

TV Licensing
Visiting Procedures
(All Jurisdictions)

Introduction

These Visiting Procedures belong to you and have been compiled to assist you with your duties as a Visiting Officer.

It is your responsibility to ensure they are kept safe, that you familiarise yourself with them, refer to them and keep them up-to-date where appropriate.

Field Briefings are sent out regularly and it is your responsibility to ensure you read and understand them. If the briefing relates to a procedural change/update of these visiting procedures, file the brief in the relevant section for future reference.

Your manager will review these instructions periodically with you. You should always carry them in the boot of your car for reference during visiting times and bring them to team and one-to-one meetings.

These documents provide a set of procedural instructions to be followed by all Capita staff carrying out TV Licensing visiting, generically referred to as Visiting Officers. It is a mandatory requirement of the role to follow them; failure to do so may result in formal action being taken against you.

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

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 mandatory 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.

When making a visit, VOs are expected to:-

- Always prove their identity by showing their identity card and on request, provide a telephone number so that this can be confirmed.
- Always state why they are visiting.
- Be polite and courteous at all times. This extends to any notes written about the customer/interviewee.
- Conduct enquiries firmly and fairly and in the least intrusive way possible.
- Never threaten or intimidate and to stop the enquiry if asked to leave.
- Only enter a property when given permission.

The Area Manager should be contacted if the VO is unsure of any aspect of the procedures and no assumptions should be made. If in doubt, ask.

Unless otherwise stated these instructions apply to all jurisdictions.

Contents

Chapter 1: Health & Safety

- Committed Hours & Timesheets
- Hours: Contracted Hours/Prime Time/Annual Leave & Breaks
- Expenses
- Personal Safety: Risk Register & LWSS
- Contingency Measures for Emergency Situations
- Northern Ireland Only
- Mobile Phones
- Accidents & Incidents
- Incident Reporting & Filming/Videoing
- Vehicles & Winter Working

Chapter 2: Security

- Data Protection – overview of
- Storage of Data/Forms & equipment
- ID cards & Identity Check
- Return of equipment & Return of access Keys/Fobs
- ID & Verification Policy
- Same Named Streets & Mapping Software
- Data Breach Reporting Procedure, Loss/Theft of Equipment/Paperwork
- Instruction for dealing with Media enquiries

Chapter 3: Preparing to Visit

- Dress Code
- Posting of Work (how and when)
- Receipt Book Procedure
- Personal Organisation (admin/route-planning/equipment for visiting)

Chapter 4: Visiting Overview

- The role of the Visiting Officer (VO): Authority to Conduct Enquiries
- Students
- Approach to Premises: Right of Entry

[REDACTED]

- Visiting on Isle of Man, Jersey and Guernsey
- Visits Requiring a Manual Licence Check
- Handheld Contingency Process

Chapter 5: Special Considerations

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- Domestic Staff, Lodgers/Paying Guests/Tenants
- Joint Tenancy Agreement
- Husband/Wife, [REDACTED]/Visitor

[REDACTED]

- Requests from 3rd parties for Licence
- Welsh Language Standards
- Hotels & TV Retailers (Dealers)
- Trans Gender/Gender neutral

Special Consideration: Licenses

- ARC - Care Homes
- Revoked & Short Dated Licences
- Second/Holiday Homes
- Blind Concessionary Licence for the Visually Impaired

- Black & White (Monochrome) Licence

Chapter 6: The Visit

- Identifying the Appropriate person to interview
- Named Visits & Intercoms
- Interviewee Known to VO
- Satellite/Subscription only Claim
- Human Rights Objector
- DVD/Games only Use Claim
- WOIRA

Chapter 7: Potential Visit Outcomes

- Checking Addresses
- No Response to visit (no answer)
- Confirmed Occupied
- Unable to Confirm Occupancy
- Call Back Procedure
- Empty Premises
- Constructions/Foundations/Renovation
- Uninhabitable Address
- Non Existent Premises
- Confirmed No Licence Needed
- TV Boxed/Stored Away
- No Licence Needed (NLN) Visit
- Unconfirmed No Set (UNSC) Visit

Chapter 8: Licence Claims & Transfers

- Claim that Licence Held
- Transferring a Licence
- Licence Claim: No Handheld/Phone Coverage/System Unavailable

- Temporary Accommodation
- Suspected Fraudulent Licence

Chapter 9: Taking a Record of Interview

- Introduction
- Full Completion of a Record of Interview
- Concluding the Interview



- Proof beyond reasonable doubt
- Record of Interview as Evidence
- How to Complete the Record of Interview
- Computer Use Claim
- Section 9 Witness Statements
- Search Warrant Procedure

Chapter 10: Search Warrants

- Requesting a Search Warrant



- Execution of Search Warrants

Chapter 11: Selling a Licence

- The Sales Options
- Issuing Receipts
- Customers Receiving Debt Collection Service
- Direct Debits
- Credit and Debit Card Payments
- Cheques
- Full Cash Payments
- Saving Stamps & Savings Card
- Weekly Cash Schemes (CEE)

- Monthly Cash Scheme (MDD)
- Cash Schemes for Manual Visits

Chapter 12: Court Attendance and Protocol

Chapter 13: Legislation & Legal Advice

- General Data Protection Regulations 2018 and Data Protection Act 2018 includes what this means for VOs
- Equality Act 2010
- Communication Act 2003
- Police & Criminal Evidence Act 1984 (PACE) (Northern Ireland Order 1989)Criminal Procedure (Scotland) Act 1995
- Common Law (Scotland)
- Freedom of Information Act 2000
- Human Rights Act 1998
- Arrested by the Police on Duty

Chapter 14: Visit Reply Codes

- Single Visit Reply Codes
- Double Visit Reply Codes

Chapter 15: Use of the TVL 555 Sales Form

- Completing the form

Chapter 16: Chip & Pin Inspection Procedure

Chapter 1: Health & Safety

Committed Hours:

All officers must submit their committed hours for the following week prior to 1200hrs (Midday) each Wednesday.

Committed hours should be submitted even if it is a non-working week, e.g. Annual Leave. In this instance committed hours should be shown as 0 hours.

Any requests to change committed hours should be agreed by your Area Manager and should be the exception, not the rule.

Timesheets:

A timesheet is required to be submitted at the end of each working day prior to midnight and it is the VOs responsibility to ensure this is completed accurately.

The hours should accurately reflect the time spent on each activity.

Hours should be recorded in hours and minutes to the nearest 15 minutes e.g. 07:15, 07:30, 07:45.

Non- working day timesheets should be entered as 00:00 hours and can be submitted on the day or on the previous evening by using the Bulk Timesheet facility.

Once a timesheet has been submitted, the VO must use the Officer Assistant facility to check that the hours and miles entered are correct. If a mistake is discovered the timesheet must be re-submitted correctly and re-

If you make an error that cannot be rectified on the handheld device you must inform your manager immediately. **Note:** The Area Manager has a maximum of two working days to make any changes or corrections to the hours entered. After this time the hours will be fixed and used to calculate performance and commission payments.

