes contact with them, hence it is important to ensure TV Licensing’s data is accurate in order to assist in the efficient use of the licence fee.

7.4 The relevant **non-residential** guard lengths are as follows:

---

\(^4\) The BBC considers the information in the policy appendices to be confidential.

\(^5\) The BBC considers the information in the policy appendices to be confidential.

\(^6\) The BBC considers the information in the policy appendices to be confidential.

\(^7\) Please note that TV Licensing’s systems process data according to 12 end-of-month dates, rather than on a 365-day-per-year basis. For this reason, all NLC/NLCC guards will be set and re-set from the end of the nearest relevant calendar month.
• BNLC Three years from end of calendar month in which claim received.
• BNLCC Three years from end of calendar month in which visit took place.

7.5 It is the BBC’s view that non-residential addresses should have longer guards because they are likely to change their status regarding receiving television programmes less often than residential addresses. TV Licensing is also more likely to receive regular external data for non-residential addresses which informs them of a change of status\(^8\). Hence where this has not occurred, an assumption can more easily be made that there has been no change of status regarding receiving television programmes.

7.6 The relevant short guard lengths are as follows:

- Student addresses Nine months
- Non-student addresses Dependent on information volunteered by Occupant, up to one year.

7.7 It is anticipated that the majority of short guards shall relate to student addresses. They shall only be applied to non-student addresses where the occupant has informed TV Licensing that they intend to occupy the property for less than one year.

8. Changes in No Licence Needed Claims Status (including transfer of No Licence Needed Claim to a new address)

8.1 The status of a NSC address may change in the following circumstances:

<table>
<thead>
<tr>
<th>Trigger</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visit</td>
<td>See Appendix IV(^9)</td>
</tr>
<tr>
<td>Purchase of TV Licence</td>
<td>Address loses NLC/NLCC status and returns to standard mailing cycles</td>
</tr>
<tr>
<td>Notification received of new occupant at address which has previously been given NLC/NLCC status (^9)</td>
<td>Address loses NLC/NLCC status and returns to standard mailing cycles (or to start of NLC cycle if new occupant claims NLC).</td>
</tr>
<tr>
<td>Dealer notification received in relation to address which has previously been given NLC/NLCC status.</td>
<td>TV Licensing will write to check whether the status remains the same. NLC/NLCC guard will not be affected as long as TV Licensing receives confirmation the circumstances remain unchanged (although address may be “fast-tracked” for visiting). If no confirmation received, address enters standard process.</td>
</tr>
<tr>
<td>Change of address</td>
<td>Length reset (see 8.3)</td>
</tr>
</tbody>
</table>

\(^8\) For example, when a business changes name and the Postal Address File linked to it changes correspondingly; TV Licensing will be informed of this circumstance.

\(^9\) The BBC considers the information in the policy appendices to be confidential.
8.2 In such cases, TV Licensing will maintain a "No Licence Needed Expired" category on its database in order to provide a full history for the TV Licensing Field Operations team.

8.3 In the event that the occupant(s) of premises notifies TV Licensing that they have moved, an existing No Licence Needed Claim will be transferred to the new address. This is equally true for both residential and business premises. For practical reasons, the guard will be reset, thereby guarding the new address from further mailings for a full period of either two or three years, as applicable (depending upon whether the premises concerned is residential or business).

8.4 In the case of those premises listed as NLCC or BNLCC on the TV Licensing database (i.e. where a visit has confirmed the veracity of the No Licence Needed Claim), that status will be retained at the new address, and the occupant(s) will therefore continue to be protected from the possibility of a further visit as well as from mailings until their status reverts to NLC or BNLC at the end of the guard period (i.e. in two or three years respectively from the move to the new address). 

9. **Detection and Search Warrant Procedures**

9.1 Detection and search warrants will be used as a means of last resort where:

- there is reason to assume that television receiving equipment at the address is being used to receive television programme services AND
- it is believed that access to the premises will never be gained.

9.2 Detection will be carried out in accordance with the BBC Policy on the Authorisation and Operation of Detection Equipment under the Regulation of Investigatory Powers Act 2000. Search warrants will be executed in accordance with the relevant TV Licensing search warrant policy.

---

10 Examples of such notifications will include (but not be limited to): contact with a new occupant, receipt of a "returned post undeliverable" or confirmation from another third party source such as the electoral roll.
TV LICENSING

VISITING PROCEDURES
COMMERCIAL IN CONFIDENCE

Document Number: PS-0004
Author: Visiting Workshop
Version: Various per chapter. Contact the Policy Team for current version information.
Contents

Chapter 1  Contents

Chapter 2  Preparation for Visiting
  Section 1  Overview of Visiting
  Section 2  Preparation for Visiting, Method of Transport and Visiting Hours
  Section 3  Logging of Calls, Security, Return of Equipment, ID Cards, Staff Briefings, European Working Time Directive
  Section 4  Standards of Dress
  Section 5  Race and Religion, Personal Descriptions, Name and Naming Systems
  Section 6  Health and Safety
  Section 7  Field Communication Channels, Guidelines for Dealing with the Media, Photographing / Videoing of an EO during a Visit
  Section 8  Data Protection Act 1998
  Section 9  Visit Process Flow Diagram

Chapter 3  TVL Enquiry Visiting
  Section 1  Overview of Enquiry Visiting, Authority to Conduct Enquiries, Check of Address
  Section 2  Unoccupied, Derelict and Non-existent
  Section 3  Approach to Premises, Right of Entry to Premises, Flats and Multi-Occupied Premises
  Section 4  No Response to Call

Chapter 4  Confirming licensing position at address / Appropriate person to interview
  Section 1  Response To Call / Appropriate Person To Interview
  Section 2  Claim That Licence is Held
  Section 3  No Licence Needed
  Section 4  Special Considerations – [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
  Section 5  Special Considerations - [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act], Husband/Wife, Domestic Staff
  Section 6  Special Considerations – [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] Lodgers, Paying Guests, Tenants, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
  Section 7  Entry / Access to Premises - Access permitted, Access Refused, Licence Fee Tendered during Enquiry, Information Already Reported by Telephone, Withdrawal of Implied Rights of Access

Chapter 5  Human Rights Objection/Exemption Claimed

Chapter 6  Suspected Fraudulent Licence
Chapter 7  Special Considerations
Section 1  Commercial Premises / Hotels, Public Houses and Shops, Guest Houses / Small Hotels
Section 2  Visiting Visually Impaired Persons
Section 3  Concessionary Licences
Section 4  Visiting Second / Holiday Homes
Section 5  Satellite or Subscription Television Only Claimed
Section 6  Video / DVD / Game Use Only Claimed
Section 7  Revoked or Short-Dated Licences
Section 8  Visiting if TVL Payment Card or Direct Debit Application Made
Section 9  Over 75
Section 10  Special Considerations - Lassy System Unavailable

Chapter 8  Taking a Prosecution Statement
Section 1  Taking a Prosecution Statement, Appropriate Person, Licence Fee Tendered During Enquiry
Section 2  Concluding the Interview, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
Section 3  Aide Memoire for Completion of Record of Interview
Section 4  Obtaining sufficient evidence where programmes are watched via a computer

Chapter 9  Selling a TV Licence
Section 1  Overview, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
Section 2  Receipt books
Section 3  Initial Payment Direct Debit
Section 4  Direct Debit Application
Section 5  Payment by Debit and Credit Card, Cheque, Cash, Savings Card or Saving Stamps
Section 6  TV Licensing Payment Card
Section 7  Interest from a second person

Chapter 10  Serving a Summons

Chapter 11  Black & White Licence Held: Colour TV Receiving Equipment being used

Chapter 12  Appropriate Reply Codes
Section 1  [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
Section 2  [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
Section 3  [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

Chapter 13  Completion of Correspondence

Chapter 14  Completion of Record of Interview Reports

Chapter 15  Court Attendance and Protocol

Chapter 16  Requesting and Executing a Search Warrant
   Section 1  Requesting a Search Warrant
   Section 2  Execution of a Search Warrant
   Section 3  Requesting & Execution of a Search Warrant (flowchart)

Chapter 17  Suspicious Incidents and Allegations

Chapter 18  Glossary of Terms
Overview of Visiting

1.0 These documents provide a set of procedural instructions to be followed by all Capita staff who carry out TV Licensing visiting, generically referred to as Visiting Officers (VOs) and specifically referred to as Enforcement Officers (EOs) throughout this set of procedures.

The need to treat each visit confidentially and to make the enquiry without causing offence is paramount.

1.1 Capita recognises the need for people employed within its TV Licensing Field Operations to conduct themselves in a professional manner and to maintain appropriate business standards at all times. Adherence to these standards is an essential requirement for anyone working in Field Operations.

The TV Licensing Field Operations Code of Practice sets out the standards that Capita’s TV Licensing Field Operations people are required to adhere to when dealing with both customers and colleagues. It is based on the principle of “Treating others as you would wish to be treated yourself” and includes:

- Behaviour & Conduct
- Diversity & Equality
- Training & Development
- Security & Confidentiality
- Safety, Health & Environment provisions.

The Code enables us to act fairly, equitably and consistently with customers and colleagues.

As a part of Capita’s responsibilities to ensure that TV Licensing employees are following the highest possible standards, work will periodically be checked. If malpractice is discovered, it will be challenged. This could result in disciplinary action of the individual concerned.

1.2 When making a visit, EOs are expected to:

1. always prove their identity by showing their identity card and on request, provide a telephone number so that this can be confirmed.
2. always state why they are visiting.
3. be polite and courteous at all times. This extends to any notes written about the customer/interviewee.
4. conduct enquiries firmly and fairly and in the least intrusive way possible.
5. never threaten or intimidate and to stop the enquiry if asked to leave.
6. only enter a property when given permission.

1.3 The Enforcement Manager should be contacted if the EO is unsure of any aspect of the procedures and no assumptions should be made. If in doubt, ask.
Preparation for Visiting

2.0 EOs should plan the sequence of visits to minimise travelling time and to make the best use of available transport, but with due regard to personal safety. The prioritisation of visits is subject to the agreement of the Enforcement Manager. This includes resolving those visits where definite personal knowledge of the address concerned can resolve the visit without attending the address. When preparing the sequence of visits, these must be planned to be made at those times of the day when an answer is most likely to be obtained in the areas being visited. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

2.1 When planning visits for the day full use should be made of any maps available. All employees must be aware of copyright relating to maps and that photocopies must not be taken without permission from the publisher.

2.2 The EO should ensure that adequate supplies of stationery are available. If stock on hand is low, this should be re-ordered within current timescales.

2.3 It is the EO’s responsibility to ensure that all cancellations are actioned including asking for and actioning those cancellations received during days off.

2.4 Items to be taken when visiting:
- ID card
- Records of Interview
- Handheld or paper visits
- Mobile phone
- Receipt book
- Black pens
- Leaflets
- Folder/Clipboard
- H550 - SW application forms
- Watch
- Calling cards
- Phone and HH charger
- Torch
- TVL payment cards
- Additional notes forms

Method Of Transport

2.5 Officially supplied vehicles, pool cars, private cars and public transport should be used as directed by the Enforcement Manager. Private cars must be fully insured for business use, roadworthy and registered with their Enforcement Manager for insurance purposes.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] arrangements must be made to keep mileage incurred to a minimum. This includes choosing a meeting place convenient to the area to be visited. Any event, which causes mileage incurred to be greater than reasonably expected, should be notified to the Enforcement Manager.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.6 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.7 EOs should make all reasonable efforts to resolve an enquiry on the first visit.
Logging Of Calls (Previous day’s work)
3.0 Details of each call must have been recorded on the Handheld (HH) or on the paper visit request form concerned. (See Chapter 12 for the appropriate reply codes). The EO’s Visiting Party Number (VPN), date and time of the visit must also be accurately recorded. An EO must never use another EO’s VPN. (Each EO must ensure that the correct VPN has been noted on each completed paper visit before it is returned).

Failure to do so will lead to visit results, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] being wrongly credited to individual officers.

3.1 If using paper visits, the total number of visits made must also be recorded on a weekly log sheet.

3.2 All completed paperwork is to be returned to the TVL Field Business Centre at the start of the next day. On the last working day of the week, that day’s work is to be posted to the TVL Field Business Centre at the end of the duty.

Security
3.3 Apart from their own personal security, EOs are also responsible for the security of documents and valuables under their control at all times. When out visiting, these must not be left in view in a vehicle, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

It is essential that EOs log off their HH at the end of each working day. If the EO fails to do so the HH is not fully secure and this can represent a security risk.

Once the EO has signed for their equipment (e.g. mobile phone, HH device) and any supporting items, they will be expected to look after this company property in a professional and sensible manner. The acknowledgement form states that the EO is responsible for all company property and any negligent action resulting from loss or misuse could result in disciplinary action being taken, and/or the total cost being deducted from the employee’s salary.

Only phones issued by Capita may be used for business use. Sim cards are not to be transferred to personal phones.

If an EO needs to carry a personal mobile phone this must be out of sight at all times and under no circumstances should it be used in the presence of a customer.

When visiting a Capita site all mobile phones with a camera facility must be declared at reception and the Local Site Security Officer may ask for them to be handed over. They will be securely deposited and a receipt will be given.

Return of equipment.
3.4 It is the responsibility of the person who has been allocated any equipment to return the items, including any TVL payment cards, stationary, etc... personally to their Enforcement Manager on their last day of service or on a specified date previously agreed. In exceptional circumstances if an individual is unable to meet up with their manager then the equipment can be returned by Special Delivery.
EOs should note that the total cost of any unreturned equipment will be deducted, in full, from their salary. Where it is not possible to return the equipment on the last day of service, the EO’s manager must be informed and an explanation given to when and how the equipment will be returned.

Identity Cards
3.5 The ID Card is a security item. The loss (or theft) of an ID Card must be reported to a manager immediately.

Temporary ID cards are issued to new recruits or persons observing EOs at work. These are not to be used as temporary replacement of a lost ID card.

Security Check Process
3.6 In order to confirm EO identity when telephoning the helpline, staff will confirm certain information before giving information.

- The VPN.
- Confirmation of manager’s name.

The helpline number is for EO use only, and must not be given to members of the public. Please note

- The TVL Field Business Centre should not be used for general visit enquiries.
- The TVL Field Business Centre should only be contacted if specific information is required on active or previous prosecution cases.

Staff Briefings
3.7 Operational procedures are subject to revision. In the event of such revision, an update will be issued. It is the responsibility of each EO to ensure that instructions are read, understood and actioned.

3.8 From time to time staff briefings will be issued. In order to ensure that all relevant briefings are received, staff are responsible for completing a data verification questionnaire. Should personal circumstances change, (e.g. house move) it is the responsibility of the EO to inform their manager of the change.

European Working Time Directive
3.9 In order to ensure compliance with the European Working Time Directive (EWTD), some key points are outlined below:

- Actual hours of attendance must be accurately recorded.
- A break of at least twenty minutes must be taken in every six hours of attendance.
- There must be a gap of at least eleven hours between duty end time on one day and the commencement of duty the following day.
- Anyone wishing to work for more than 48 hours in any week must complete an opt-out form. The individual, as well as the company, is responsible for ensuring that an opt-out form has been completed.

The individual, as well as the company is responsible, for ensuring that all health & safety and legal requirements are met.

It is recommended that on the grounds of Health and Safety no more than 10 hours are worked in any one day. When working more than 8 hours in order to maintain concentration and alertness breaks should be taken more frequently.
Tea breaks must not be taken at end of duty, they should be used to provide rest during the working hours.
Standard Of Dress

4.0 All Capita employees are expected to conform to business standards of dress and tidiness. Clothes should be comfortable and suitable for seasonal conditions.