At the end of each working day, once the timesheet has been submitted accurately, the VO must send a text message to the Area Manager stating:

- The timesheet has been submitted
- The hours submitted for each activity undertaken and total hours.
- The receipt of this text by the Manager will also serve as confirmation that the required reconciliation of ROI/555's against the HH has been made (See Chapter 2 Security: Security of Paperwork)

Annual Leave, Bank Holiday and Sick Absence hours are as follows:

Capita (non-transferred) Officers 37.5 hour contract = 7h 30

Transferred Officers 35 hour contract = 8h 45

Part-time/other = as per individual contract.

The Bulk Timesheet facility should be used to submit all Annual Leave prior to starting annual leave. Sick Absence can also be input using the bulk timesheet facility. Once a bulk timesheet has been entered contact your manager to confirm that it has updated correctly. Any hours entered deliberately to falsely enhance performance or commission will be treated as fraud.

Prior to Annual Leave ensure that your Expenses have been submitted and ensure that your work has been posted with a note to explain early submission.

Contracted Hours/Prime Time and Breaks

Contracted Hours

It is the VOs responsibility to plan their week to ensure their contracted hours are completed every week, including their contractual prime time hours. Working hours are calculated from the first to last visit (with the exception of transferred officers). Route planning/admin can be claimed - two hours per week for full time and part time staff claim the whole of the first hour and a proportion of the second hour (to the nearest 15min) as directed by your manager

[REDACTED]

Prime Time visiting hours are as follows:

Monday to Friday 16:00 – [REDACTED]

[REDACTED]

Contract Prime Time Hours:

Full Time Capita contract = 17 hours per week

Full Time transferred contract = 15.5 hours per week

Part Time/Other contract = pro rata

20/20 Contract = 20 hours per week

[REDACTED]

Breaks

VO's must not under any circumstances request or use Customer Toilets.

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

Actual hours of attendance must be accurately recorded.

An **unpaid** break of at least twenty minutes must be taken if your period of duty will exceed six hours. The total visiting hours claimed for the day should not include any unpaid breaks.

A rest break of up to 15 minutes will be considered reasonable for every four hours worked as long as it is not:

1. Added to the unpaid break
2. Taken at the beginning or end of duty
3. Claimed as part of your prime time credit if taken during prime time
4. A reason to incur additional time or mileage

Any break whether paid or unpaid cannot be taken at the beginning or at the end of a shift, or added together and should be taken as a rest period and not whilst driving.

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 11.5 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.

Expense Claims

Expenses should be submitted on a monthly basis unless otherwise agreed with your Manager.

- Receipts should be attached as trained; by taking a photo & appending it to the associated expense
- A mileage log sheet (hire car log sheet) must be completed when using a hire car & also attached to the associated expense
- If leaving the business, expense claims must be submitted prior to the last day of service

Staff Briefings & Updates

Operational procedures are subject to revision. In the event of such revision, an update will be issued. It is the responsibility of each VO to ensure that instructions are read, understood and actioned. If this relates to visiting procedures, the relevant sections of the manual must be added and old versions removed and sent to the Field Business centre (FBC) for confidential disposal.

Staff briefings will be issued. These may be for information only or may supersede a current instruction. The relevant work instruction will be updated in due course. It is the VO responsibility to ensure they read these briefings carefully and are aware of the most up to date procedures. Should an Officers personal circumstances change (e.g. house move) it is the responsibility of the VO to inform their manager of the change.

Personal Safety and Risk Register

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.

When undertaking TV Licensing visiting, due regard must be given to personal safety at all times.

[REDACTED]

These should be referred to before commencing visiting.

[REDACTED]

In order to give VOs additional, supplementary information, any dangerous addresses for postcode sectors selected (Risk Register) 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 a VO opens a visit. It is essential that VOs are aware of any risk addresses.

The risk register visiting category [REDACTED] is indicated on the cluster for each postcode sector for handheld allocations.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Each VO is responsible for notifying the Area Manager as soon as possible after any incident takes place.

The risk register is reviewed and updated both on a regular basis and when an incident is reported.

If a VO is assaulted, this must be reported to Area Manager immediately. Physical assaults must also be reported to the police.

None Emergency Police Telephone Number: You will need to prefix 101 with the number 9 to access this service from your company phone.

LWSS – Lone Worker Support System

It is a mandatory requirement that all VOs are logged on to the LWSS system at all times from first to last visit. This is done automatically when logged onto the handheld unless you are prompted by your handheld to log on with your mobile phone.

Every 4 hours there is a requirement to log off the Handheld Device. You may wish to set an alarm on your mobile phone as a reminder.

After logging off you may be asked to enter a timesheet. At this stage you must click 'Bulk Timesheet'. From the Activity drop down menu select 'non-working day'. The basic hour's column stays at 00:00 and then press submit. You will need to resubmit your timesheet with the correct hours at the end of your working day.

If you log into your Handheld device at any point prior to visiting e.g. to view visit allocation or to route plan, you must log out of the HH device until you begin visiting, at which time you will log into the HH device as normal.

You must fully log out of your handheld device at the end of each shift.

If you experience any problems you must inform your manager immediately.

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 a VO 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. If you receive a text reminder/alarm because you have not logged off your handheld correctly you must address this immediately. If this happens at the end of the day you must respond to all requests from the duty manager.

The system is in place for officers' own security and failure to use the system correctly may ultimately result in disciplinary action being taken.

Contingency measures for emergency situations

If a VO 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 VO working in the vicinity of an affected area should leave immediately and contact the Area Manager for advice. If possible you will be advised to continue visiting elsewhere.

If a VO 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.

Northern Ireland Only

Before commencing visiting, the VO 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

Driving

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 hands free 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/impractical for them to cease driving to make the call.

Usage

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

Mobile phones are provided for use whilst on company business and personal calls should be kept to a minimum. Disciplinary action may be taken where excessive personal use of the mobile phone is identified.

If a VO 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.

Before returning a Smartphone to your manager ensure all accounts are logged out of (i.e. Google) and ensure the manager has full access to the phone by way of passwords/PIN numbers.

Accident & Incidents: Avoiding slips, trips and falls

VOs 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 VOs must always assess the safest route to take whilst visiting.

As with all items of clothing VOs must ensure that footwear is appropriate for the weather conditions and the area being visited. This includes ensuring that footwear has appropriate soles and uppers to reduce the risk of injury resulting from slips, trips or falls.

VOs should be vigilant at all times and must not be looking down at the handheld or mobile phone whilst walking.

Incident Reporting

Accidents such as slips, trips, falls, animal bites, damage to vehicles, car accidents should be reported immediately to the Area Manager and where necessary, the Police (e.g. road traffic collisions).

In the case of a physical or verbal assault, the VO should leave the area immediately, find a safe place, and report the assault to the Area Manager immediately. You may also need to contact the Police. You will be required to provide the following:

Name and address/location of accident/incident

Time and date of incident

Report of events including injuries, damage, witnesses

Filming: Photographing/filming of a VO during a visit

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

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

If VOs finds themselves in a situation where they are being photographed or filmed they must remain calm and continue to conduct themselves in a professional manner.

The VO may continue the visit despite the existence of filming equipment if they deem that it is safe and appropriate to do so.

[REDACTED]

Whilst being filmed you should also be alert for any evidence that would indicate the use of a television receiver to view live television programmes, such as being able to see or hear a television in use, [REDACTED] etc.

[REDACTED]

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

Vehicles/LWSS/Insurance

Private cars must be insured for business use and the car details registered with the Area Manager for inclusion on the LWSS register.

This information will be given to the Police should it be necessary to locate a VO who has failed to log off LWSS and the manager cannot establish contact. Therefore, it is imperative that if a VO changes a vehicle that the new details are notified to the Area Manager immediately.

Vehicles/Parking whilst visiting

Vehicles should always be parked away from the address to be visited and facing the direction you will be leaving.

Where possible avoid parking in a cul-de-sac or 'dead end' road. If this is unavoidable, ensure the vehicle is parked facing the exit.

Sat-navs should not be left visible in cars when cars are unattended as this leaves the vehicle vulnerable to an opportunist thief.

Winter Vehicle Check

Ensure vehicles used for work are kept fully serviced and maintained with plenty of fuel. It is good practice during the winter to follow the advice of the AA/RAC which includes carrying the following items in your car at all times: spade, salt, anti-freeze, de-icer, warning triangle, high visibility vest, torch, warm blanket, warm clothing, food and drinks. This list is a guide only.

Winter Working

It is essential that VOs are aware of potential inclement weather and keep alert to weather forecasts and warnings. This information should be used to plan your working week to ensure contracted hours can be completed.

Allow extra time to get to work and back.

Plan your route to favour major roads where possible as these are more likely to be salted.

Chapter 2: Security

Data Protection

All VOs are given training on Data Protection (General Data Protection Regulation 2018 'GDPR' and the Data Protection Act 2018 'DPA' and Information Security at the start of their career with Capita. This will be refreshed annually or more frequently if deemed necessary. See Chapter 13 Legislation for Data Protection Act.

Security of Paperwork/Equipment

Apart from their own personal security, VOs are also responsible for the security of documents, customer/client data and valuables under their control at all times. When out visiting, these must not be left in view in a vehicle.

- With the exception of envelopes and calling cards, TVL documents (whether blank or completed) and equipment must not be left in any vehicle overnight.
- Documents that contain personal data must be stored securely and safely in compliance with GDPR and the Data Protection Act.

When the VO has finished visiting or is not actively visiting all documents must be [redacted] and stored at home locked in the secure box provided until they are required to be removed for posting. No TVL documents are to be left overnight in the officer's vehicle.

If public transport is being used whilst visiting, you must take care to ensure that any [redacted] are not left on a bus/train or passed to any third parties.

If any TVL documentation is checked / reviewed whilst on public transport, care and vigilance must be a priority to ensure that any documents are not visible to other passengers

- When documents are being carried this must be done discretely so as not to provide an obvious target for an opportunistic thief. The VO must take care to ensure that any documents or valuables carried remain in their possession when they return to their vehicle.
- The number of completed Record of Interview's / 555's must be reconciled at days end with officer assistant details on the handheld. Errors must be reported to AM immediately.
- At the end of their duty any paperwork completed that day (Record of Interview's, additional notes, TVL 555 forms and any mandates, paper visits, cash & credit/debit card receipts etc.) must be locked away in the secure box at the VOs home until the next scheduled RMSD posting day.

- VOs must **log off and exit** their handheld at the end of each working day. If the VO fails to do so the handheld is not fully secure and represents a security risk.

Once the VO has signed for their equipment (e.g. mobile phone, handheld device, chip and pin) 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 VO is responsible for all company property and any negligent action resulting in or from loss or misuse could result in disciplinary action being taken, and/or the total cost being deducted from the employee's salary. Similarly, the negligent loss or misuse of documentation or customer/client data obtained, provided or created will result in disciplinary action.

When inspecting Chip & Pin devices you must look for signs of tampering, damage and/or substitution. This is to ensure protection for devices that capture payment card data via direct physical interaction with the card. Any evidence of damage, tampering or substitution must be reported immediately to your line manager. Please refer to Chapter 16 for the chip & pin inspection procedure.

In the event of any TVL stationery or customer data being lost or stolen the VO must contact their Area Manager immediately and follow the Data Breach Procedure. In the case of theft, you must also report the incident to the Police.

Identity Cards

The ID card is a security item. The loss or theft of an ID card must be reported to a manager immediately.

A VO cannot undertake any further visiting until a new ID card is received from the FBC. Working hours will need to be adjusted accordingly.

VO Identity Check Process

In order to confirm VO identity when telephoning the VO Helpline or a customer makes a telephone call to TVL to confirm the VOs identity, staff will ask for the following details before giving information:

- The VPN
- Confirmation of manager's name

NB. The VO Helpline number is for VO use only, and must not be given to members of the public. Please note:

The Field Business Centre should not be used for general visit enquiries.

The Field Business Centre should only be contacted if specific information is required on active or previous prosecution cases.

Return of equipment/Company Property

It is the responsibility of the person who has been allocated any equipment to return the items, including any TVL payment cards, stationery etc. personally to their Area Manager prior to, or on their last day of service or on a specified date. In exceptional

circumstances, if an individual is unable to meet up with their manager, the equipment can be returned by Special Delivery.

The total cost of any unreturned equipment will be deducted, in full, from a VO's salary. Where it is not possible to return the equipment prior to or on the last day of service, the VO's manager must be informed and an explanation given as to when and how the equipment will be returned.



Handheld/Assets Fault

Handheld/assets faults should be reported to your manager.

Bluetooth

It is not possible for the VO to access the Bluetooth options to perform device pairing on either the handheld or chip & pin device. If Bluetooth pairing is required a case should be logged with the IT service desk. The VO will then be contacted by Application Support and the device pairing process will be completed over the phone.

Return of Key Fobs

Key Fobs, swipe cards, proximity cards, keys etc. that are provided to allow access to multi-occupied premises should always be returned to the allocated place/person as detailed in the access information or as agreed with the person/company supplying the keys/fobs.

Identification & Verification Policy

1. At the outset of a visit the VO must establish that they are speaking to an appropriate person, i.e. an adult who normally lives at the address. If they are not an appropriate person and/or do not normally live at the address, the VO will manage the contact as per the procedures set out in this manual.

- Having established that the VO is speaking to an appropriate person, where the visit is for a named person then the VO will ask that person if they are Mr / Mrs / Ms Xxxxxxxx.
- If the VO establishes that they are speaking to an appropriate person but the visit is unnamed, or this person is not the person named on the visit, the VO will request a name and record this.
- Please note; There are occasions when a 'stale mate' situation can occur, in so much as the person answering the door won't confirm their status unless you identify yourself first. If an explanation becomes necessary and provided you are confident you are speaking to a legitimate occupant and at the correct address; and you believe there is a realistic prospect of getting a positive

outcome to the visit then the explanation is that you are from TV Licensing and that we are updating our records. As a VO you must decide whether confirming your identity will increase or decrease any potential risk to your health and safety whilst being aware of individuals rights under Data Protection and GDPR as stated in Chap 13 Legislation and Legal Advice.