4.1 Capita expects employees to recognise that they need to dress in a way that is appropriate for the work they do and to be aware that their appearance has a significant impact on customers’ impression of the business and its clients. A smart appearance is expected of all employees, normally a collar and tie for men and the equivalent for women. This is also the standard required whenever visiting a Capita site.

4.2 There should be no actual or potential health or safety risk to the individual or to others due to clothes, jewellery or personal accessories worn or carried.

4.3 **EO Visiting**
EOs must always look clean and smart and must dress appropriately for the area they are visiting - ties are not always appropriate for particular areas. EOs should give due consideration to varying their appearance within the scope of these guidelines, especially if this will result in an increased customer contact rate.

4.4 **Court Attendance**
Business dress, a smart suit / shirt / tie (not novelty items), is required for men. Women are required to wear the equivalent.

4.5 **Unacceptable Clothing**
The following items of clothing are not acceptable and must not be worn.
- Training Shoes or Flip-Flops
- Denim clothing, Jeans / Jackets / Skirts / Dresses
- Garments with large or obtrusive advertising logos, slogans, cartoons, or “Loud patterns”.
- Baseball Caps.
- Sportswear / tracksuits / shellsuits or Crop Tops.
- Facial jewelry (except ear-rings).
- Novelty clothing.
Common sense should prevail for items not listed.

4.6 **Ethnic Dress**
Alternative forms or items of dress meeting the requirements of an individual’s religious or ethnic customs are acceptable provided they meet the Capita requirements outlined above.
Race and Religion

5.0 The Race Relations Act 1976 makes it unlawful to discriminate against a person on the grounds of race, colour, nationality, ethnic or national origins. Discrimination is described as when one person is treated less favourably than another because of their race, colour, ethnic or national origin, gender or disability.

We all like to be described accurately and treated appropriately, however, by using - even inadvertently - inappropriate words or actions we can cause offence. The meaning of some words has changed over time, and some words that used to be acceptable in the past are no longer acceptable. If there is any doubt as to how a person should be addressed, they should be asked. EOs should also ask how unfamiliar names should be pronounced/spelt.

Personal Descriptions

5.1 For TV Licensing cases, it is not normally necessary to consider describing a person. There are however instances where a description of the person seen will be required. Great care must be taken in recording names and when noting a persons description. Any description made after an interview should either be noted on the additional notes form and must not be noted on the Record of Interview, a description of the occupant is required when a search warrant application is submitted.

Note: In Scotland a description is required for every case and is noted on the Record of Interview.

When it is necessary to record the ethnic background of a person, the Magistrates Courts have adopted the nine point Office of Population and Census Statistics (OPCS) self classification ethnic monitoring system.

The nine points based on OPCS are: White; Black Caribbean; Black African; Black other; Indian; Pakistani; Bangladeshi; Chinese; other.

These nine categories may be condensed to the following: White; Black; Asian; Other; Not Known / Not Recorded.
In addition, if a country of origin is provided, then this should be noted.

Names and Naming Systems

5.2 The EO is not expected to know the names and naming systems, but is expected to treat people with courtesy and to address them properly.

The EO needs to establish the full name of the customer. They should clarify the correct spelling / pronunciation of the customer’s name when required.

Name details should be written clearly, ideally in block capitals. Once written down, this should be shown to the interviewee to confirm it has been written correctly.
Health and Safety

6.0 Please note that in addition to these instructions, the Health and Safety Handbook and the Lone Worker Support System (LWSS) instructions also contain valuable information concerning safety.

6.1 When undertaking TV Licensing enforcement visiting, due regard must be given to personal safety at all times. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. These should be referred to before commencing visiting.

In order to give EOs additional, supplementary information, any dangerous addresses for postcode sectors selected will be printed on the header page of printed visits. This information will relate to address, names, date and details of the incident.

Where a HH device is being used the risk register will be the first screen viewed when an EO opens a visit.

The risk register [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] is indicated on the header page for each postcode sector, which EOs receive with paper visit allocations and on the cluster for each postcode sector for HH allocations.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] (See para 6.3.)

6.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

6.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

6.4 Each EO is responsible for notifying the Enforcement Manager as soon as possible after any incident takes place.

6.5 This risk register is regularly reviewed and updated and also when any new incident is reported.
6.6 Any new incident must be reviewed at each EO/EM one-to-one to ensure that risk levels are appropriately recorded.

6.7 If an EO is assaulted, this must be reported to the Police and Enforcement Manager immediately.

6.8 For the LWSS to work efficiently, it is essential to sign on correctly, and to sign off at the end of each period of visiting / working day. Even when an EO is acting as a second officer or witness, sign on and off must take place.

Failure to log off correctly creates a warning that will be escalated to Field managers and ultimately to the Police.

Contingency measures for emergency situations

6.9 If an EO is working in an area that is affected by an exceptional emergency situation (i.e. terrorist attack) there is likely to be little or no notice of the situation. Any EO working in the vicinity of an affected area should leave immediately and where possible continue visiting elsewhere.

6.10 If an EO does not have access to alternative visits, the preferred option is to take advantage of the flexible working arrangements and cease work for the day.

6.11 If an EO insists on working they must contact their Enforcement Manager and arrange alternative visits in another area. If the mobile network is affected by the incident, a landline should be used. If such visits are not available contingency arrangements may be implemented.

Northern Ireland Only

6.12 Before commencing visiting the EO should call the Police telephone number provided to check if any incidents have occurred in the areas planned for visiting that day and to make the Police aware that they are visiting in the area.

Mobile Phones when driving

6.13 Capita policy recommends that mobile phones are switched off whilst driving and the voicemail facility be used. No manager shall require an employee to make or receive a call whilst driving. Employees are advised to stop frequently to combat fatigue and to take this opportunity to collect and make any necessary calls.

All vehicles should always be safely parked with the engine switched off when using a mobile phone, either with or without a handsfree device. An employee does not contravene this policy if they are calling the emergency services in response to a genuine emergency and it is unsafe/impracticable for them to cease driving to make the call.

Avoiding slips, trips and falls

6.14 EOs must at all times be aware of the potential risk from wet, uneven and unfinished surfaces. In order to reduce the likelihood of personal injury resulting
from slips, trips and falls EOs must always assess the safest route to take whilst visiting.
As with all items of clothing EOs must ensure that footwear is appropriate for the weather conditions and the area being visited.
Field Communication Channel

7.0 For Field Staff without access to email, the TVL Communications team have set up a dedicated telephone number for staff to ring. This enables ideas, suggestions, questions and comment to be fed to the communications team. Most business matters should be discussed with the manager in the first instance.

Guidelines for dealing with the media

7.1 1) If a journalist or camera crew approaches an EO, they must
   - Remain calm.
   - Explain that they do not wish to be filmed and ask politely if they will stop. Explain that they are not authorised to take part in filming or interviews.
   - Ask the journalist to contact the TV Licensing press office.
   - Tell the Enforcement Manager.
   
   If the journalist then proceeds to ask for information, this should not be given. Details of the journalist should be taken, and the journalist advised that someone will get in touch. These details should be passed to the TV Licensing press office with the following:
   - The journalist’s name
   - The journalist’s telephone number(s)
   - The name of the newspaper, journal, radio station or television station the journalist works for
   - The information the journalist wants (i.e. the questions being asked)
   - The journalist’s deadline (if possible).

   Inform the Enforcement Manager about the action taken, in full.

2) If, when carrying out a visit, the person being questioned at the unlicensed address identifies themselves as a journalist
   - Carry on the visit as normal.
   - If the journalist begins to ask questions that are not part of the normal routine – e.g. about TV Licensing policy or activity – these must not be answered.
   - An explanation must be given that you are not authorised to speak to the media and that you can put them in touch with the TV Licensing press office.
   - Ask the journalist to contact the TV Licensing press office.
   - Tell the Enforcement Manager.

   If the journalist proceeds to ask for information directly all details should be noted, and passed by telephone to the TV Licensing press office with the details listed in point 1.

3) Occasionally, the media become aware of serious incidents involving Visiting Officers, such as assaults on an EO (although these are extremely rare). If a journalist contacts you directly concerning an incident, the procedure outlined above should be followed. Similarly, court appearances by EOs may be of interest to the media. Again, the procedure above should be followed.
The EO must not, under any circumstances, agree to take part in an interview, photograph* or any other media activity, unless this has been authorised by the TV Licensing press office. (*It is accepted that in some circumstances journalists will take photographs without permission.)

The TV Licensing 24 hour press office number is 020 7544 3144.

If an EO is unsure about how to deal with a journalist, guidance should be sought from the Enforcement Manager immediately.

Photographing / Videoing of an EO during a Visit

7.2 There is no law prohibiting an individual from taking either photographs or video footage of an EO conducting a visit on private property.

Accordingly, the EO should not, under any circumstances, confront or try to prevent an occupant who wishes to do so.

If an EO finds themselves in a situation where they are being photographed or videoed they must remain calm and continue to conduct themselves in a professional manner and ensure that they walk away from the visit as soon as they become aware that they are being filmed or photographed.

All instances of filming/photography must be notified to a manager as soon as possible, and a full report provided.
Data Protection Act 1998

8.0 The 1998 Data Protection Act (DPA) was introduced to control the way information is handled and to give legal rights to people who have information stored about them.

8.1 Information or data stored on a computer or an organised paper filing system about identifiable living individuals will fall within the definition of personal data and the processing of that data is controlled by the Act.

Processing is very widely defined and includes collection, storage, use and destruction.

8.2 Any organisation or person who processes personal information will be a data controller and must register with the Information Commissioner. The register entry will give details of how that data controller processes personal data.

8.3 Personal data is data that relates to a living individual who can be identified from the data or that data in combination with other information held.

For example an individual’s name, address, description or banking details can all be personal data, as can data that relates to their status such as married or unemployed.

If data is anonymised so that a living individual cannot be identified from it then it will not be personal data for the purpose of the Act.

Personal data will be defined as 'Sensitive' personal data if it includes one or more details of a data subject's:

- Racial or ethnic origin
- Political opinions
- Religion
- Membership of a trade union
- Health
- Sexual life
- Criminal activity

There are more safeguards regarding sensitive data than ordinary personal data.

8.4 There are eight principles that data controllers are obliged to comply with whenever personal data is processed:

1. It must be processed fairly and lawfully. This requires the data subject to be made aware who the data controller is, what will be done with the data and to whom it may be disclosed.

2. It must only be processed for the reasons given to the Information Commissioner or the data subject directly and cannot be disclosed without authority. For example, you cannot give it away or sell it unless you said you would to begin with.

3. The information held must be adequate (enough), relevant and not excessive (too much) when compared with the purpose given. You must
have enough detail but not too much for the job that you are doing with the data.

4. It must be accurate and be kept up to date. There is a duty to keep it up to date, for example to change an address when people move.

5. It must only be processed in accordance with the data subject’s rights (see 8.5 below).

6. It must not be kept longer than is necessary. Personal data cannot be kept indefinitely.

7. The information must be kept safe and secure. Appropriate technical and organisational measures must be taken. This includes transporting data securely, which may require encryption, keeping the information backed up and away from any unauthorised access.

8. The files may not be transferred outside of the European Economic Area (that's the EU plus some small European countries) unless the country that the data is being sent to has a suitable data protection law or defined arrangements are in place.

8.5 Rights of the Data Subject:

• A Right of Subject Access - A data subject has a right to be supplied by a data controller with the personal data held about him or her.

• A Right of Correction - A data subject may force a data controller to correct any mistakes in the data held about them.

• A Right to Prevent Distress - A data subject may prevent the use of information if it would be likely to cause them distress.

• A Right to Prevent Direct Marketing - A data subject may stop their data being used in attempts to sell them things (e.g. by junk mail or cold telephone calls.)

• A Right to Prevent Automatic Decisions - A data subject may specify that they do not want "automated" decisions made about them where, through points scoring, a computer decides on, for example, a loan application.

• A Right of Complaint to the Information Commissioner - A data subject can ask for the use of their personal data to be reviewed by the Information Commissioner who can enforce a ruling using the Act. The Commissioner may inspect a controller's computers to help in the investigation.

• A Right to Compensation - The data subject is entitled to compensation for damage caused if personal data about them is inaccurate, lost, or disclosed.

8.6 The Act provides a number of exemptions that allow a data controller to act outside of the principles or deny a data subject his rights. There are complete exemptions such as national security and data held for domestic purposes and there are partial exemptions, for example data processed for the purpose of the prevention or detection of crime is exempt from the first data protection principle and the subject access provisions if complying with those provisions would be likely to prejudice that purpose.

Application to EOs

8.7 EOs should establish the licensable status of a premise, interview any suspected evader [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]. Whenever a living individual can be identified from the information that is in our possession, or from information an EO collects as part
of the investigation, then this will be personal data and the processing of that data must be in compliance with the Data Protection Act. The data subject must be advised who is collecting the data and the purpose of the collection. Therefore **EOs must identify themselves and the purpose of their visit** to the appropriate person.

Personal data collected must be **accurate, relevant and not excessive**.

- The Record of Interview is designed to ensure data collected complies with the DPA but EOs must take these principles into account when additional notes and comments are made.

- All personal data could potentially be disclosed to the data subject due to the right of subject access and the disclosure requirements of the criminal law. All comments should therefore be **accurate, fair and polite**.

8.8 **EOs must not disclose the business of a data subject to unauthorised third parties such as neighbours. A legitimate occupant may have a legitimate interest in knowing why an EO has visited their house so confirmation of this to an occupant would not breach the DPA.**

EOs should not however go into detail with anyone but an appropriate adult.

An occupant who claims to be the baby sitter may be questioned in order to validate this claim, as it is relevant to the investigation. This information should be captured if it is relevant to the immediate investigation or will assist future enquires but the information recorded must only be that which is needed.

8.9 **Neighbours and other third parties must not be approached to provide information about the occupiers or status of a property.**

8.10 If however a neighbour or Police Officer approaches the EO and volunteers information that is relevant to the immediate investigation or will assist future enquires, then that information must be captured, but the EO must ensure as far as possible that it is accurate, relevant to our enquiries and not excessive (i.e. not more than is necessary). Personal data must not be disclosed to the third party and this includes, ordinarily, the purpose of the visit.

If the EO is asked who they are, what they want with the occupier or whether they would like to leave a message, they are to explain that they have private business with the occupier and will leave a calling card for them. The EO should not identify themselves or the purpose of their visit. If an explanation becomes necessary, for example if the police are called, then the explanation is that the officer is from TV Licensing and that we are updating our records. The words 'investigation' and/or 'enquiry' should be avoided as this may infer that the occupier has committed an offence, which may not be the case.

8.11 If a property appears to be unoccupied and a third party such as a neighbour makes contact with the EO, then the EO may attempt to confirm that status.

**The EO may only ask if the property is occupied or not if they have**
reasonable grounds to suspect the property may be unoccupied. Any information obtained must be recorded; e.g. that the occupier moved out several weeks ago, or that the property is for sale or has been sold.

If advised that a property is occupied, no further questions should be asked of the third party but information obtained about an occupier must be recorded if it is relevant and not excessive, and appropriately actioned by following up the visit. Again no personal data should be disclosed to the third party.

8.12 In addition to information that may be captured on a Record of Interview, if one is completed, other relevant information that could be noted on an additional notes form or as closed visit comments during the course of enquiries / visiting may include:

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

This list is not exhaustive. This information is relevant to our enquiries. It may help to establish the identity of the occupant, the times of day when the occupant may be home or the fact that the occupier is about to or has vacated the premises.