2. The VO must confirm they are at the correct address by asking the customer to quote the full address and postcode. Check that the address given is an exact match with the visit address on the handheld.

- If the person confirms the VO is at the given address, go to (3) below. If not, and the VO does not have a visit for the address they are at, they will apologise and leave.

3. The VO will then introduce themselves, state the reason for their call and proceed with the visit as per the procedures set out in the relevant sections of this manual.

Calling Cards

In the event of visiting an address resulting in no customer contact and if there is any doubt as to whether or not it is the correct address ie no door number etc, then under no circumstances leave a calling card. The visit should be coded as a 9

To complete a calling card write "Your Premises in" before the street name and postcode but **no house number** before posting the card through the letter box.

For multi-occupied premises with a single (communal) letterbox the VO's will only be required to include the flat number in the address box.

In all cases the remaining sections of the calling card (VPN ref, Time, Date & Visiting Officer initials) should be completed in full.

Same named streets, mapping software and maps

1. Always ensure you follow the Field Identification & Verification (ID&V) Policy.

2. If there are two streets with the same or very similar names in the area you are visiting:

3. Ensure you identify the correct one before conducting a visit, always use the A button facility on your handheld.

- If you are in any doubt about which is the correct street to visit, do not attempt a visit until you have made appropriate checks and/or enquiries to confirm which is the correct one to visit.
- When you do visit, ensure you also confirm the postcode with the customer, in addition to the first line of their address.

4. If you use your own mapping or sat-nav device to plan and locate visits, make sure you keep it up-to-date with the latest applicable software updates.

5. If you use a map, make sure that it is not out-of-date and includes all the streets for which you have visits i.e. that there are no new / recent developments missing from it.

Incident potentially involving personal information/Data Breach Procedure

If after you have taken a Record of Interview and/or issued a licence and closed a visit you realise that an error has been made you must inform your manager (or duty manager if evening or weekend) of this **immediately** and provide the following details:

- Customer's name
- Incorrect Address (where you have taken/made the Record of Interview /sale)
- Correct Address
- Licence number where possible
- Payment type/scheme
- TVL payment card number if it is a Cash Scheme licence

An additional notes form containing the above information **must** be completed and submitted to the FBC.

All relevant Record of Interview's or TVL555s concerning the breach must be returned to the Field Business Centre on the day of the breach or at the latest the next day (this would include documents with the correct address but coded to the incorrect visit)

- In the event of a breach occurring at the weekend the first Monday following will suffice
- The relevant document must be accompanied by additional notes giving details of the breach
- The documents must be marked for the attention of either the Prosecutions or Operations Manager. Your Area Manager will advise of the appropriate individual
- The relevant documents must separate from your normal work
- The documents can only be returned using Royal Mail Special Delivery (RMSD)
- All data breaches must be reported as per the work instructions

If, during the course of the visit it becomes apparent that the VO is not at the correct address, the visit should be terminated immediately and an apology made to the householder. The officer should also inform their line manager immediately, should this happen.

Loss/Theft of Equipment and/or Paperwork

Any loss or theft of equipment/ paperwork MUST be reported to the Area Manager immediately as this may constitute a Data Breach. You may also be required to contact the Police.

If, in the unlikely event of a VO not being able to contact the Area Manager immediately when a Data Breach, loss or theft of equipment has occurred, the VO must attempt to contact their Regional Manager or the Field Business Centre.

Guidelines for dealing with the Media: When approached by a member of the media, a journalist or camera crew the VO 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.
- Inform your 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 and telephone number
- The name of the agency, publication, website or broadcaster for whom they work
- The information they want (i.e. the question/s asked)
- The journalist's deadline (if possible)
- Inform your manager about the action taken, in full.

If carrying out a visit and the person living at the address identifies themselves as a journalist:

- Carry out the visit as normal
- If they ask questions about TV Licensing policy or procedures these must **not** be answered
- An explanation must be given that you are not authorised to speak to the media and that you will put them in touch with TVL press office
- Inform your manager

If a member of the media contacts you directly then the guidelines above must be followed. Similarly if the VO attends court this could attract media interest, the procedure above must be followed.

A VO must never agree to take part in an interview, photograph or any other media activity unless authorised by the TVL press office.

The TV Licensing 24 hour press office number is 0208 752 6606.

Chapter 3: Preparing to Visit

Dress Code

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

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.

VOs must always look clean and smart and must dress appropriately for the area they are visiting - ties are not always appropriate for particular areas. VOs 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.

VOs must ensure they always carry a waterproof coat/jacket and are prepared for inclement weather.

Acceptable clothing:

- Collared shirt and smart trousers for men and the equivalent for women. During hot weather short sleeved shirts may be worn.
- Shoes/boots suitable for walking/weather conditions.

This is also the standard required whenever visiting a Capita site.

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.

Unacceptable Clothing: The following items of clothing are not acceptable and must not be worn.

- T-shirts
- Combat/Cargo style trousers
- Training Shoes or Flip-Flops, Baseball Caps
- Camouflage & Denim clothing, Jeans / Jackets / Skirts / Dresses
- Garments with large or obtrusive advertising logos, slogans, cartoons, or "Loud patterns"
- Sportswear / tracksuits / shell suits / crop tops / shorts
- Facial jewellery (except ear-rings) & novelty clothing.

Common sense should prevail for items not listed. Failure to comply may result in officers being sent home, disciplinary action and/or dismissal.

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.

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

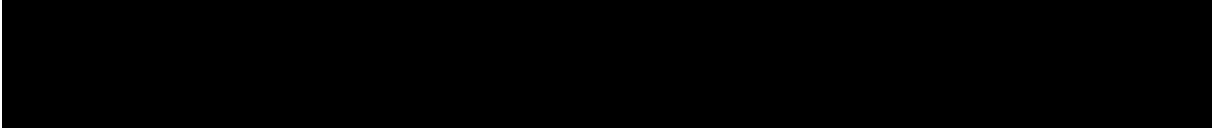
Preparing to Visit - Posting Work

VOs should post their work on the morning of their scheduled posting day.

A Special Delivery receipt will be given which will contain the posting date and time and unique RMSD number. The VO must retain this receipt in order for the item to be tracked if necessary.

The end of month posting days vary and it is imperative VOs make themselves aware of these dates. **Proper packaging of returned work is essential.**

- A fully completed Facing Sheet must be placed at the top of work being posted
- Work must only be sent using a silver Royal Mail Special Delivery bag supplied by the FBC as part of the stores process.

- 
- All paper visit types with associated documentation (Hotels, No NINO, special visits, 2nd visits, SW applications etc.) should be placed in the bag as per the facing sheet.
 - Valuables Envelopes* should be placed in front of all paperwork.
 - Any items for confidential waste should be placed at the back of the week's work.
 - 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.

Do not use elastic bands, paper clips, pins or any other devices to attach papers.

***Valuables Envelopes:** Should be placed at the front of the week's work.

- A **separate fully completed and sealed** valuables envelope should be used for each day's work.

Cash

- Each collected cash amount should first be placed in a clear plastic bag (provided in VO stores) with the relevant merchant receipt.

- Cash bags must be placed in a fully completed and sealed valuables envelope.

Other Items

- Chip and pin merchant receipts must be placed in a fully completed and sealed valuables envelope.
- Cheques, TVL Saving Stamps, PayPoint receipts, receipts for/and Direct Debit mandates, receipts for/and licences should be placed in a fully completed and sealed valuables envelope.

Receipt Book Procedure

It is imperative that all receipts issued are scanned into the handheld. The FBC will keep a track of all issued, spoiled and unused receipts in order to generate a new receipt book for despatch to you.

Receipts must be used in numerical order i.e. in the sequence they appear in the receipt book.

Receipt books must be fully completed before starting a new one and must be used in the order that they are issued.

No personal details should be recorded in any receipt books. Merchant copies must be removed from the receipt book as soon as possible after the relevant visit and retained securely with the ROI/valuables envelope.

It is essential that all receipt books are kept secure and accounted for at all times. If a VO cannot locate a receipt book their manager must be notified immediately.

- Completed receipt books must be enclosed in a fully & accurately completed and sealed valuables envelope and returned to the FBC with your next posting.

Spoiled (torn/defaced) and Void Cash/Negotiable Receipts

- The top (Merchant white) and Customer (blue) spoiled and or void receipts must be returned weekly to the FBC in a fully & correctly completed valuables envelope.
- The 'Triplicate' (green) copy should be kept in the receipt book until the book is complete and, in turn, returned to the FBC in a fully completed valuables envelope.

Spoiled (torn/defaced) and Void (error made) Credit/Debit Receipts

- The top Merchant (white) and Customer (blue) spoiled and void (e.g. where and error has been made by the VO and another correct receipt given) must be returned weekly with work to the FBC in a fully completed valuables envelope

- The 'Retained' (green) copy should be kept in the receipt book until the book is complete and, in turn, returned to the FBC with work in a fully completed valuables envelope.

All unused documents (e.g. out-of-date forms) must be returned to the FBC for secure disposal. These must be separated from other work and clearly marked "Confidential Waste" and enclosed with your next scheduled posting by RMSD.

When a VO is not actively visiting, all completed TVL documentation (such as Record of Interview forms, additional notes forms and search warrant material) together with Direct Debit mandates, cheques, cash, TVL Saving Stamps, receipts, PayPoint receipts and completed receipt books must be stored in the secure box provided. These items must never be left in vehicles or any other unsecured location overnight.

Admin/Route-planning

Route planning/admin can be claimed - two hours per week for full time and part time staff claim the whole of the first hour and proportion of the second hour in (to the nearest 15min) as directed by your manager VOs 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.

All visits should be completed on the correct day, i.e. on the day specified in the email received when visits are allocated, unless agreed otherwise with the manager.



- 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.
- A-Z map books can be claimed back via expenses. Good practice is to cover the pages with sticky back plastic. They can then be wiped clean and reused.
- The VO should ensure that adequate supplies of stationery are available. If stock on hand is low, contact your Area Manager.

Items to be taken when visiting:

ID card	Mobile Phone & charger	Folder/Clipboard
Handheld & spare battery	Chip & Pin*	Paper visits
Records of Interview	555 Forms (SOs)	CEE Cards
Cash Receipt book	Credit/Debit Receipt Book	Plastic bags
SW application forms	Additional Notes Forms	Black Pens

Calling Cards (Red)	Calling cards (Green NLN)	Watch
Language Cards	Sales Presenter	Torch

Welsh Calling Cards should be carried by all officers visiting in Welsh postcode areas.

Wet weather clothing/sun protection

*Chip and Pin device must be carried in the holster and strap provided to protect it.

Chapter 4: Visiting Overview

The Role of the VO

The role of a VO 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, which may be prosecution. 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.

- Deliberate falsification of visit results, times of visits or other information obtained is considered a serious offence and will result in disciplinary action.
- Falsification of evidence is a criminal offence, which may result in prosecution.
- The need to treat each visit confidentially and to make the enquiry without causing offence is paramount.

. 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.

- In order to process a visit on the handheld unless you are unable to locate the address you must knock on the door of the property.
- Do not visit addresses unless a visit request has been produced.
- Do not visit after the “Last Visit Date” (paper visits only. The handheld will remove visits automatically upon expiry).
- VOs 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.
- If a VO is unable to locate or get to the address given on the visit request, the visit must be coded 9 and UTL used from drop down list and then move on to the next visit. The visit is not to be annotated unless an outcome is obtained or a call back is planned.
- If a visit is received for an address where the VO believes that prosecution action may still be in progress from a previous call, the VO should check with the TVL Field Business Centre before making the visit.
- 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 prosecution follow up visit 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.

Authority to Conduct Enquiries

If asked what authority you have to ask questions, VOs should answer they have a duty to investigate possible criminal offences under the Communications Act 2003.

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.

Student Accommodation

On campus student visiting is planned through the Field Specialist Services team and VOs should not visit on campus unless within a planned campaign.

- 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 area manager to establish if a letter is required, and for a copy to be provided.

Approach to Premises

This should generally be to the main entrance to the property using established routes of entry. VOs must always have respect for the householder's property and privacy.

Right of Entry to Premises

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 VO leave the premises, they must do so immediately.
- VOs must never enter premises when the only person present is a child/minor.

Flats: Having been given permission to enter the block - either by permission of an occupier or by implicit permission by way of an open door allowing access to a communal area – a VO is entitled to carry out their enquiries. If a customer asks the VO to leave their premises the VO should do so. The VO is entitled to continue to visit other addresses in the block.

If asked to leave the building by Security or the building owner, the VO should do so and report this to the Area Manager.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

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- Those customers who were already over 75 on Sunday 1 April 2018 and were for a TV licence should automatically have been issued with a free Over 75 licence on the expiry of their current licence.
- Those customers not licensed or who turn 75 after Sunday 1 April 2018 will need to contact TV Licensing after Sunday 1 April 2018 to register for a free licence, while the NI number should be captured (if provided) in LASSY these should be issued as **Non Nino** licences.
- Customers who register after Sunday 1 April 2018 will be entitled to a refund from their 75th birthday to the expiry of their current licence.

If any customer has any additional questions or concerns please refer them to the Isle of Man authorities.

Interpreters

- Must be 18 years of age or over.
- The language used to interpret must be noted on the record of interview.
- The name and age **or** date of birth of the interpreter must be noted on the record of interview.
- If the interpreter is a friend or relative of the interviewee, this must be noted on the record of interview (PACE requirement)

Visiting on Jersey

Prior to any visiting campaign we are required to notify (the Hon Police/States Police) to confirm them of dates and locations for the proposed visiting campaign. This will be completed by the relevant campaign manager.