8.13 Other information that may be given to an EO but which would not be relevant may include:

- The occupier is going through a divorce or has just been made redundant
- The vehicle parked outside the house on the public highway
- The bank account details of a customer who has a counterfoil licence
- The names of the three children who live at the house.

As this information is of no use to the investigation it is excessive for our purpose, and is contrary to the third DPA principle.

8.14 EOs must take particular care when the personal data held relates to previous or potential criminal proceedings, disability or ethnicity as the data will then be sensitive personal data.

8.15 All personal data must be stored and conveyed securely at all times.
Visit Process

Page 1

- VO Prepares equipment & stationery for working day
- Sort, route & plan visits
- Travel to first address to be visited
- Check address, visit type and other information

- Pre-work check (including check of risk register)
- Log onto Lone-Worker Support System prior to First Visit. Remember to periodically extend job. (Remember to log off at end of day)

- Check on HH or call VO helpline if necessary

- Can the visit be resolved without attending the property? 
  - Yes 
    - (e.g. Mismatch)
  - No 
    - Go to call
    - Check of address (at the door)
    - Observe property

- Can the visit be resolved immediately? 
  - Yes 
    - (e.g. Premises Demolished)
  - No 
    - Is there access to the property? 
      - Yes 
        - Knock on door / ring bell
      - No 
        - (e.g. Locked security door with no bell)

- Is the door answered? 
  - Yes 
    - Page 2
  - No 
    - REDACTED - SSI

Note: Visit with appropriate reply code, VPN, date, time & any comments; proceed to next visit & re-commence process from (A) above until all visits completed for day
1.0 The role of an EO is to seek information to update Capita records and where appropriate, evidence of TV Licence evasion. This is to enable the next course of action to be decided upon. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. As this information may be given in evidence, it must be obtained within the rules set down by the appropriate Criminal Justice System and within TV Licensing policy.

1.1 Deliberate falsification of visit results, times of visits or other information obtained is considered a serious offence and could result in disciplinary action.

Falsification of evidence is a criminal offence, which may also result in prosecution.

1.2 The need to treat each visit confidentially and to make the enquiry without causing offence is paramount.

1.3 All visits must be made before the last visit date. Reply details must be accurately captured and results reported back as per these instructions. Failure to do so can result in sales being lost and/or not being properly credited.

1. Do not visit addresses unless a visit request has been produced.
2. Do not visit after the “Last Visit Date” (paper visits only. HH will remove the visit automatically on upon expiry).
3. Proper packaging of returned visit work greatly assists the speed with which it can be processed, and safeguards sensitive material / information contained.
4. Records of Interview, resolved and unresolved visits must be properly segregated.
5. All unused documents (e.g. visit requests, out of date forms, etc…) must be securely disposed of and treated as confidential waste.
6. Any confidential waste returned to the TVL Field Business Centre for disposal must be enveloped separately and clearly marked “Confidential Waste.”

(See Chapters 13 and 14).

1.4 If an EO is about to go on leave or there will be a period of time when an EO will not be visiting and has visits downloaded onto their handheld that are due to go ‘out of time’ prior to their return to visiting, they must make arrangements with their manager to have these visits removed from their handheld. The manager will be able to cancel or reallocate these visits using the handheld website facility. For a manager to do this, the EO will need to be logged onto the handheld and connected to the network to ensure that the manager’s actions are synchronised to the handheld and that all visits targeted are correctly removed.

Doing this ensures the volume of visits available to allocate to others is maximised [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

EOs using paper visits that are due to expire whilst they are away must agree the action to be taken with their manager and arrange for the visits to be passed to another officer or returned to the Field Business Centre as directed.
**Authority To Conduct Enquiries**

1.5 If an EO is asked what authority they have to ask questions, they should say they have a duty to investigate possible criminal offences under the Communications Act 2003. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

1.6 **EOs must carry their ID Card with them whenever they are carrying out TV Licensing enquiries and must produce it when required.**

1.7 Should a customer make a telephone check of an EO’s identity, the EO will be asked for their Visit Party Number (VPN) and manager’s name.

1.8 Some universities and colleges will require a letter of authority when visited. **Before** carrying out visits to a university or college, confirmation must be obtained from the manager to establish if a letter is required, and for a copy to be provided.

When visiting students, whether on or off campus, ensure an adequate supply of student licence application forms is available.

All completed application forms are returned to the TVL Field Business Centre along with associated paperwork.

1.9 If a customer asks what the TV Licence fee is for, they should be informed that it is payment for a legal permission to install or use television receiving equipment to receive or record live television programme services in the UK.

**Check of Address**

1.10 Before making a call the EO must ensure that they are at the correct premises to be visited. If there is a variance in the address (e.g. on the visit request the premises is named only whereas a house number is also exhibited on the premises itself) the visit should be made, identifying and confirming the correct address. If there is no reply, it may be possible to confirm via FieldGUI or by telephone if a licence is on file (under the house name, for example) and to resolve the visit in that way.

The visit should be completed, noting full details of any licence seen. The correct form of address must be clearly indicated on the visit to allow the address file to be updated.

1.11 If an EO is unable to locate or get to the address given on the visit request, they must move on to the next visit. The visit is not to be annotated unless an outcome is obtained [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. If it can be confirmed that the premises no longer exist then reply code “4” should be entered together with the reason and a clear explanation. If the premises still exist but are derelict or are still in the process of being built reply code “3” should be entered together with an appropriate indication of estimated months to occupancy (MTO).

1.12 If during the course of the visit it becomes apparent that the EO is not at the
correct address, the visit should to be terminated immediately and an apology made to the householder.

1.13 If a visit is received for an address where the EO believes that prosecution action may still be in progress from a previous call, the EO should check with the TVL Field Business Centre before making the visit.

1.14 There are occasions where two visits (possibly in different names) may be generated for the same address at the same time, e.g. a non-renewal in the name of Smith with a dealer notification in the name of Jones. The enquiry at the address will resolve who is resident, usually with the visit for the person who is no longer resident being marked as a “2” and with the other visit being completed with an appropriate outcome.

If there are differences in the address shown on the two visits, but they relate to the same premises, see Chapter 3 Section 2 per 2.3(b).
Unoccupied, Derelict and Non-existent

2.0 Unoccupied, demolished or premises under construction should be reported using the appropriate reply code. No further action should be taken. (See Chapter 12 for the list of reply codes).

2.1 Where the premises exist, even if only as foundations, but are unoccupied or are still due to be erected or are currently in the course of construction / renovation [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] is to be used. On all occasions, the estimated length of time in months (1 – 11) until the premises are likely to be occupied again must also be indicated.

2.2 Uninhabitable addresses

A property described as above will match the majority of attributes provided below and is unlikely to be lived in for the foreseeable future [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

- Derelict
- Neglected
- Boarded / Locked up
- Poor state of repair
- Fire damaged
- No signs of development (either on-going or planned)
- No (or badly damaged) roof
- Uninhabitable
- Council notice states long term re-development plan

Correct identifying these is important, as it will support appropriate monitoring and campaign strategies to be applied to them in the future.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.3 If the premises no longer exist as a licensable place [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be used together with the reason why the premises no longer exist and a clear explanation of what actions/amendments are required e.g.:

- The visit is due to a duplication of addresses on LASSY. Clearly indicate in the non-existent reason box which version of the address is correct. If there are two visits that are variants of the same address i.e. due to a duplication on LASSY the incorrect version which needs to be removed should be marked [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. Clearly indicate in the non-existent reason box which version of the address is correct. The visit for the correct address should be completed as normal.
- The premises have been demolished
- The premises have been amalgamated e.g. with another property and are now known as a different address
- The premises have been renamed, so the address may be corrected
- The premises do not exist (e.g. due to an error in computer records)
- The premises are now flats and the address on the visit no longer exists as a licensable place. The address must be checked via FieldGUI or the VO
helpline to ensure the flats / sub-units do not already exist on LASSY. The house number (partial prem) and postcode should be used to search on FieldGUI. If the addresses for the sub-units are not on LASSY, visits may be created for these and added to the HH for the EO to visit.

**Note:** If working offline, and an address or licence check cannot be performed to verify whether the sub-unit addresses are on LASSY no visits are to be conducted to them. As the information still needs to be captured the EO must:
- Code the visit as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] and select the reason of ‘multiple occupancy’
- Create new addresses for each of the sub-units
- The ‘visit address’ checkbox must be de-selected

2.4 New addresses can only be created on the HH as sub-units of an address for which a visit has been produced. If there is anything wrong with the form of address for which the visit was produced, new sub-units **must not** be created.

Instead [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be used clearly indicating the reason why the address is incorrect e.g. non-existent, re-named, etc… together with an explanation of what correction / amendment is required.

2.5 Addresses will only be removed or amended where clear and unambiguous information has been provided. It is essential that sufficient information is provided when using [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. Failure to do so means that further visits and correspondence will continue to be generated for the same address.

2.6 Where a visit is generated inappropriately (e.g. for a large user postcode, such as a PO Box number or business, or where the address on the visit is annotated “DEMO” or “Demolished”, or has been issued for an incomplete address) [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be used with a reason of ‘non-existent’ together with a note stating “Refer to Address Structure”.
Approach To Premises
3.0 This should generally be to the main entrance to the property using established routes of entry. EOs must always have respect for the householder’s property and privacy.

Right Of Entry To Premises
3.1 Any person has the right to knock on the front door of premises but must leave when requested by the occupier. There is no right of entry to a house or to any other part of the premises except with the consent of the occupier or other lawful authority such as a Search Warrant. If the customer requests that the EO leave the premises, they must do so immediately.

Flats and Multi-Occupied Premises.
3.2 Where an EO discovers that premises being visited are multi-occupied, and this is not indicated on the visit, a check must be made to confirm that the flats / sub units are not already on file before any attempt to visit is made. Addresses that are already on file must not be visited unless a visit has been issued.

3.3 Care must be taken to confirm whether or not the original address is still in use for part of the property. If it is, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] must not be used; In these circumstances it will not be possible to create visits on the HH for the sub-units of accommodation. If the sub-units are confirmed as not being on Lassy, then in these circumstances ‘manual’ visits may be performed and reported to the FBC by use of an additional notes form.

3.4 Once it has been confirmed that the sub-unit addresses (e.g. flats, rooms etc…) are not on file and the address for which the visit has been produced is not a licensable place the EO must make enquiries to confirm the correct form of address for each unit of accommodation. This information must be entered to the HH as a new address for each additional unit of accommodation as per Chapter 3 Section 2. If paper visits are being used, then the information must be entered on a Multi-occupied form for return to the TVL Field Business Centre to update the records. The original visit is to be recorded [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] - “Multi-occupied form attached", and each additional visit recorded as appropriate.

3.5 Having been given permission to enter the premises - either by permission of an occupier or by implicit permission by way of an open door allowing access to a communal area – an EO is entitled to carry out their enquiries. The EO should endeavour to conduct all enquiries at those premises, but if asked to leave by an occupier or security guard they should do so. In such circumstances a full report must be made to the Enforcement Manager.

3.6 EOs may make visits to all unlicensed newly identified flats / bedsits within the premises. While making such calls, the EO should be aware that valid licences could be held in a different form of address. The EO should check on the HH to clarify the situation if required. Due to the special nature of these visits the EO should be sympathetic and tactful in the enquiry. If evasion is discovered, then a
prosecution report should be taken.
No Response To Call

4.0 If premises appear occupied but no answer is obtained at the time of the visit, a calling card should normally be left, see 4.2 and 4.4 below. The EO must record the address and postcode, time and date of visit and their VPN in the appropriate boxes on the calling card. **No other marks or comments should be made on the calling card.**

4.1 If a TV set is visible on the premises, this must be annotated in the comments box on the visit. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act], except as set out in 4.4 below. The visit must be annotated with the appropriate reply code. (See Chapter 12 for list of Reply Codes).

4.2 If there is evidence that a TV may be installed but there is no answer, a further call [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be made if at all possible. Any additional comments should be noted, along with the time of the visit. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

4.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

4.4 Where either a NLN / UNS or Anonymous Lead type of visit is made and no contact is made with the customer a calling card should not be left.

4.5 Any comments noted down must be polite, accurate, relevant and not excessive. The requirements of the Data Protection Act must be considered; see Chapter 2 section 8 and in particular section 8.7.
**Response To Call / Appropriate Person To Interview**

1.0 It is essential to establish as early as possible during the interview that the person who answers the door is an appropriate person to interview and that they reside at the address. The nature of the enquiry is a private matter between the EO and the resident of the property being visited.

1.1 Having established that they are speaking to an appropriate person, (i.e. an adult who normally resides at the address,) the EO must produce their identity card, state that they are authorised by TV Licensing and give the reason for the visit. (If licence claimed, see Chapter 4 – Section 2.)

1.2 Private information must never be divulged to an unknown / inappropriate person. If the EO has left the premises without establishing if the person seen was the occupier, the visit should be recorded as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] with a brief description of the person seen.

1.3

1.4

1.5 EOs must record customer names and telephone numbers [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. If an interview under caution has been conducted this information must be recorded on the Record of Interview. These details should be entered into the HH. If contact is made with the VO Helpline the call centre operator will request these details.

1.6 If an appropriate person is not present, the EO must try to obtain the name (and address if this is different from that visited) of the householder, carer, or person responsible for the TV Licence. This must be noted upon the visit as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] (with the date and time of the visit if using paper visits). Additional comments should be made (e.g. the person spoken to at the address is not an appropriate person to interview).

1.7 Where an EO is speaking to an occupier via an intercom but the occupier refuses to allow access, the visit should be noted as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] with supporting additional comments. **An interview under caution must not be conducted via an intercom or**
telephone, an upstairs window or through a letterbox.

The EO should try to establish if access will be allowed if a visit is made at some other time.

Response Gained to Call after Visit has been closed

1.8 If, a response is gained after the visit has been closed on the HH with an [Redacted under section 31 ("law enforcement") of the Freedom of Information Act] points 1.1 to 1.6 must be followed first.

1.9 If the EO has established the person is the appropriate person to interview and an interview under caution has been conducted, the EO must use an additional notes form to record the circumstances of the visit.

1.10 The EO must record:
- The visit had been closed with the reply code used
- That the customer had then opened the door, returned home, etc., whilst the EO was walking away from the visit
- That a licence has been sold to the customer
- What payment scheme was sold e.g. Monthly Direct Debit

1.11 If the EO has established that the person is not the appropriate person to interview and the reply code differs to the one used to close the visit, an additional notes form should be used to record that:
- The visit had been closed with the reply code used
- A person had then opened the door, returned home, etc… whilst the EO was walking away from the visit
- The person was spoken to and the EO established they were not the appropriate person to interview

And also state the correct reply code to be used.
Claim That Licence Is Held

2.0 If a valid TV Licence is shown to the EO, full details of the licence seen must be noted on the visit, with a visit result code of [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] as appropriate. The place of purchase and the payment method used must also be noted.

2.1 If an EO is asked to transfer a licence they must satisfy themselves that the person making the request has the right to transfer the licence. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] A licence, which is not in the customer’s name, must not be transferred without the express consent of the licence holder. Where this information is being passed to a Call Centre Operator the EO will be asked to confirm the licence holder has given permission.

If an EO is in any doubt as to the identity of a customer, the customer should be asked to put their request in writing.