Visiting Officers are permitted to carry out an interview/take a Record of Interview without the presence of an Honorary Constable. There is a specially adapted Record of Interview which has the 'caution' removed and includes a specific section headed, 'additional information for 'Centeniers'.

We are not permitted to issue a caution, but VO's should warn the occupant that they may be reported to the police for further investigation.

The provisions of the Police and Criminal Evidence Act 'PACE' do not apply whilst visiting as effectively we are simply gathering evidence to be passed on to the Police.

There is a requirement to always have photo ID.

Maximum Fine

The maximum fine on Jersey is £1000.

Relevant Law

The Broadcasting and Communications (Jersey) Order 2004

Human Rights Act Jersey 2000

Visiting on Guernsey

Prior to any visiting campaign, we are required to notify (the local Police and the Crown Office) to confirm dates and locations for the proposed visiting campaign. This will be completed by the relevant Campaign Manager.

There is a limit on the number of hours a non-resident of the Island can work without a work permit, however for the purposes of our limited campaigns a permit should not be required but this will need to be verified by legal.

Visiting Officers are permitted to carry out an interview/take a Record of Interview without the presence of local police.

There is a specially adapted Record of Interview which has the 'caution' removed.

We are not permitted to issue a caution, but VO's should warn the occupant that they may be reported to the police for further investigation.

The provisions of the Police and Criminal Evidence Act 'PACE' do not apply whilst we are visiting as effectively we are simply gathering evidence to be passed on to the Police.

There is a requirement to always have photo ID.

Maximum Fine

The maximum fine on Guernsey is £2000.

Relevant Law

The Broadcasting and Communications Act (Bailwick of Guernsey) Order 2004

Human Rights Act Jersey 2000

Visits that require a manual licence check

VO's may be allocated visits that have an SVI informing them to perform a licence check via Field GUI before conducting the visit. If one of these visits is allocated a text message will also be sent on the day that the visit is allocated reminding the VO to complete the licence check.

Dealing with these visits

If the licence check shows a valid licence at the address do not conduct the visit and use reply code 7 (Licence seen/held) to close the visit.

If there is no licence on file at the address, conduct the visit as usual.

If the VO is unable to check the address via FieldGUI, call the VO helpline on [REDACTED] to request a licence check. If a licence check cannot be made, do not conduct the visit until such a time as a licence check can be completed.


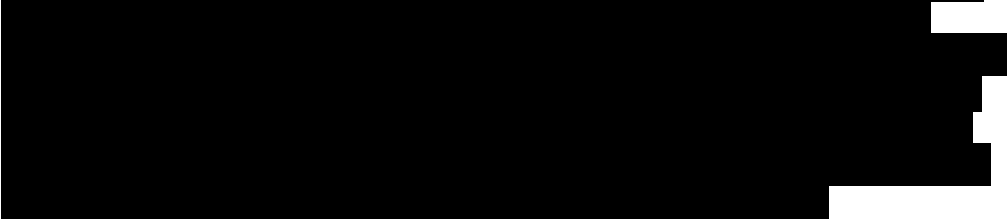
Handheld Contingency Process

In the event of a pro-longed Handheld (HH) outage the following process may be implemented. You will be notified by your Area Manager (AM) prior to implementation.

- Notification by text message / voicemail message to VO of Handheld Contingency process implemented due to pro-longed HH systems outage.
- AM will contact VO confirming location, date and time for face to face handover of visit lists/SVI/risk register
- VO meets AM and receives paper visit list/SVI/risk register. VO will sign for the visits list/SVI/risk register to confirm receipt. Note; from being received, the security and confidentiality of all paper visit lists/SVI/risk registers are the VO's responsibility. All documents must be kept in line with procedures and due regard for Data Protection and General Data Protection Regulations as detailed in the Visiting Officer Visiting Procedures.

- VO will complete visits as per visit lists with due regard to SVI/risk register supplied. VO will write down the date / time of visit and the visit result code on the visit list supplied. The list/SVI/risk register or information contained in is not to be copied in any format. Reply codes – record the reply code as appropriate from the list supplied

- **HH systems restoration;**
 - If notification of HH systems restoration is received before the completion of all paper based visits, VO's must cease using paper visits immediately and resort to HH BAU

- **HH systems continued outage;**
 - AM will further contact VO confirming location, date and time for further face to face handover of visit lists
 - Process to continue until full restoration of HH systems
- **Return of paper visit lists/SVI/risk register;**
 - Upon completion of the visit list all paper visit lists/SVI/risk registers and any resulting ROI's or TVL555's must be returned to the FBC by RMSD for reconciliation
 - If HH systems have been restored before the full completion of the paper visit list ALL pages (including uncompleted visits/pages) of the visit list must be returned to the FBC by RMSD for reconciliation
 - Visit lists/SVI/risk registers returned to the FBC must be accompanied by an accurately completed facing sheet marked 'Handheld Contingency'
 - RMSD envelopes containing paper visit lists/SVI/risk registers and associated ROI's/TVL555's should be marked 'Handheld contingency'
 - The visit lists/SVI/risk registers and associated ROI's/TVL555's must be posted upon the next working day or in the event of Bank Holiday or weekends within 48 hours of the last visit. If this is not possible contact your AM asap
 - Work resulting from visits (ROI's & TVL555's etc) prior to and following HH outage must be returned to the FBC as per your current posting schedule and posted separately from paper visit lists/SVI/risk register
- **Lone Worker;**
 - You should use your phone to manually log on and off with lone worker, this is important for your safety.
- **Licence checks;**
 - In the event that a customer claims to hold a valid licence a call should be made to the TVL contact centre. 