2.2 Should an EO visit premises that are being used as temporary accommodation and be shown a licence for the person’s permanent address, (e.g. whilst building works are being carried out) then the EO should enter on the visit [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] to transfer the licence to the temporary address. The EO must remind the customer of the need to advise TV Licensing when they return to their permanent address. This does not apply to second homes which need to be separately licensed.

2.3 If a valid licence is claimed but not produced, a check must be made to confirm if the licence is on file. If the licence is not immediately located at the address stated, the EO must check the full postcode and search by bank details if possible/appropriate to do so. If this cannot be confirmed via FieldGUI the EO should telephone the VO helpline and ask an agent to check the postcode if required for instance where more than ten licences exist at an address.

2.4 If it is not possible to confirm that a licence is on file an interview under caution must be conducted.

If a licence check is made during the interview the TVL 178 must be noted with ‘licence claimed’ and ‘licence check made’ together with the result of the check.

If the EO has no phone or HH coverage and it has not been possible to conduct the licence check during the interview, the check must be made as soon as phone or HH coverage is restored. It must be noted on an additional notes form or the paper visit request that will accompany the Record of Interview that a licence check was made after the interview together with the result of the check.

The TVL178 Record of Interview must not be submitted to the Field Business Centre without first establishing whether or not there is a valid licence on file at the visit address or any claimed previous address.

2.5 If the existence of a valid licence is confirmed at the time of visit, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be used.
TV Licensing Enforcement Visiting Procedures (Chapter 4 – Section 2) – Confirming licensing position at address / Appropriate person to interview

Commercial In Confidence
Confirmed No Licence Needed

3.0 In line with BBC Policy, all visits that result in a Confirmed No Licence Needed i.e. No television receiving equipment, installed or being used to watch TV programmes as they are being transmitted are to be recorded as [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] must only be used when a customer has allowed an EO access to inspect the premises and the EO is fully satisfied that no television-receiving equipment is installed on the premises or is being used to receive TV programmes as they are being transmitted.

3.1 On all occasions where [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] is used the EO must try to confirm the name and phone number of the person seen.

3.2 If the customer indicates that they may install or use television receiving equipment at the address sometime within the next 12 months, a date of expected use (DOEU) should be entered on the visit, otherwise this is to be left blank.

3.3 If the customer does not indicate a date of expected use (DOEU) they should be informed that we will not communicate with them again for 2 years.

3.4 In every case, the customer should be informed that:
   - The contact will only cease while there is no television receiving equipment being used on the premises to watch TV programmes as they are being transmitted.
   - If television-receiving equipment is used in the future to watch TV programmes as they are being transmitted a licence will be required.
   - This includes a TV set, computer, mobile phone, games console, digital box, DVD/VHS recorder or any other relevant device.
   - If the customer moves address during this time they should inform TV Licensing.
**Special Considerations**

4.0 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act].

4.1 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

4.2 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

4.3 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]
Special Considerations

5.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

5.1 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

5.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

5.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

Husband/Wife

5.4 Both husband and wife (partners) are equal in law. However, if one partner wishes to be interviewed for the alleged offence in preference to the other, it is TV Licensing practice to agree to that wish whenever possible and practical to do so.

Domestic Staff

5.5 Domestic staff living as an integral part of the licensee’s family do not require a separate licence. Domestic staff who live in separate accommodation within the same building as the licensee and which constitutes a separate unit of accommodation or domestic staff living in separate accommodation away from the main building (e.g. keeper’s lodge, gardener’s cottage) require a separate licence. In this case, a prosecution statement should be taken, if a licence for the premises concerned cannot be produced.
Special Considerations

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

6.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

Lodgers, Paying Guests, Tenants etc.

6.1 Separate licences are required for use of television in a room occupied by a lodger or paying guest regardless of whether their accommodation is self contained or not. This includes people who share accommodation and hold separate tenancy/mortgage agreements to reside in part of the property. This includes students.

Any self-contained accommodation within another licensable place or annexed to a licensable place will need to be licensed separately, even if occupied by a relative.

Where there are several separate licensable units within one building, a separate licence will be required for any television receiver used in a communal lounge area. However, if one person takes a licence out for their own room and they take responsibility for the equipment in the communal lounge, their licence will then cover this area as well.

With the exception of the licensed communal room, a prosecution statement should be taken from the unlicensed user in the above examples.

If the interviewee claims to be part of a joint / shared tenancy agreement and unlicensed use is suspected, then evidence of their tenancy agreement must be requested during the interview and noted on the Record of Interview.

If the resident claims that the landlord or some other person is responsible for purchasing the licence, and evidence is produced to support this (this may be within the tenancy agreement or a collateral agreement referring to household bills or furniture) no prosecution statement should be taken. The EO should complete the visit with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] and obtain if possible all relevant details such as the landlord’s name, address and telephone number and details of any evidence produced. The EO should ask the tenant to make a statement confirming that the television is provided by the landlord [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act], with reference to documentary evidence, that the provision of a licence is the responsibility of the landlord. This statement should be in writing and, if possible, signed and dated by the tenant. This should be sent for the attention of the Prosecutions Manager.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

6.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
Interviews of Other Persons Visiting the Address Under Enquiry.

6.3 Where an EO, whilst conducting enquiries, encounters a visitor to the address who was present during the interview and who expresses interest in purchasing a licence, a prosecution statement should **not** be taken from that person. The EO may provide them with a calling card which outlines the ways to pay for a licence.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

6.4 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

6.5 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
Entry To Premises.
7.0 When there is admitted or suspected evasion, or where the interviewee claims that there is no television, the EO should ask permission to enter the premises in order to confirm this.

Premises must never be entered when the only person present is a child/minor.

EOs must have due regard for their own personal safety when entering premises.

Access Permitted
7.1 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. If it is confirmed that no television receiving equipment is installed or being used to watch TV programmes as they are being transmitted, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] is to be used. (See Chapter 4 Section 3)

7.2 If evasion is discovered, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] the EO should commence an interview under caution. The EO should also note any corroborative evidence that allows an inference of use to be drawn if they believe that an offence has been committed, as detailed in Chapter 8. Full use should be made of an additional notes form.

7.3 If a Black and White TV and a VCR/DVD recorder are seen and a B&W licence is held, the customer is to be advised that a colour licence is required. Refer to Chapter 11.

7.4 If it is confirmed that there has been no unlicensed use e.g. the TV set is clearly stored away / has not been installed following a house move, the result should be entered as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] with an appropriate date of expected use (DOEU) together with the name of the householder where possible. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be used if it is believed there will only be a very short period of time where the TV is not being used i.e. less than four weeks.

Access Refused
7.5 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

7.6 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

7.7 Where access has been refused and the EO has reasonable grounds [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] to believe that evasion is taking place, the person being interviewed must be advised that it may be necessary to seek the grant of a search warrant under the authority of the Communications Act 2003. If application for a search warrant is
considered appropriate [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be used and form H550 (application for search warrant) completed and submitted as per Chapter 16.

**Threat of a search warrant must not be used to gain access to premises.**

7.8 Where unlicensed use is admitted but permission to enter the premises is refused, this must be recorded and an interview under caution conducted. Note must be made on the Record of Interview that access to inspect the set was refused with the reason.

**Licence Fee Tendered During Enquiry**

7.9 If the licence fee is tendered to the EO on an enforcement visit, the interviewee must be advised that it will be accepted without prejudice to any further action that may be taken. No more than the fee payable for a current licence should be accepted and a receipt must be given using the Receipt Book. Where appropriate, an interview under caution must be concluded before any licence sale takes place and the Record of Interview endorsed accordingly. (See Chapter 8.)

**Information Reported By Telephone**

7.10 If using a paper visit and details have been reported by telephone to the Call Centre, this must be indicated on the visit, by ticking the box ‘tick if details phoned in’. This applies to many complex reply codes and enables effective streaming of work within the TVL Field Business Centre.

**Withdrawal Of Implied Rights of Access (WOIRA)**

7.11 A common law implied right of access to a property exists for anyone that has a legitimate reason to be on / visit the property. This implied right allows callers to come to the front door if they have legitimate business with the occupier. EOs have a legitimate purpose for their visits, to collect and enforce the TV Licence, and therefore have such an implied right of access.

7.12 An occupier of a property has the right to withdraw this implied right of access for certain people, or groups of people, to set foot on their property and knock on their door.

7.13 Withdrawn implied rights of access must be respected by TV Licensing since EOs would be committing trespass if they visited the address after the right of access had been withdrawn.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
Customer states they are withdrawing TV Licensing's right of access

7.18 It is sometimes difficult to identify a WOIRA declaration, as opposed to a simple request just to leave for now and call back at another, possibly more convenient, time, etc.

7.19 For guidance, some examples of typical wording that may constitute a WOIRA request, which will usually follow the person having said words like ‘withdraw’, ‘revoke’ or ‘remove’, are:
- The / your / TV Licensing's right to visit
- Common law right to visit
- Implied right of access

In addition to this, if the customer mentions anything to do with "trespass" this will also usually indicate they are making a WOIRA declaration.
Human Rights Objection / Exemption Claimed

1.0 Where the customer informs an EO that they do not require a licence due to the provisions of the Human Rights Act or claim that paying for their TV Licence is an infringement of their human rights, the following information is to be given:

“Irrespective of an individual’s personal views, under UK law, namely the Communications Act 2003, it is against the law to install or use television equipment to watch or record TV programmes as they are being shown on TV without a valid licence”.

“Individuals who break this law risk prosecution and a fine”.

“This situation has not been affected by the Human Rights Act 1998”.

1.1 The customer should be informed that regardless of their individual views: a television licence is required to install or use television equipment to watch or record TV programmes as they are being shown on TV in the UK.

1.2 An interview under caution should be conducted if appropriate. Any objection or claim of exemption must be recorded as soon as the customer mentions it.

1.3 Additional notes should be used clearly stating “Human Rights Objector”. Where using paper visits the visit request should clearly be marked “Human Rights Objector”
Suspected Fraudulent Licence Seen

1.0 It is possible that during the course of their visits an EO may be shown a fraudulent TV Licence by the customer. The EO needs to be aware that a person other than the customer may have committed the fraud. Care must be taken in gathering evidence. If a suspected fraudulent licence is produced, the following action is to be taken:

1.1 The EO should use FieldGUI or the VO helpline to check if the licence is on file. If the licence is on file, the EO should annotate the visit with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.3 The suspect licence (if the EO has been given this by the customer) must be sent to the Field Business Centre clearly marked for the attention of the Field Support Manager along with a report of the visit and any additional notes. The report needs to detail the customer’s name and address, what the EO believes to be suspect about the licence and any other relevant information about the visit.
Commercial Premises / Hotels

1.0 If a visit is produced for an EO for commercial premises, including pubs and hotels, this should be recorded as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. The premises should not be visited.

Dealer visits

2.0 If a visit is produced for an EO for a TV Dealer outlet this should be recorded as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. The premises should not be visited.
Visiting Visually Impaired People

2.0 When it is established that the interviewee is visually impaired, the EO should ensure that an appropriately sympathetic and tactful approach is adopted throughout the interview.

2.1 To establish an entitlement to the blind concession the customer must provide one of the acceptable documents listed below:

1. A certificate or other document/letter issued by or on behalf of a local authority in the United Kingdom showing the applicant is registered blind/severely sight impaired; or
2. A certificate or other document issued by or on behalf of the DHSS in the Isle of Man showing the applicant is registered blind/severely sight impaired; or
3. A certificate issued by a Health and Social Services Trust in Northern Ireland showing the applicant is blind/severely sight impaired; or
4. A certificate signed by an ophthalmologist showing the applicant is blind/severely sight impaired. (CVI = Certificate of Vision Impairment or BD8 (1990) form).

Note: A local authority is:

- In England, a county council, a district council, a London borough council, the Common Council of the City of London, and the Council of the Isles of Scilly;
- In Wales, a county council or a county borough council
- In Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994(1)
- In Northern Ireland, a Health and Social care trust

2.2 If evasion is taking place an interview under caution should be conducted.

Subsequent to the interview the EO should verify the customer’s status by checking their documentation. If on checking the customer’s status they do not qualify for the concessionary licence the EO should advise them that they do not qualify and will still need to pay the full fee.

If the customer is partially sighted / sight impaired they do not qualify for the 50% concession.

2.3 Once the customer’s status has been confirmed from the correct documentation as being blind / severely sight impaired, the customer should be informed that they are entitled to a 50% reduction on the fee payable, and should be urged to obtain a TV Licence without delay.

An additional notes form should be completed to record that the above advice was tendered and acknowledged by the interviewee.

2.4 A “Sound Box” - which is used to receive television sound but not the picture, does not require a TV licence.
2.5 The Record of Interview should be clearly marked above the name and address at the top of the form, in bold capital letters ‘REGISTERED BLIND’ or ‘SEVERELY SIGHT IMPAIRED PERSON’.

2.6 If setting up a licence for a registered blind / severely sight impaired customer who wishes to pay by Direct Debit or by Debit / Credit card, it is not necessary for the documentary “proof” to be sent in. The relevant information can be provided over the telephone.

To set up a licence for a registered blind / severely sight impaired customer who wishes to pay by Direct Debit or by Debit/Credit card the EO should call the VO helpline. The EO will be asked for the following information:

- What form of evidence has been seen
- The date of registration
- The card/certificate registration number if applicable.

If within the hours of 08.30 to 17.00, Monday to Friday the VO helpline agent will transfer the EO to the Blind Concessions department and the licence will be set up by a member of the Blind Concessions team.

If the Blind Concessions department is not available between 08.30 to 17.00 or after 17.00 the agent will request the EO’s VPN and the customer’s details:

- Their daytime telephone number
- What form of evidence has been seen by the EO
- The date of registration
- The card or certificate registration number if applicable

The EO must advise the customer that they will receive a telephone call from the Blind Concessions team who will set up the customer’s licence.

**Note:** Cash scheme applications for registered blind / severely sight impaired customers **must not** be processed using a HH device; such applications must only be made directly by telephone to iQor.

2.7 The EO must advise the customer that their TV Licence application will be processed and they will receive their TV Licence in 15-20 days.

**In both instances**

2.8 The EO should record “Blind Concession” in the comments box on the close visit screen.
Concessionary Licences

3.0 Accommodation for Residential Care (ARC)
If the EO believes that the premises to be visited are covered by a Concessionary Licence, they must contact the Concessionary Licence Centre prior to the visit. If a concessionary licence is held, [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] should be used and the visit to be annotated with ‘ARC, Nursing/Care home/ sheltered accommodation’. (A Concessionary Licence always begins “7000”. The residents, who benefit when the licence was renewed, are listed on the back of the licence.)

3.1 This type of visit is normally conducted by the Commercial Visiting team. If the EO is in doubt regarding the nature of the visit, they should contact their manager.
Visiting Second / Holiday Homes

4.0 Second / Holiday Homes can be one of three types.

4.1

- Any permanent structure used as a second home or holiday home will require a separate television licence.
- Any structure that is capable of being moved, whether it is moved at any time or not e.g. a static caravan or collapsible chalet, will be covered by a licence for a home address as long as there is never any simultaneous use.
- A licence for the home address will cover a touring caravan regardless of whether there is any simultaneous use. This also applies to boats.

4.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. If details of the owner are obtained, these are to be noted on an additional notes form and marked for the attention of the Field Support Manager and posted in with that day’s work.

4.3 Where the interviewee claims that the property visited is their second home (or Holiday Home) and a licence is not produced, an interview under caution is to be carried out and a note made of any licence claimed.

4.4 If a visit is made to unoccupied premises and it is learnt that the property is used as a Holiday or second home, the EO should seek to confirm who is the owner of the property. A calling card is to be left and the visit marked with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. If the property is closed for the winter, the visit should be marked with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].
Satellite / Subscription Television Only Claimed

5.0 Where the customer informs an EO that they only watch satellite or subscription only television, including cable services, and claim that a TV Licence is not needed, the customer must be advised that since the introduction of the Communications Act 2003, a TV Licence is required to watch or record any live TV programmes as they are being broadcast whether they originate from within the UK or not.

The following information should be given:

“The Communications Act 2003 amended the definition of television programme services to include all broadcasts, including those broadcast by satellite from outside of the UK”.

5.1 Inform the customer that regardless of where the signal is transmitted from, a television licence is now required.

5.2 An interview under caution should be conducted if appropriate. Any claim of exemption must be recorded as soon as the customer mentions it.

5.3 Where permission to inspect the set is granted, the channels tested must be recorded on the Record of Interview. All relevant channels being received must also be noted on the Record of Interview.
Video / DVD / Games Use Only Claimed

6.0 If a customer claims use of a TV as a monitor to play back pre-recorded tapes / DVDs or games only, the EO must establish if there is any evidence of unlicensed use, or if the interviewee clearly does not require a licence.

6.1 If the EO confirms the TV is only used as a monitor to watch commercially recorded videos / DVDs or play games and is not tuned in to any TV channels, no licence is required. This should be recorded as [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] as per Chapter 4 Section 3.

6.2 If inspection of the premises / equipment is refused and the EO is therefore unable to confirm the above and is unable to gain evidence of unlicensed use, this should be recorded as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] with an appropriate comment.
Revoked or Short-Dated Licence Involved
7.1 If the interviewee accepts that they have received correspondence short-dating and/or revoking (cancelling) their licence, and the only licence that can be produced is an expired / cancelled one as indicated on the visit, then the interview under caution may continue.

Short-Dated Licence
7.2 If the visit is made before the original expiry date shown on the now expired licence and this is the only licence that can be produced, and the interviewee denies any knowledge of the amendment of that licence, this is to be clearly noted on the Record of Interview, and at what point during the interview the claim was made.

Revoked (Cancelled) Licence
7.3 If the visit is made before the original expiry date shown on the now cancelled (revoked) licence, and this is the only licence that can be produced, and the interviewee denies any knowledge of the revocation of that licence, this is to be clearly noted on the Record of Interview, and at what point during the interview the claim was made.
Visiting if TVL Payment Card or Direct Debit Application Made

TVL Payment Card Application

8.0 If during the course of establishing the licensing position at an address it is claimed that an application to join the TVL Payment card scheme has been made, the claim is to be checked with iQor. If acceptance of an application is verified, mark the visit with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] with supporting details.

8.1 If an application has not been received, an interview under caution is to be conducted.

8.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

Note

The following information if present on the visit may assist when dealing with these visits.

- CEE REJD - The customer’s application has been rejected. (The only reasons for rejection are where application has been made but not followed up, previous members who still have arrears from a former agreement).
- CEE TERM - The only reason for termination is for arrears.
- CEE CANC - The customer has voluntarily cancelled the agreement. (This may be due to leaving the country, moving to an already licensed address, or purchasing a licence by another method.)

Direct Debit (DD) Application

8.3 If during the course of establishing the licensing position at an address it is claimed that an application to join Direct Debit has been made, the claim is to be checked via FieldGUI or with the VO Helpline. If the application is confirmed, mark the visit with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act] with supporting details.

8.4 If an application has not been received, an interview under caution is to be conducted.
People 75 or over

9.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. The information below should be entered into the HH and the visit should be recorded as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. If using paper visits it must be passed to the VO Helpline. If it is not possible to contact the VO Helpline, an additional notes form is to be completed. The visit is to be recorded with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. The additional notes form must be clearly noted with the following details:

9.1 • Name, Address and TV Licence number
  Verify the information on the visit request, ensure that the details are entered for the over 75 person. Ensure that all changes are recorded as necessary.
  • Date of Birth
    This must be entered for all people 75 or over.
  • Proof of age - required
    Document that shows the age of the customer. The number of the document seen must also be noted for a free TV Licence to be issued.
  • National Insurance Number (NINO)
    A sale cannot be claimed unless the NINO is recorded.

9.2 Ideally the proof of age will be a document confirming the applicants National Insurance Number (NINO) and age/date of birth (DOB). Acceptable documents, in preferred order, are: Birth Certificate, Passport (note the number), Driving Licence (note the number), EU National ID Card, Marriage Certificate. Other evidence seen must also be noted (e.g. Pension Book).

9.3 If the visit is not in the name of that person, the name of the resident aged over 75 must be noted on the Over 75 TV Licence Visit Outcome screen or an additional notes form. Details of the previous licence must be noted in the additional notes section of the screen, if possible, including how much was paid.

9.4 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

9.5 Where the interviewee is an “appropriate person to interview” but claims a person over 75 resides at the address and that there is no licence in force for the address and no evidence to support the claim, an interview under caution should be carried out. This claim must be noted on the Record of Interview and further details of the Over 75 person who claims to be resident are to be noted on an additional notes form e.g. name, date of birth, NI number if known, to accompany the 178 then further enquiries can be made. The visit is to be recorded as a [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

9.6 If the interviewee is able to provide evidence of a resident who is 75 or over, a check should be made to see if there is an Over 75 Licence on file. If not, proceed as in 9.0 above, clearly noting the details of the Over 75 person so that an Over 75 licence may be issued.
Lassy System Unavailable

10.0 EOs will normally be advised in advance if the Lassy system will be temporarily unavailable for any reason, together with an indication of how long this will be for. Visiting should continue to be performed as normal, although it will not be possible to perform licence checks and online sales via FieldGUI.

10.1 The unavailability of Lassy should not affect the service provided by iQor to perform licence / payment checks for these schemes or to accept TVL payment card applications for registered blind customers or those requiring a refund on an unexpired black and white licence.

10.2 EOs must not inform customers, “The system is down.” If necessary, they should be advised, “The system is temporarily unavailable.” Or, “We are unable to access your records at the moment,” together with an appropriate apology for any inconvenience this may cause.

10.3 If a customer from whom an EO is taking a statement claims to have a licence but is unable to produce it, the EO should continue with the interview. An additional notes form should be included with the Record of Interview stating that a licence check is required, together with full details of any licence claimed (e.g. if from a previous address). This will then allow appropriate investigations to be made by the TVL Field Business Centre once the system is available.

If access to the system is regained before visit paperwork is sent into the Field Business Centre, checks must be made for any licences as per Chapter 4, Section 2.4.

- If a licence is discovered to have been in force at the time of the visit the case will be closed and the customer informed in writing by the TVL Field Business Centre.

10.4 Whilst Lassy is unavailable any TSU applications should continue to be ‘phoned’ through in the normal way to the VO Helpline. TVL agents will record the details manually for entry once the system is restored.

- It is important that EOs capture a telephone number for the customer and pass this on to the Helpline in case of any subsequent query.

10.5 If an EO is unable to use FieldGUI or contact the Helpline they may still process licence sales as offline applications.

Bank account and / or credit / debit card details must not be noted down with a view to phoning them in later.

10.6 If using paper visits: If Lassy is likely to be unavailable for several days it may be necessary for EOs to retain any unresolved / not performed visits to conduct further visits on, even if these have passed their ‘Last Visit Date.’ In such circumstances EOs will be advised of this by their manager, together with any other special instructions to be followed.
1.0 In conducting the interview, the EO is gathering evidence of TV Licence evasion. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. As this information may be given in evidence, it must be obtained within the rules set down by the appropriate Criminal Justice System.

1.1 All questions on the Record of Interview must be asked and answers recorded verbatim at the time of interview. The Record of Interview must be completed clearly and legibly. If the customer refuses to answer any question, this must be noted with the relevant reason/comment.

1.2 If the interview is to be conducted by the EO in a language other than English, then the notes recording that interview must be written in that language and transcribed into English after the interview.

If the interview is conducted in a language other than English and an interpreter is used, then the notes of interview may be in English, but the language used and the name of the interpreter must also be recorded. Where the interpreter used is a friend or relative of the interviewee, this must also be noted by the EO. (This is a PACE requirement). If the interpreter makes their own notes, the original notes must be retained.

Note: A person under 18 must not be used as an interpreter for conducting an interview under caution. The age or date of birth of the interpreter must be recorded.

1.3 Under no circumstances should personal, derogatory, sexist or racist remarks be made. Additional observations or relevant comments are to be noted on the additional notes form as necessary.

1.4 As soon as there are reasonable grounds for suspecting that a person has committed an offence the EO must caution that person in the following terms which must be strictly adhered to.

1.5 The caution must be administered as follows, and is printed on Record of Interview.

1.6 England and Wales:
"You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. Do you understand?"

1.7 Scotland:
"You are going to be asked questions about television licence evasion. You are not bound to answer, but if you do, your answers will be noted and may be used in evidence. Do you understand?"

1.8 Northern Ireland:
"You do not have to say anything, but I must caution you that if you do not mention when questioned something which you later rely on in Court, it may
harm your defence. If you do say anything, it may be given in evidence. Do you understand? “

1.9 The EO must confirm the interviewee understands the caution before continuing.

1.10 The time of the caution must be recorded on the Record of Interview. Note that the twenty-four hour clock is to be used for this. The questions asked under caution must be those set out on the Record of Interview.

1.11 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.12 If there is any significant break in the interview, the caution must be repeated.

Full Completion of Prosecution Statement

1.13 Detailed instructions on completion of the Record of Interview are contained in section 3. When completing the form the EO must pay regard to the following:

• All questions are to be asked whenever possible
• If a question is not asked that should be indicated and not simply left blank
• Verbatim answers should be given
• No gaps or answers with a line through should be recorded without explanation
• Full dates and times must be entered where indicated

The importance of collecting all available information cannot be over emphasised. In addition, circumstantial evidence of use should be noted on the Record of Interview whenever visible (e.g. sky dish, aerial lead plugged into TV, remote control on settee) as this provides supporting evidence for potential prosecution and may be vital if the confession should later be challenged.

Appropriate Person

1.14 If during the interview it becomes apparent that the person being interviewed is not an appropriate person from whom prosecution evidence should be gathered, then the interview must be terminated. The visit should be recorded with [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

Licence Fee Tendered During Enquiry

1.15 If during the visit interest is expressed in buying a licence, any interview under caution must be concluded before selling the licence. The method of payment should be noted at the bottom of the Record of Interview.
Concluding The Interview

2.0 At the conclusion of every interview the EO should invite the interviewee to read the completed Record of Interview and sign it as being a true record of the interview (excluding Scotland). Any agreed additional or corrected information should be recorded and signed by both the EO and the interviewee.

Note: Where an interviewee signs and prints their name on the Record of Interview the EO must check and confirm that the name and spelling are the same as entered by the EO when conducting the interview; i.e. the interviewee name must be the same at the top and bottom of the form.

[Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

2.1 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

2.2 No subsequent alterations or additions are to be made to the Record of Interview (excluding Scotland). Any subsequent amendment, alteration or addition to the Record of Interview after the interview has been concluded will usually be regarded as a serious offence which may result in disciplinary action.

2.3 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

[Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

2.4 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]:

[Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

2.5 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]
Introduction

1.0 This aide memoire has been prepared to help alleviate problems experienced by EOs when completing the Record of Interview.

Proof “beyond reasonable doubt”

1.1 Any person accused of a criminal offence has the right to have the evidence against them tested in a court of law. Generally they need not submit a defence. The prosecution must prove beyond reasonable doubt that an offence was committed and that the accused is, in law, guilty of that offence. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

1.2 The record of interview has separate sections for you to note what was seen by you and what was admitted to you. It is vital that you clearly note what you saw during the visit, separately from what was admitted. Where items may be selected on the form (either as “seen” or “admitted”), these are to be circled to clearly indicate what was observed or said. This will not only affect the wording of the statement of facts should a summons be issued, but you will be reliant upon your notes should your evidence be challenged in court.

1.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.4 It is important that each and every case is given the same diligent and careful approach so that the best evidence can be presented to the court.

Record of Interview as Evidence

1.5 Officers are required to comply with the Codes of Practice, issued under the Police and Criminal Evidence Act 1984. The Record of Interview has been designed to take account of those codes of practice. The Record of Interview is your record of the interview. Entries must therefore be factual, accurate and legible. It should not under any circumstances contain personal views or comments.

1.6 Questions should be asked as set out on the Record of Interview, with paraphrasing being avoided. Verbatim answers must be shown in quotation marks. If the interviewee refuses to answer a question, this must be noted. Although it is normally possible to note all the interviewee’s responses on the Record of Interview, if necessary, an additional notes form must be used to record these.

1.7 If in exceptional circumstances, the Record of Interview has to be re-written after the interview to be more legible, then this must be attached to the original, which remains the prime document, especially if this was signed by the interviewee.
1.8 If there is a second officer present during the interview (corroborating witness in Scotland), they must be aware of all that takes place. When the second officer countersigns the notes, as a true and accurate record of the interview, they are adopting the first officer’s notes as their own. They must be able and prepared to swear to the truth of what happened at the interview and answer questions about the interview in court, if required.

1.9 If the interview is terminated early, the point in the interview, and the circumstances, must be clearly noted as soon as possible after the event. The exact words used must be recorded.
Interview introduction

Interview Ref. This generates the 178 URN by scanning the barcode. If using paper visits: This reference number must be noted on the visit request to provide a cross reference should the forms become separated.

Visit Ref. Is no longer used on TVL 178 and will be deleted from future versions.

Both day and date must be entered.

This is the time that you arrived at the door according to the HH. Note that the twenty-four hour clock is to be used.

Enter the title, forename and surname of the interviewee. This should be clearly and legibly printed on the 178. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

Enter the full postal address and postcode of the address visited. If the actual address being noted on the TVL178 differs in any way from the visit request this must be supported with a clear explanation on an additional notes form.

Try and obtain the interviewee’s telephone number and note it in the space further down the form. (See item Interview Ref. on the Personal Details section.)
## TV LICENCE

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you have a television here?</td>
<td>V</td>
</tr>
<tr>
<td>Do you have a TV Licence?</td>
<td>W</td>
</tr>
<tr>
<td><strong>CAUTION</strong>: You do not have to say anything. But it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. Do you understand?</td>
<td>(Licence produced)</td>
</tr>
<tr>
<td>Time of Caution</td>
<td>Y</td>
</tr>
</tbody>
</table>

### Opening Questions and Caution

**U** Write the interviewee’s response - verbatim if possible. This should be “Yes” in almost every case. If the answer is “No”, then the EO **must** note the reason why they are continuing the interview.

**V** Write the interviewee’s response - verbatim. It is possible that the interviewee may not possess a television set, but has a TV card in their computer, so the answer to **V** may be “No”, but a TV Licence will be required. If this happens the circumstances **must** be noted on the Record of Interview.

**W** Enter response – verbatim. If there is, or is claimed to be, a licence enter explanatory comments e.g. “It’s in my old address” then obtain address, or if a black & white licence is held but colour TV receiving equipment is being used etc, make a note on the additional notes form. If a FieldGUI / telephone licence check is made, this must be indicated and the result must be noted too. If a licence is confirmed, stop the interview and code the visit appropriately.

**X** If in the light of the answers to the questions at 2 & 3 you have reasonable grounds to suspect that an offence is being committed then the caution must be given immediately as shown on the form. If it is not possible to give the caution, then this must be annotated at **Z** with the reasons why. If the caution is not understood, then use your own words to explain it to the interviewee. This must also be noted at **Z**. You may be asked in court at a later date to give your explanation again.