Chapter 5: Special Considerations

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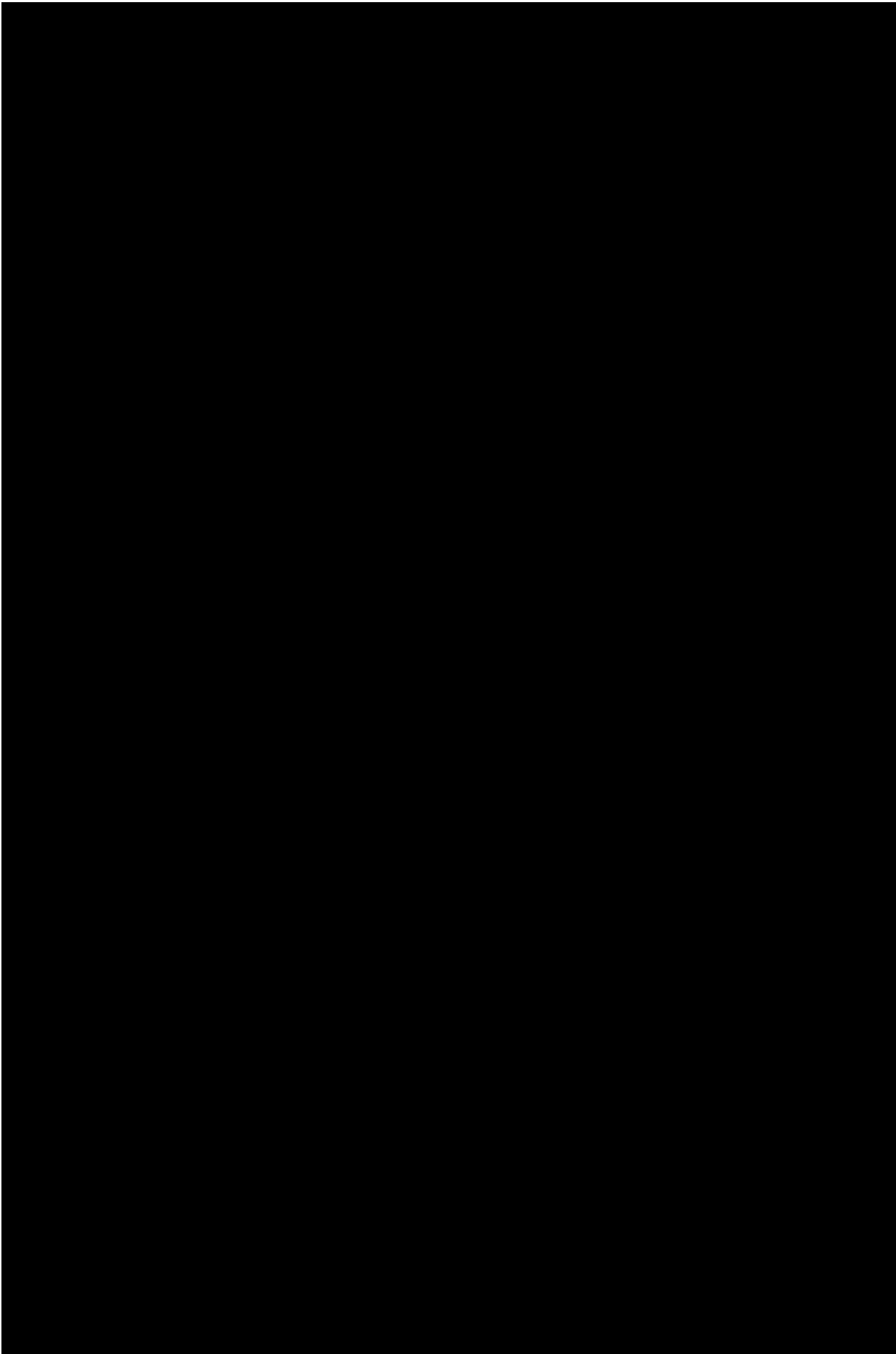
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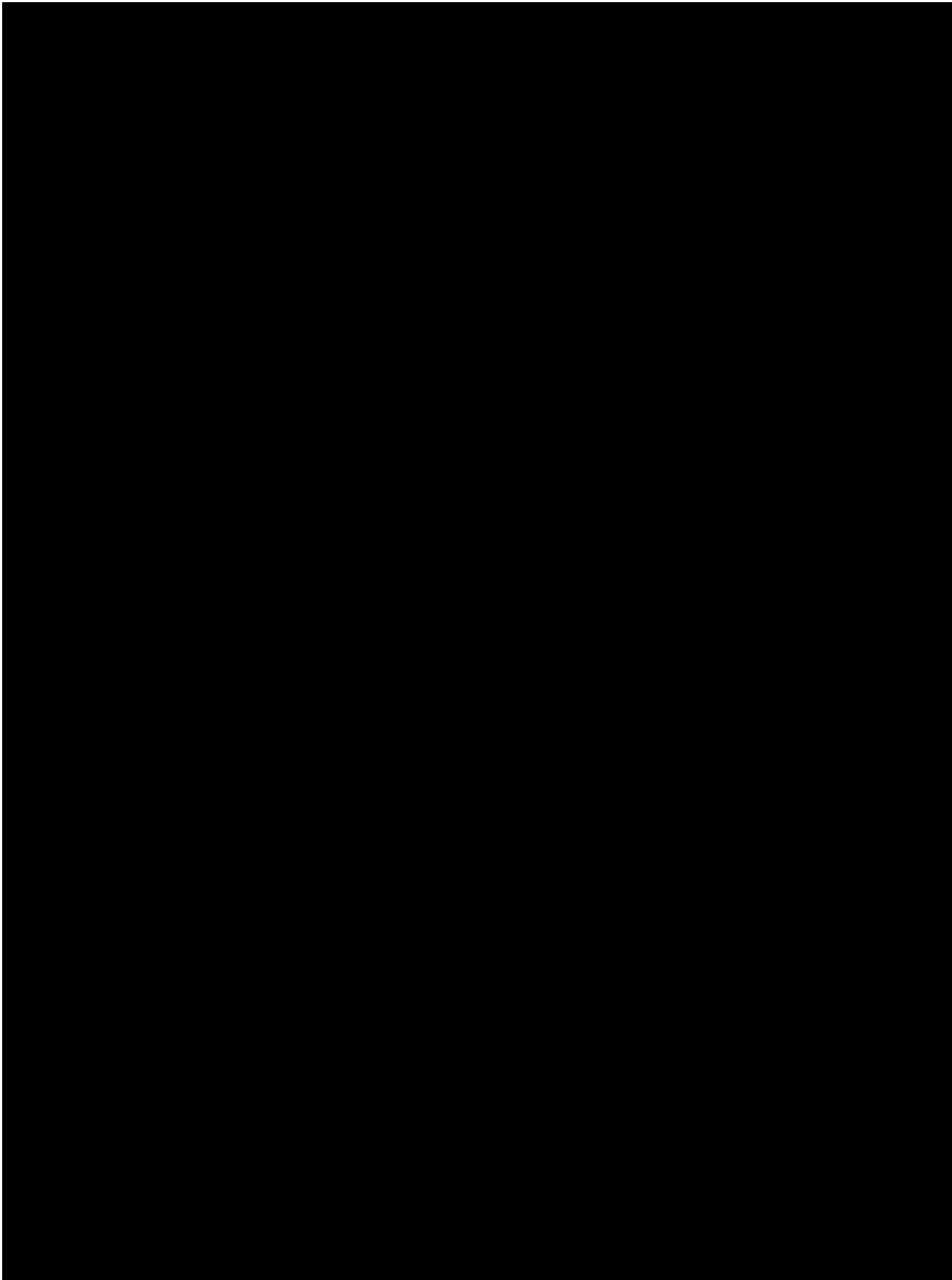
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¹ Mentally vulnerable' applies to any [person] who, because of their mental state or capacity, may not understand the significance of what is said, of questions or of their replies. 'Mental disorder' is defined in the Mental Health Act 1983, section 1(2) as 'any disorder or disability of mind'.





Language Difficulty

Where the person seen is clearly not able to understand the VO, and there is no suitable interpreter available, a Record of Interview must not be completed.