**Y** Put down the exact time the caution was given.

**Z** If the interviewee makes any comment during or immediately after the caution was given, this must be noted here.

### Note

Once the interviewee has been cautioned the interview should normally proceed to its conclusion. If however there is any break in the interview it will be necessary to remind the interviewee that they are still under caution. If there is a significant break in the interview, the interviewee must be cautioned again on recommencement of the interview.
### Personal details / general remarks

<table>
<thead>
<tr>
<th>PERSONAL DETAILS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contact Details – Phone/ Mobile / Other</strong></td>
<td>U</td>
</tr>
<tr>
<td><strong>How long have you lived here ?</strong></td>
<td>V</td>
</tr>
<tr>
<td><strong>What is your date of Birth ?</strong></td>
<td>W</td>
</tr>
<tr>
<td><strong>What is your occupation/status ?</strong></td>
<td>X</td>
</tr>
<tr>
<td><strong>What is your National Insurance No ?</strong></td>
<td>Y</td>
</tr>
</tbody>
</table>

I have to tell you that you may be prosecuted for an offence under the Communications Act 2003.

Is there anything else you want to say ?

Notes read by interviewee / Notes read to interviewee by* ![Delete as applicable]

(* delete as applicable) ![If the interviewee does not agree to the accuracy of the notes]

These notes are not accurate because:

I agree that these notes are a correct record of the interview

Signed (Interviewee) ![Print Full Name]

I have been told that it is in my own interest to obtain a TV licence although I may still be prosecuted for any unlicensed use.

IT IS IN YOUR INTERESTS TO

Signed (Visiting Officer) ![Print Name]

VPN

READ CAREFULLY THE NOTES

Signed (Second Officer) ![Print Name]

OVERLEAF

Licence fee tendered during interview via: ![Accepted without prejudice / Not tendered]

---

**u** Note here any contact information that you may be able to obtain, telephone, mobile, email or alternative contact address (e.g. If interviewing homeowner at “second or holiday home” or a students home address).

**v** Write the interviewee’s response - verbatim if possible.

If this, or any other information is refused, this MUST be noted on the Record of Interview.

**w** Write the interviewee’s response - verbatim if possible.

**x** Write the interviewee’s response - verbatim if possible.

**y** Write the interviewee’s response - verbatim if possible.

If challenged as to why we ask for this, explain that the courts now require it.

**z** You must warn the interviewee that they may be prosecuted and record the interviewee’s response – verbatim if possible or record no response.

* The interviewee must be given the opportunity to read through the record of interview or have it read to them. Remember to note if the form was read to the interviewee and delete as appropriate. If the interviewee does not agree that the notes are correct, write the interviewee’s response - verbatim if possible. If necessary, amend the relevant entry and initial the change. Ask the interviewee to initial the change as well.

{|} The interviewee must be asked to sign the record of interview and print their full

---

PS-0004 Ch 8 Sect 3(EW) Date Last Changed: 01/2011 Iss 4, Rev 5 Page 6 of 8
Note the time the interviewee and you signed the form. The VPN of the Officer conducting the interview must be noted. You must sign the form and print your name. Once signed, and the copy has been handed to the interviewee, no further entry may be made to the document.

~

Notes for Interviewee

**PLEASE READ THESE NOTES, THEY ARE VERY IMPORTANT**

You could not show us a valid TV licence at the time of the visit and we warned you that you may be liable to prosecution under the Communications Act 2003.

If you can provide a valid TV licence that was bought before the date of this visit, please send it (or a copy) to TV Licensing using the envelope we have provided.

If you do not have a valid TV Licence, please get one straightaway. For details of how to purchase a TV licence, telephone 0300 790 6122.

Please Note: The enquiry officer who conducted this interview does not have the authority to give you time to pay.

Even if you purchase the appropriate licence, you may still be prosecuted for the offence. If you pay for your licence in instalments, you MUST ensure that your payments are kept up to date.

These notes are for the interviewee to read after the interview and to answer some of the most common questions. They are there to reinforce the reason why the interview took place and what the customer should do next.

The telephone number listed is for customer use only. EOs should use the VO helpline number if needed when confirming a licence or arranging a sale.
Notice to Defendant and Statement of Witness

This section is on the reverse of the top copy of the TVL Record of Interview and is not on the customer copy.

It must be completed if the interviewee has signed the Record of Interview. You must print your name on the Statement of Witness line and also sign and date the statement. It is important to remember that the Witness Statement and accompanying TVL Record of Interview MUST be true in all respects.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

Please remember that all our cases are based upon the evidence that you gather and note on the TVL Record of Interview; it is therefore important that you write clearly and legibly when completing this form. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act], in addition you will not be able to remember the evidence in relation to each interview you conduct months after the interview, without your notes, so the evidence contained on the Record of Interview is vital.
If Computer Use is Claimed

4.0 A television licence is required if a television receiver is used to receive (watch or record) television programmes as they are broadcast. This means that a licence will be required to watch “live” TV via an aerial, cable, satellite or the internet, wherever that service is being received from.

A computer will generally receive TV programmes either using a built in tuner (PCTV Card) in the same way as a traditional TV receives signals via an aerial, cable or satellite dish, or via an internet connection which uses a modem or router and software on the computer to process the information received.

The term simulcast may be used to describe a service that is streamed live to the internet i.e. at the same time that it is broadcast. A delay of a few minutes will still be a live service for licensing purposes. In contrast, archived media that can be received on demand is not live and as such does not require a licence.

By way of example, the BBC simulcasts all of its digital TV channels so BBC1 is streamed live and can be viewed using the BBC I-Player as it is broadcast. Therefore a licence is required to use this service. The BBC I-Player also allows a user to access an archive of programmes that have been broadcast over the past 7 days. This service is not live and does not require a licence.

4.1 Where an EO visits a property and computer use is claimed, the EO must follow the procedures as set out:

An EO may ask to be allowed to see the computer equipment e.g. to check if an aerial is connected or if it is currently being used to watch live TV programmes, and / or ask the interviewee to bring the equipment into use to show which live TV programmes they normally receive.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
NOTE: EOs are instructed to use Special Delivery. No other method of postage is acceptable.

1.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

Licence purchased by:
- CFL full payment
- Direct Debit with initial payment
- Monthly Direct Debit
- Annual Direct Debit
- Direct Debit quarterly
- Cash Scheme Weekly
- Cash Scheme Monthly

Whilst this is the preferred hierarchy, the EO must establish that the correct scheme is sold to the customer depending on their circumstances.

1.1 The number of new licences set up will be automatically generated in the forms and monies total screen when using a HH. If using paper visits the number of telephone sign-ups completed for Direct Debit and TVL Payment Cards should be recorded on a daily basis by type as separate totals on the Log Sheet.

1.2 If the EO accepts any of the following as payment for a licence they must be attached to the corresponding blue duplicate receipt and placed in a Valuables Envelope. The Valuables Envelope must be fully completed with region code, VPN, visit date, what is contained within the envelope and signed and dated at the bottom.

- Paper Direct Debit mandates
- Cheques
- Postal Orders
- TVL Stamps
- Cash

The following must also be contained within a Valuables Envelope:
- Completed Receipt Books
- PayPoint Licence Receipts

One Valuables Envelope should be used per day’s work and sent in on top of the visits and 178s in the Special Delivery envelope for the week, so it is immediately visible on opening the package.

1.3 The EO should establish if the customer has access to a bank / building society account that accepts Direct Debits. If they do and they wish to buy a licence by this method the EO should ask the customer if they could make the first payment immediately by either debit/credit card or cheque. If so follow section 3.
1.4 If after every effort has been made it has not been possible to secure an initial payment follow section 4.

1.5 If the customer wishes to pay by cheque, cash or saving card / stamps follow section 5.

1.6 If the customer wants to pay by instalments but does not have access to a bank / building society account, or the account does not accept Direct Debits, the EO should register them for a cash payment scheme as set out in section 6 of this chapter.
Receipt books

2.0 The triplicate receipt books are self-carbonating and a divider must be used between entries.
   - Top receipt (white) – for the customer
   - 1st copy (blue) – to be sent in a Valuables Envelope to the Field Business Centre
   - 2nd copy (green) – to be retained in the receipt book

2.1 EOs must use the receipt book for payments by cash or cheque. The EO should ensure that the customer’s name and address, details of the valuables, VPN, date and signature are clearly legible on all copies.

   A receipt must be given if the EO obtains a suspected fraudulent licence as per Chapter 6.

2.2 The EO is responsible for the safe keeping of receipt books issued and also for the correct and timely processing of any valuables received. Loss of a receipt book or individual receipts must be reported directly to the Enforcement/Regional Manager.

2.3 Only one receipt book may be used at any time. These are audited at regular intervals by Enforcement Managers.

2.4 Completed receipt books should be returned to the Field Business Centre in a Valuables Envelope. When a new receipt book is received the EO must complete and return the acknowledgement form with that week’s work.
Initial Payment Direct Debit

NOTE: EOs are instructed to use Special Delivery. No other method of postage is acceptable.

3.0 If the customer wants to pay by initial payment Direct Debit, the EO should establish which payment method the customer wishes to use. The available options are:
   - Debit / credit card
   - Cheque

3.1 If taking a cheque and/or stamps from a customer as an initial payment, the EO must complete the offline Direct Debit mandate on the HH. If using a paper mandate it must be checked and signed by the customer.

Both the payment and paper mandate should be placed in a Valuables Envelope for that day, and sent into the Field Business Centre by Special Delivery with that week’s work. The EO’s VPN should be written on the top right corner of the paper mandate.

3.2 If the customer wishes to make an initial payment by debit or credit card the EO should use FieldGUI via the HH or if this is unavailable phone the VO helpline and be ready to provide VPN, manager’s name, customer’s details – name, address, contact number and bank details (account number and sort code) and inform the operator that the customer wishes to make an initial payment.

3.3 Data Protection Act
The Account Holder MUST be present with the EO to set up the scheme, or to action any change of address / name / other details.

3.4 If using a paper mandate the EO must ask the customer to check, sign and date the mandate, write the VPN on the top right corner of the mandate and send it to the Field Business Centre in the Valuables Envelope.

NOTE: Under no circumstances must customers’ bank details be recorded with a view to phoning them through at a later date.

3.5 If using paper visits the EO should record the licence number and “initial payment” in the comments box of the visit request.

3.6 For any Direct Debits set up over the phone, or mandates sent into the Field Business Centre, the EO should advise the customer, “Providing the bank / building society accepts the Direct Debit, your payment plan should be with you within the next 7-10 working days”.

Direct Debit Application

4.0 If the customer wants to set up a Direct Debit without an initial payment, the EO must use FieldGUI or phone the VO helpline and be ready with VPN, manager’s name and the customer’s details – name, address, contact number and bank details (account number and sort code).

4.1 Data Protection Act
The Account Holder MUST be present with the EO to set up the scheme, or to action any change of address / name / other details.

4.2 If the EO is unable to use FieldGUI or to contact the call centre they must complete an offline Direct Debit mandate on the HH on behalf of the customer ensuring all details are recorded. If using a paper mandate the customer should be asked to check, sign and date the mandate. The EO must record their VPN on the top right corner of the mandate and send it to the Field Business Centre in the Valuables Envelope for that day, with that week’s work.

NOTE: Under no circumstances should an EO record customers’ bank details with a view to phoning them through at a later date.

4.3 If using paper visits the EO should record the licence number and “Direct Debit” in the comments box of the visit request.

4.4 The EO should advise the customer, “Providing the bank / building society accepts the Direct Debit, your payment plan should be with you within the next 7-10 working days”.


Payment by debit and credit card, cheque, cash, savings card or saving stamps

NOTE: EOs are instructed to use Special Delivery. No other method of postage is acceptable.

5.0 EOs can only accept cash or cheque payments for less than a full fee if the customer can provide a bar-coded concessionary licence form.

Payment by debit and credit card
5.1 If the customer wants to pay by debit or credit card, the EO should use FieldGUI, if this is not available, telephone the VO Helpline for the customer.

5.2 When telephoning, the EO should be ready to give their VPN, their manager’s name, the customer’s name, address, postcode, contact number(s) and debit/credit card details.

5.3 Data Protection Act
The cardholder MUST be present with the EO to arrange the payment, or to action any change of address / name / other details.

5.4 Once completed the EO should advise the customer that their licence will be issued in approximately 10 days.

Cheques
5.5 When taking a cheque from a customer EOs must ensure that:
- It is made payable to “TV Licensing”
- It is dated correctly (not post-dated or dated more than five months prior to the visit date)
- It is for the appropriate licence fee
- The amount in words & figures match
- It has been signed and the signature (if legible) matches the name of the account holder
- If the cheque is not from one of the UK clearing banks, that it carries a UK sort code and account number.

Incorrectly completed cheques are returned to the customer for amendment.

5.6 EOs must clearly record on the back of the cheque:
- The title, initial and surname of the licence holder
- The first line of the address and postcode the licence is to cover
- VPN
- The receipt number
- If a statement has been taken the figure “8” in a circle.

5.7 The EO should use the negotiable items payment method on the HH to register the cheque payment. If using paper visits the EO must indicate “cheque payment” in the comments box of the visit request and advising the customer that they will receive the licence within 7-10 working days.

5.8 The EO must issue a receipt to the customer as per section 2. The blue copy
and the cheque should be sent to the Field Business Centre in the Valuables Envelope for that day with that week’s work.

**Cash payments**

5.9 The EO should use the negotiable items payment method on the HH to register the cash payment. If using paper visits the EO must indicate “cash payment” in the comments box of the visit request. Issuing them with a receipt and advising the customer that they will receive the licence within 7-10 working days.

5.10 The EO must take the cash payment to a PayPoint outlet at the earliest opportunity and purchase the licence.

**This should be at the end of the EO’s working day or the beginning of their next working day at the latest.**

On receipt of the licence issued by PayPoint the EO must check that the name, address and postcode on the licence matches the details of the address visited.

On checking the receipt, if the EO discovers that any of the details are incorrect, an additional notes form should be completed that clearly states the correct details. The additional notes form and PayPoint receipt should be sent to the Field Business Centre in a Valuables Envelope.

The EO will not be credited with a sale if the licence is set up at any address other than the address visited.

5.11 The EO must write either “PayPoint” or “posted” on the blue, duplicate receipt to show how the payment has been processed.

**NOTE:** It is important when a PayPoint licence has been purchased that both the PayPoint receipt and duplicate receipt are stapled together and sent into the Field Business Centre in the Valuables Envelope for that day with that week’s work.

5.12 EOs must take all full cash payments to a PayPoint outlet to purchase a licence. The only exception to this is where the address differs from that shown on the visit request.

In this instance the EO should place the cash in a Valuables Envelope for that day’s work and write, “address issue” in the comments. This should be stored in the secure box provided and sent into the Field Business centre as per Chapter 13.

5.13 If the address for which the licence is to be issued differs in any way from that shown on the visit request, the discrepancy must be clearly noted on an additional notes form.

5.14 If the customer requires a licence with a different fee

- blind concession
- black and white
PayPoint outlets will not accept the payment unless the customer has given the EO a bar-coded renewal notice. The EO must usually send these types of payments to the Field Business Centre to be processed.

TV Licence Saving Stamp payments

5.15 TVL Saving Stamps are no longer valid. If stamps are offered as full or part payment (with cash) to purchase a licence, the EO must explain to the customer that the use of stamps has ceased and that they cannot be accepted as a payment. However they can be sent into the Field Business Centre for a refund.

5.16 Any stamps to be refunded should be placed in a Valuables Envelope for that day’s work and sent in by Special Delivery with that week’s work. The EO should advise the customer that they will receive their refund in the post.

TV Licensing Savings Card

5.17 If a customer produces a TV Licensing Savings Card the EO should advise the customer that the savings card is a way of saving for their next licence and that our records show that they are currently unlicensed

5.18 The customer should either:
   • Ring iQor and use a debit card to bring the balance on the card up to the full fee
   • Choose another method now and continue saving for next year
   • Choose another method and claim a refund on the card balance
TV Licensing Cash Payment Schemes and Cards

6.0 Data Protection Act
The person who will be / is the Licence Holder MUST be present with the EO to set up the account, or to action any change of address / name / other details, especially if it is necessary to call iQor.

Weekly Cash Scheme
6.1 The EO must enter the customer’s name into the handheld. The title, one initial and surname of the customer should be used to register the account. Only a title of Mr, Mrs, Miss or Ms is to be used. If any other title is used it will cause the sale to fail.

The Frequency field value must be set to "Weekly".

The EO must ensure that the barcode on the scheme rules (conditions) letter, to which the card being issued is attached, is scanned into the handheld.

If the barcode does not scan then the member number must be manually entered into the CEE Card No. field using the handheld numeric keypad.

In the unlikely event that the handheld does not accept the Member no. then an alternative card is to be issued.

**Note:** When giving the customer a TV Licensing payment card, the customer number on the card must match the barcode number on the scheme rules (conditions) letter. Care must be exercised to ensure that the same scheme rules (conditions) letter and associated card that has been scanned into the handheld is handed to the customer.

**NOTE:** Blind and B&W upgrade licence applications where a refund of the B&W licence is required must not be processed or recorded via the handheld. These must be phoned through to iQor. If they are registered via the handheld instead of and/or as well as phoning iQor then the sale will fail.

Pre Allocated Cards for weekly payments
6.2 Never give a new pre-allocated card to a customer who states they have: lost the card / already applied for and waiting for the card / moved address / TVL Payment card member with large arrears. The EO must telephone iQor for advice in these circumstances.

6.3 If the EO runs out of pre-allocated cards a weekly payment scheme sale cannot be made. Close monitoring of TV licensing payment cards stock should be carried out to ensure that the EO does not run out of cards. Notification should be given to the Enforcement Manager when new stock is required.

Monthly Cash Scheme
7.0 The EO must enter the customer’s name into the handheld. The title, one initial and surname of the customer should be used to register the account. Only a title of Mr, Mrs, Miss or Ms is to be used. If any other title is used it will cause the
sale to fail.

The Frequency field value must be set to "Monthly".

The VO must manually enter the Member no. 000000000 (9 x zeroes) into the CEE Card No. field using the numeric keypad.

This is the ONLY time that the manual entering of the 000000000 Member no. into the CEE Card No. field is acceptable.

Do not issue a card for a Monthly Cash Scheme sign up. iQor will post a card and welcome pack out to the customer when they receive the 000000000 application number from the handheld.

NOTE: Blind and B&W upgrade licence applications where a refund of the B&W licence is required must not be processed or recorded via the handheld. These must be phoned through to iQor. If they are registered via the handheld instead of and/or as well as phoning iQor then the sale will fail.

Cash scheme sign ups for ‘manual visits’ i.e. for addresses not on the handheld

8.0 The EO must complete an additional notes form to explain the reason for the visit and the sale e.g. multi-occ and post this in with their work for that day to the Field Business Centre. The additional notes form must be clearly marked “Manual Sale.”

Weekly / Monthly Cash Scheme application details for the customer must be written clearly and accurately on the additional notes form:
- Full Name, Full Address, including postcode, Scheme Frequency, Member no. (9 x 0s for Monthly).

The Cash Scheme application sign-up must be completed via telephone with iQor at the time of the visit.

8.1 iQor will ask for confirmation that it is not possible to make the application using the handheld. If it is possible to register the application via the handheld iQor will refuse to take the details.

Phoning iQor

9.0 The EO should only phone iQor:
- If a customer is claiming to already have applied for and/or be paying into a cash scheme account, including a change of address.
- If the EO is not a handheld user.
- If the EO is unable to process the sale on the handheld because there is no visit on the handheld for the address the sale is being made for. In such cases an additional notes form must also be completed and posted in with that day’s work explaining why the call was necessary.

NOTE: If the reason the sale cannot be made on the handheld is due to any form of handheld malfunction, the EO must contact their manager and not attempt to make a sale by phone to iQor.
• If a customer is applying for a blind licence.
• If the customer is upgrading from a black and white to colour licence and requires a refund of part of an unexpired black and white licence

**NOTE:** Blind and B&W upgrade licence applications **must not** be processed or recorded in the handheld; they can only be phoned through to iQor. If they are registered in the handheld instead of and/or as well as phoning iQor then the sale will fail.

9.1 **The EO should not ring iQor:**
• To check an application has been processed.
• Because they have run out of weekly payment cards.
• To set up a cash scheme if the EO is able to do so on the handheld.
• Because they may have made a mistake when issuing a card; e.g. with the customer details and/or to the wrong address. iQor will not have the data file until the following day, or later if it's a weekend, so will be unable to do anything. Any such errors must be reported on an additional notes form with that day’s work. The EO must also advise their manager of what has happened.

**General Guidelines**

10.1 iQor provide a text messaging service to TV Licensing Payment Card customers. When necessary, customers will receive text messages to their phones regarding their accounts. Wherever possible EOs need to capture telephone numbers (mobiles) on all Cash Scheme applications, and gain the consent of the customer by ticking the ‘SMS Opt in’ box on the handheld to confirm that they agree to receiving text messages.

10.2 All valid telephone numbers now consist of 11 digits. Care must be taken to ensure telephone numbers are correctly entered and only telephone numbers of 11 digits will be processed.

If a telephone number is not given by the customer the telephone field **MUST** be left blank and no entry made in it.

10.3 The EO must reinforce to the customer that it is in their interests to purchase a licence and to make continuous payments. The customer should be informed that they are not licensed until the first payment is made. The first payment must be made within 7 days of the date the EO gave them the card, otherwise they will be deemed to be in arrears.

10.4 The customer should be informed that the weekly payment plan and further information will be sent to them within 7-10 working days and to contact the TVL Payment Card helpline if the information does not arrive within this time. The number can be found on the scheme rules letter and on the back of the TVL Payment Card. Depending on when they make their first payment, the pre-printed payment plan and statement of account they first receive may not have their first payment shown on it when it is sent out.

10.5 The customer should be informed that the monthly payment card, joining
instructions and payment plan will be sent within 7-10 working days and to contact the TVL Payment Card helpline if the information does not arrive within this time. The number can be found on the scheme rules letter and on the back of the TVL Payment Card.
Interest from a second person

7.0 If a visitor is present and states that they wish to purchase a licence and / or expresses an interest in the scheme being offered to the customer, they are to be handed a calling card which outlines the various ways in which they can pay for a TV Licence.

7.1 No sale is to be made to any person at an address for which a visit has not been produced / created.
Personal Serving of a Summons (Not Scotland or Northern Ireland)

1.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.1 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.4 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.5 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.6 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.7 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].
Black and white licence held; colour television receiving equipment being used

1.0 Visits may be produced for customers whom we are aware hold a black and white licence but who may be using colour TV equipment; e.g. a dealer notification has been received for colour TV equipment for an address where a black and white licence is in force.

1.1 It is not necessary to request sight of the black & white licence as this information should be detailed on an additional notes form or the paper visit request.

1.2 If necessary, reference may be made to the condition on the TV licence that refers to the inspection of equipment.

1.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act].

1.4 Where entry is refused, use of colour TV equipment is denied and the EO has reasonable grounds to believe that there is colour TV receiving equipment being used, the person being interviewed must be advised that it may be necessary to seek the grant of a search warrant under the authority of the Communications Act 2003. (See Chapter 16) Threat of a search warrant must not be used to gain access to premises.

1.5 Where use of a colour TV / VCR / DVD recorder / computer / etc... is found or admitted, an interview under caution should be conducted.

1.6 Where unlicensed use of colour TV receiving equipment is admitted but permission to enter the premises is refused, this must be recorded and an interview under caution conducted. Notes must be made on the Record of Interview that access to inspect the equipment was refused with the reason.

1.7 Following the interview the EO may then proceed with the post interview sales approach (See Chapter 9). The customer should be made aware of the procedure for upgrading a black & white TV licence to colour (i.e. that the unused portion of the black & white licence can be credited against the purchase of a colour licence).

1.8 If a Direct Debit Licence is requested, the black & white licence should be taken from the customer if possible and a receipt given. Attach the licence to the application form if one is used, or to the papers relating to the visit, and return to the TVL Field Business Centre. An additional notes form must also be included stating that a colour licence has been applied for and requesting a refund of the unused portion of the black & white licence.
Visit Request Reply Codes

1.0 EOs must use the correct reply code for each visit that they carry out.

1.1 If using paper visits every visit request must have the Visiting Party Number of the EO conducting the visit, the date and time of the visit and reply code for that visit accurately recorded. The list of Reply Codes to be used is detailed in this chapter.

1.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

1.4 Regardless of the visit outcome it is important whenever customer contact details are obtained that they are captured accurately within ‘Customer Contact Details’
   
   • Any future visits produced for the address will show these details under ‘TVL Contact Name/s found’
   • The latest set of contact records up to a maximum of three will be listed under ‘TVL Contact Name/s found’.
TV Licensing Enforcement Visiting Procedures (Chapter 12 – Section 2) – Appropriate Reply Codes

Commercial In Confidence

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.0

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

A Confirmed B&W use only and B&W licence held; e.g. where a dealer notification visit may have been produced for a B&W licence holder and inspection has confirmed that only B&W TV equipment is being used.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

D Not to be used – currently not in use
[Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

3.0 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]
1.0 The following tasks are to be completed as shown. These may only be varied with the prior agreement of the Enforcement Manager.

1.1 If submitting any Direct Debit mandates, cheques, cash, TVL Saving Stamps, PayPoint receipts or completed receipt books these must be enclosed in a fully completed and sealed ‘Valuables Envelope’. A separate valuables envelope must be used for each day’s work.

This should be placed on top of the other paperwork being sent to the Field Business Centre. See Chapter 9 Section 1.2.

1.2 Work must be sent in using a silver Royal Mail Special Delivery bag and a pre-paid label supplied by the FBC as part of the stores process.

1.3 Work should be placed in the Special Delivery silver bag in day order, with the Record of Interview form on the top and any corresponding additional notes behind it.

1.4 A separate valuables envelope should be used for each day’s work as required. These should be placed on the top of the week’s work.

1.5 The VPN, Team Name, Officer name and date the work was completed must be clearly marked on the back of the Special Delivery silver bag. **Proper packaging of returned visit work is essential.**

1.6 Work should be posted in as per the Royal Mail Special Delivery Schedule.

1.7 EO’s should take all work into the Post Office on the scheduled posting day by its closing time. A Special Delivery receipt will be given, which will contain the posting date and unique RMSD number. The EO must retain this should the item need to be tracked.

1.8 All completed TVL 178 forms, additional notes forms, Direct Debit mandates, cheques, cash, TVL Saving Stamps, PayPoint receipts or completed receipt books must be stored in the secure box provided at all times.

1.9 If using paper visits - separate out and band / bundle separately:
   1. Records of Interview, associated visit requests and any accompanying additional notes forms / search warrant applications
   1. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
   2. All other completed visits
   4. Any cancelled visits, and / or other visits not performed

   **Timesheets**

   1.10 HH users must complete a timesheet for each day. For a normal working day this must be completed and submitted at the end of each day, clearly and accurately indicating the time spent on each activity performed that day. Time on each activity is to be recorded in hours and minutes to the nearest 15 minutes. It is the EOs responsibility to ensure that their hours are correctly
recorded at the end of each working day and if any changes are subsequently found to be required that their manager is informed immediately.

**Do not enter hours as decimals i.e. one and a half hours must be entered as 01:30 **not** as 1.5.**

Bulk timesheets can be used to cover multiple days for activities such as annual leave and non-working days.

For further instructions on the completion of timesheets, reference should be made to the handheld user-guide.

1.11 HH users must complete a committed hours timesheet in advance of every week of the year regardless of whether or not the week ahead is a working one.

Once submitted any changes to committed hours must be agreed, with their Enforcement Manager.

1.12 For non HH users: The EO must complete their weekly log sheet and send it to their Enforcement Manager within 24 hours of completing their weekly hours.
Signing a witness statement - statement used as evidence (Excluding Scotland).

1.1 The witness statement on the reverse of the Record of Interview must always be signed by the EO as well as inserting the officer’s full name in block capitals unless the customer has refused to sign the statement.

1.2 Where a black and white licence is in force for the address, but the statement refers to use of colour TV receiving equipment, it is necessary to confirm the correct wording of the witness statement. If necessary, insert the word “appropriate” (e.g. “using a television set without a licence” must be amended to read “using a television set without an appropriate licence”).

SIGNING WITNESS STATEMENTS RECEIVED (Excluding Scotland) – Full Witness Statement

1.3 Where a Full Witness Statement is prepared by the TVL Field Business Centre and sent to the EO, they must check the papers thoroughly against the enclosed copy of the Record of Interview to ensure all information is accurate. If any changes are required, these must be clearly marked and the statement immediately returned to the TVL Field Business Centre for amendment.

Witness statements must be signed and returned to the TVL Field Business Centre within 7 days of receipt.
Court Attendance and Protocol

1.0 It is the legal right of defendants to challenge the evidence against them in Court. In the case of a challenge, the EO must attend court to present their evidence in a case where they were the Interviewing Officer.

1.1 The TVL Field Business Centre will send notification of any appropriate hearings to the EO, where they are required to give evidence (and copy of the Record of Interview for the case concerned). The EO must acknowledge receipt of the papers within 5 workings days.

1.2 The EO must liaise with their Enforcement Manager and TVL Field Business Centre to either confirm their availability or, if unable to attend on the date stated (e.g. previously booked leave commitments), to arrange a suitable alternative hearing date. It is essential that the Enforcement Manager is advised as soon as possible of any reasons why the EO is unable to attend.

1.3 The EO will receive a phone call from the Court Presenter prior to the hearing, to confirm whether their attendance at court is still required or not. The EO must then inform their Enforcement Manager whether their attendance is still required or not.

1.4 The EO should confirm with the TVL Field Business Centre that they are still required the day before the hearing. (In Scotland, this is to be done with the Court on the day of the hearing.) If their attendance is no longer required the EO must inform their Enforcement Manager.

1.5 The EO must be at court at least 30 minutes before the time scheduled for the case to begin, and to familiarise themselves with the case in which they are due to give evidence.

1.6 The court expects that the EO will be smartly dressed. Court etiquette is for dark suits, conventional shirts and ties for men. Women should also dress appropriately. Mobile phones and/or pagers must be switched off before entering court buildings.

1.7 The EO must let the Court personnel know they have arrived, and introduce themselves to the Court Usher. The EO must also let the person presenting the TV Licensing cases know that they are present.

The EO may be given the original or a further copy of the Record of Interview (178) by the prosecutor. If given the original 178 the EO may be asked to give the prosecutor the photocopy of the 178 they received when notified to attend court (not Scotland).

1.8 The EO should bow to the Magistrates (Justices in Scotland) on entry to the court, and stand up each time as the Magistrates enter or leave the courtroom. The EO should be guided by the prosecutor regarding court etiquette.
Matter Proceeds

1.9 Where the defendant attends court and enters a ‘not guilty’ plea in a case for which the EO will be giving evidence, the EO must leave the court room until called to give evidence.

1.10 The Prosecutor will call for evidence, which will usually be given by the EO who conducted the interview under caution.

1.11 The EO should enter the witness box when requested and ensure they:

- Speak clearly.
- Take the Oath / Affirmation.
- Tell the court their full name and that they are employed as (Job Title) by Capita Business Services, authorised by the Licensing Authority to undertake TV Licensing work - Using the correct form of address.
- Request to be allowed to refer to their interview notes.

1.12 The defendant (or their solicitor) may then ask any relevant questions which they may have of the witness. The prosecutor may then re-examine the witness if necessary.

1.13 This procedure follows in respect of any other prosecution witnesses.

1.14 The EO must leave the witness box when allowed to do so. When the EO is no longer required by the prosecutor and given permission, they may leave the court (bowing to the Magistrates on exit).

1.15 No information must be given to the media. The procedures outlined in Chapter 2, Section 7 are to be followed.
[Redacted under section 31 ("law enforcement") of the Freedom of Information Act]
[Redacted under section 31 ("law enforcement") of the Freedom of Information Act]
Execution of a Search Warrant

2.0 Glossary of terms

Search Warrant – a Search Warrant is issued by a magistrate and gives us the legal right to search premises to gather evidence of suspected TV Licensing evasion.

Notice of Powers and Rights – a document that provides an overview of the powers and rights relating to the executing officer and the occupier. A copy must be handed to the occupier.

Deposition – a statement made by a witness to support the Search Warrant application.

2.1 Once approval has been given by the Legal Team, the Warrant and Deposition will be prepared and a licence check made. If there is still no licence on file, a Court Presenter will attend court to apply for the Warrant. (In Scotland the Procurator Fiscal normally signs the application at TV Licensing’s request. The EO or EM will attend court to swear to the information). Prior to submission of the application, a check MUST be made to ensure that the person applying for the warrant or swearing to the information provided is named on the BBC authority list. If the attendance at court to obtain the warrant is more than two days after the last check to see if a licence is on file, the TVL Field Business Centre must be contacted for a further licence check to be made prior to swearing the information. This check must also be noted on the case papers. If successful, the Warrant is issued. (In England, Wales and Northern Ireland the Magistrate, in Scotland the Sheriff, will sign this.)

2.2 A Search Warrant is valid for one calendar month from the date of signature (28 days in Scotland) and may only be executed within that time. Whilst it may be necessary to go to the address several times to find someone home, each warrant will only authorise a single search of the premises. [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]. Each attempt to execute the warrant must be noted on the papers. Once executed, the papers are to be passed to the TVL Field Business Centre for the court to be advised of the outcome.

2.3 To minimise the impact on normal operations Enforcement Managers accompanied by an EO should in normal circumstances execute search warrants. On no account must the warrant be executed without two officers being present. Normally the two officers must be accompanied by a Police Officer. If the Police are unable to assist, in exceptional circumstances a warrant may be executed without them providing the Police have confirmed that they are not aware of risks that could arise at that property and permission to proceed has been sought and obtained from The Director of Field, The Head of Legal Services and Head of Field Services at the BBC.

2.4 Before each attempt to execute the warrant, the TVL Field Business Centre must be contacted to confirm whether or not a TV licence has been purchased for the address in question.
2.5 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

2.6 Arrangements must be made with the Police for a Police Officer to accompany the execution of the warrant (but see 2.3 above if it is not possible to secure Police assistance). The Police Officer is there to ensure that a breach of the peace does not take place, not to assist in the execution of the warrant. However, legally the officer has the power to execute the warrant.

2.7 Police availability will be dependant on their operational commitments. It is important to make contact with the appropriate Police station as soon as the warrant is issued to explain that help will be needed within the next 28 days to execute that warrant. Attempts should then be made at this stage to agree a mutually convenient time.

2.8 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

2.9 [Redacted under section 31 ("law enforcement") of the Freedom of Information Act], the EO should arrange for a Police Officer to be available.

- Identification must be made to the civilian at the front desk and a request must be made to speak to the duty Sergeant.
- Enquiries must be made with the officer in charge to verify if the Police hold any information on the occupiers, which may indicate that they could resort to violence.
- A review with the Police must be held to assess what measures can be taken to reduce any risks.
- [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]
- If there is a risk that the occupiers could resort to violence, once the door has been knocked, the Police officer must stand between the two attending officers and the occupier. Police have protective equipment and are trained to deal with any threats of violence.
- If violence is offered or takes place every effort should be made to diffuse the situation prior to proceeding. If it is not possible to diffuse the situation and the occupier(s) refuse to cooperate the search warrant process must be abandoned and the papers noted with the reason why.

2.10 No attempt is to be made by Capita staff to force access to premises. If any person on the premises intentionally obstructs access either physically or fails to assist by refusing to give personal details, that person is to be cautioned and advised that it is an offence which can lead to prosecution for obstructing the execution of a Search Warrant.

Any comments made following the caution must be recorded in the usual way
and if possible and practical the notes offered for signature. A full report **must** be prepared and submitted with the case papers to allow consideration of further action against the individual.

Should the occupant refuse to give their name to the EO when executing the warrant, the accompanying Police Officer should be asked to intervene and request the information before the search begins. (If a person refuses to give their name to a Police Officer when asked to do so, a separate offence has been committed which the Police will normally prosecute for). The name & number of the Police Officer must be noted.

2.11 **Due consideration must always be given to other people’s property and the human rights of all those present** The warrant empowers entry to premises to gather evidence of a suspected offence of TV Licence evasion only.

2.12 If access is gained to the premises, a copy of the Warrant and the Notice of Powers and Rights must be handed to the householder or left in a prominent position on the premises. (Note - In Scotland, a copy of the Warrant is shown to the householder, but no documents are left at the premises.)

2.13 **If no TV is found, the TVL Field Business Centre and The Head of Legal Services must be informed immediately.**

2.14 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.15 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.16 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.17 Any search of the premises must cease once sufficient evidence has been gathered. A Record of Interview is to be completed and the separate Search Warrant Execution information sheet **MUST** be prepared. The visit should be completed with the relevant reply code.

2.18 All persons who are present during the interview **MUST** be noted on an additional notes form. This includes the name of the accompanying officer, Police Officers and others known to be present in the house. If it is not possible to obtain the name of each person present, a description should be noted.

2.19 All papers relating to the visit are to be returned to the TVL Field Business Centre who will advise the court of the outcome of the warrant.

**Note:** If a customer requests to purchase a licence, a manual sale must be completed. The CVO should contact the VO helpline. If the VO helpline is unavailable for an application to be made, sales options are: cash, cheque or completion of a Direct Debit mandate as per Chapter 9 – Selling a TV Licence.
Multi-occupied premises

2.20 A Search Warrant for multi-occupied premises will only allow access to common areas of the property. Those executing the search warrant will be informed in advance if it is a known multi-occupied property. If the property is found to be multi-occupied, permission must be sought to inspect individual units. If access is refused to an individual unit, a further warrant would be required if evasion is suspected and there is sufficient circumstantial evidence to apply for a warrant.
3.0 **Search Warrant Execution - No Receiving Apparatus**

- **SW Sworn in at Magistrates/Sheriff Court**
- **Licence Check**
- **Warrant Executed**
- **No receiving apparatus found and no [Redacted under section 31 ("law enforcement") of the Freedom of Information Act] taken**

**Enforcement Manager to inform:**
- Regional Manager within 1 working hour of execution
- Ops Support as soon as possible (same / next working day)

**Regional Manager to inform:**
- Head of Field Enforcement
- Field Operations Director
- Senior Legal Advisor

Within 1 working hour

**Report from Regional Manager to be sent to Individuals above detailing:**
- What happened during the search
- What areas of the property were searched
- Any evidence that would suggest apparatus had been removed or used previously

Within 2 days of execution
1.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.1 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.2 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.3 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.4 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.5 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

2.6 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

3.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

3.1 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

4.0 [Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]
**Words and Phrases Defined for the Guidance of Visiting Officers**

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult</td>
<td>An adult is a person who is aged 18 years or older</td>
</tr>
<tr>
<td>178</td>
<td>(TVL178) the Record of Interview form</td>
</tr>
<tr>
<td>ARC</td>
<td>Accommodation for Residential Care</td>
</tr>
<tr>
<td>BBC</td>
<td>The British Broadcasting Corporation.</td>
</tr>
<tr>
<td>CA</td>
<td>Court Administrator</td>
</tr>
<tr>
<td>Capita</td>
<td>Capita Business Services Ltd, the company that has the contract to</td>
</tr>
<tr>
<td></td>
<td>administer the TV Licence for the BBC.</td>
</tr>
<tr>
<td>CARE</td>
<td>Customer contact logging system on LASSY (Customer Actions and Record of Events)</td>
</tr>
<tr>
<td>Certificate of Service</td>
<td>A document signed by the person who has served documents or notices on another to indicate the type(s) of documents served, the method and date of service; e.g. personal service of a summons and associated notices.</td>
</tr>
<tr>
<td>The Code for Crown Prosecutors</td>
<td>The code is designed to make sure that everyone knows the principles that the Crown Prosecution Service applies when carrying out its work. By applying the same principles, everyone involved in the criminal justice system is helping the system to treat victims fairly, and to prosecute defendants fairly but effectively</td>
</tr>
<tr>
<td>Comms Act</td>
<td>Communications Act 2003. This has replaced the 1949 Wireless Telegraphy Act and some of the later legislation under which TVL operates.</td>
</tr>
<tr>
<td>CP</td>
<td>Court Presenter</td>
</tr>
<tr>
<td>CPV</td>
<td>Close Proximity Visiting – Visiting strategy defined as a minimum of 2 EOs working in the same postcode sector normally no more than 5 minutes walking distance apart.</td>
</tr>
<tr>
<td>CVO</td>
<td>Commercial Visiting Officer. A type / skill set of Visiting Officer.</td>
</tr>
<tr>
<td>Deposition</td>
<td>A statement made by a witness to support the Search Warrant</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>----------------------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Application</td>
<td>Application.</td>
</tr>
<tr>
<td>Disabled</td>
<td>Suffering from severe physical incapacity</td>
</tr>
<tr>
<td>Diplomatic Immunity</td>
<td>[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]</td>
</tr>
<tr>
<td>Diplomatic Status</td>
<td>[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]</td>
</tr>
<tr>
<td>DV</td>
<td>Detector Van</td>
</tr>
<tr>
<td>DVD/DVDR</td>
<td>Digital Video Disc / Recordable Version</td>
</tr>
<tr>
<td>EM</td>
<td>Enforcement Manager</td>
</tr>
<tr>
<td>Evidence</td>
<td>All the legal means exclusive of mere argument which tend to prove or disprove any matter of fact, the truth of which is submitted to judicial investigation.</td>
</tr>
<tr>
<td>FBC</td>
<td>Field Business Centre</td>
</tr>
<tr>
<td>FieldGUI</td>
<td>The secure, encrypted, 'over the air' General User Interface used by Field officers between the handheld device (HH) and LASSY</td>
</tr>
<tr>
<td>HH</td>
<td>Handheld device (The PDA being used for TV Licensing visits)</td>
</tr>
<tr>
<td>H&amp;S</td>
<td>Health &amp; Safety</td>
</tr>
<tr>
<td>Husband and Wife</td>
<td>A married couple. In Monks v Pilgrim, following on from the indication that a visitor should not be prosecuted, Mr Justice Lloyd went on to say, &quot;The position, however, as between husband and wife seems to me to be different, and to be beyond any real doubt. Both are using the television set if they switch it on or watch it, even if the television set belongs to the one and not the other. They both use it, it seems to me, if they switch it on or watch it, even though the licence has always been paid for by the one or the other in the past. They are, therefore,</td>
</tr>
</tbody>
</table>
both capable of committing offences under Section 1 of the Act and each can be separately charged”.

iQor

Previously Revenue Management Services (RMS) the company that administers cash installment payment schemes and savings cards for TV Licensing.

Language
difficulty

Inability to communicate effectively with other person (e.g. Visiting Officer).

Lodger

A person living at the premises (who is not the occupier or tenant) generally on a temporary basis where the general possession of the premises remains in the Landlord.

LASSY

Licence Administration Support System – The primary TV Licensing database.

NLN

No Licence needed

Notice of Powers
and Rights

A document that provides an overview of the powers and rights relating to the executing officer and the occupier. A copy must be handed to the occupier.

PACE


PACE Codes
of Practice

These are Codes of Practice issued by the Home Secretary providing instructions as to how interviews should be carried out. Section 67(9) of PACE states that persons other than Police Officers were charged with the duty of investigating offences shall in discharge of that duty have regard to any relevant provision of such a Code. The Courts have held that persons such as TV Enquiry Officers are in the position of persons charged with the duty of investigating offences.

Payment
Scheme

Any one of a number of schemes designed to assist the licensee to obtain a licence and cope with payments.

Search Warrant

A Search Warrant is issued by a Magistrate and gives us the legal right to search premises to gather evidence of suspected TV Licensing evasion.

PayPoint

Over the counter provider for TV Licensing.

Purchase same
day

A licence purchased on the same day as the Enforcement Officer's visit. This is not valid for any previous day

RM

Regional Manager

ROI

Record of Interview (178)
Section 9 Procedure (E&W)  
Section 9 of the Criminal Justice Act 1967 (E&W) provides a procedure for the evidence of a witness to be given the form of written statement rather than by oral evidence, in England & Wales.

Section 1 Procedure (NI)  
Section 1 of the Criminal Justice, Miscellaneous Provisions, Act (NI) 1968 provides a procedure for the evidence of a witness to be given the form of written statement rather than by oral evidence, in Northern Ireland.

Section 12 Procedure (E&W)  
Section 12 of the Magistrates Courts Act 1980 provides a procedure, in England & Wales, enabling a person to plead guilty without the necessity of attending Court.

Short-dated  
Amendment to the date of expiry originally inserted on a TV licence; e.g. to allow recovery of revenue if there is a gap between the expiry date of a previous licence and its renewal. A Licence is not, however, valid prior to its date of purchase.

[Redacted under section 31 (“law enforcement”) of the Freedom of Information Act]

Student  
Normally a young person under 25 years of age living away from home studying at University or some other place of Education.

Television Licence  
A licence authorising the installation and use of a television receiving equipment to watch or record live TV programmes as they are being broadcast.

Television Receiving equipment  
Normally a television set, computer, mobile phone or any other device of a description specified in regulations made by the Secretary of State under Section 368 of the Communications Act 2003 that maybe used to watch or record live television broadcasts as they are being shown on TV.

TVLEO  
TV Licensing Enquiry Office; a term used to refer to the sub-set of LASSY that is used by TVL Field for the management of visits and prosecution cases.

Video Recorder / VCR  
A machine for the recording and playback of sound and vision which may include television broadcasts.

Visitor  
A person who does not normally reside at the address.

VO  
Visiting Officer. For the purposes of these instructions, a generic term
used for all people who may carry out TV Licensing visiting. These may be further classified / identified by skill set as follows:

- EO – Enforcement Officer
- [Redacted under section 31 ("law enforcement") of the Freedom of Information Act]

VPN

Visit Party Number. A unique reference number used to identify individual Visiting Officers.

Young Adult

A person aged between 18 and 25 years.