- A calling card or an appropriate leaflet must be left and the visit recorded as a code '9P' and noted with the language used. A subsequent visit, if required, should be made with the aid of an interpreter.
- If the interview is to be conducted in English and it is apparent that English is not the first language of the interviewee, the VO must satisfy themselves that the interviewee has a sufficient understanding of English for the interview to proceed and make use of the Language cards provided

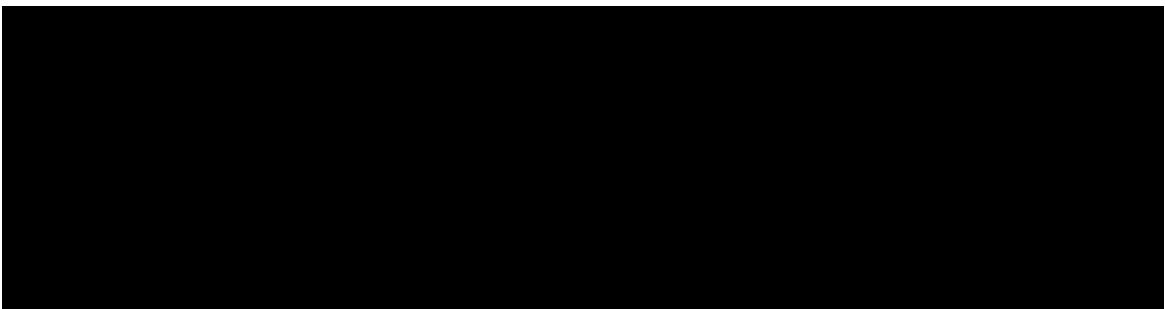
Any questions asked to confirm understanding must be noted on the Record of Interview and will help to counter any later claim in court that the interviewee did not understand.


Cultural requests




If an interviewee requests that the VO remove their shoes before entering the property for cultural reasons this should be declined. Under no circumstances should a VO remove their shoes (this is a health and safety matter). Instead they should explain to the interviewee that they are not able to remove their shoes and again ask for permission to enter. If this request is declined they should accept it, and mention in the notes section of the Record of Interview the reason why they did not enter the property.

Sign Language

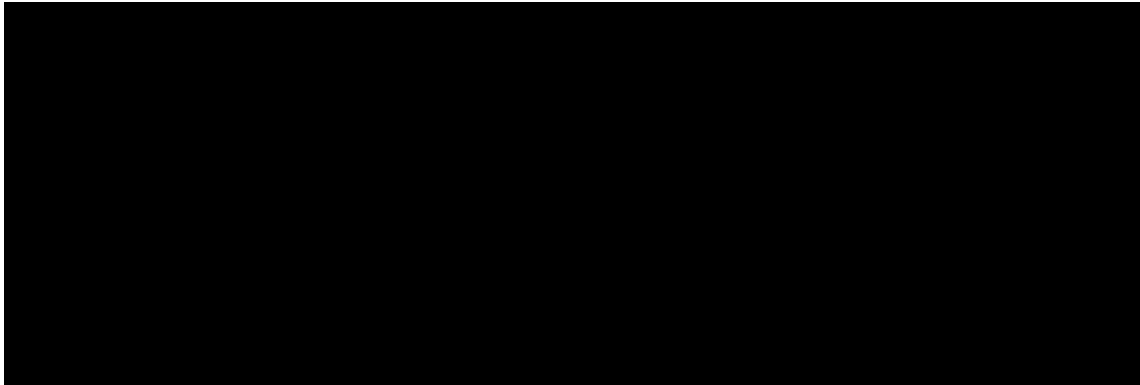
- Where the person seen requests a BSL (British Sign Language) interpreter the officer should attempt to ascertain if there is a suitable person present who can interpret on their behalf.
- If there is no suitable person who can interpret, the VO should attempt to ascertain if there is another responsible person at the property.



. The VO should provide the minicom number 0300 790 6050 and advise the customer to purchase a licence if one is required.



- In some circumstances we may be asked to provide an interpreter. In this situation the VO should:



- The VO should also provide the minicom number for the customer to make contact with the contact centre.

Any interview conducted using sign language must be noted accordingly.

- If a sign language interpreter is used this must be noted on the Record of Interview
- A sign language interpreter must be over the age of 18 and their name, age and/or date of birth must be recorded as well as the relationship to the interviewee.
- If no interview under caution is conducted, then a full report including the reasons for this must be submitted to the Field Business Centre.
- The VO must attempt to find out the name (and address if this is different from that visited,) of the householder, carer, or person responsible for the TV Licence and an additional notes form should be submitted to the FBC. The visit should be recorded as a code '9P' and a calling card left indicating the ways a licence can be purchased.



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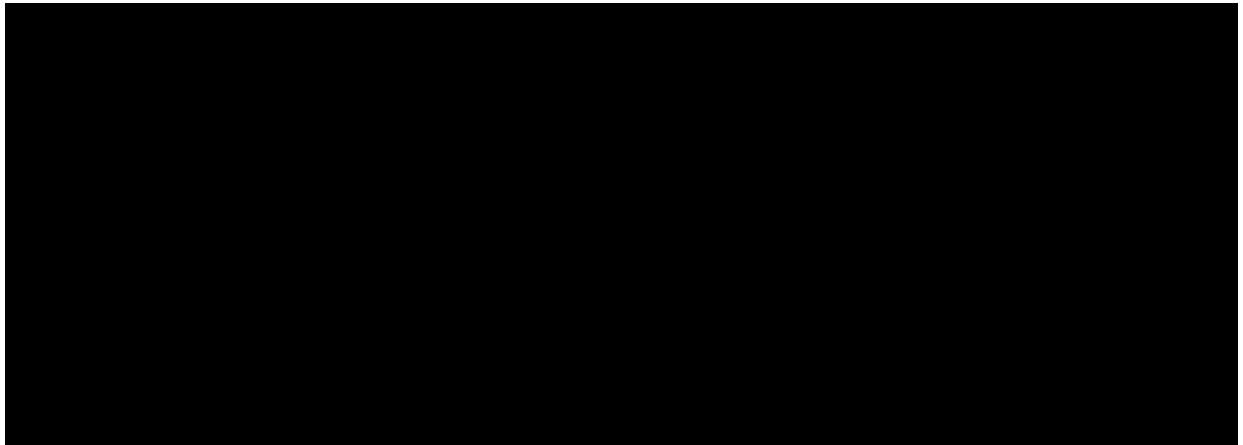
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Crown Immunity

The Crown (including all bodies acting as agents of the Crown, such a Government Departments from Ministers down) is not bound by the TV Licensing legal framework.

As a result, Properties/sites that are occupied by the Crown that are used to carry out the work of the Crown do not require a TV Licence, provided TVs and receiving equipment are only used for 'official purposes'. An official purpose is one that is pursuant to the minister's function, i.e. to allow the body to conduct its role. Crown Properties include for example Prisons, National Probation Centres and Armed Forces sites.

If you receive a visit and the person states at the outset that it is a Crown Property so they don't need a licence, you must proceed as follows:



Ask to speak to the Officer in charge/Site Manager, and record details of the property type on an additional notes form. The following information should be obtained:

Name

Business role (if applicable)

Address

License number (if applicable)

Telephone Number

Email address

Code the visit as a 9P and submit additional notes with your work. It should also be clearly marked that the additional notes should be forwarded to the Policy team.

If the visit is for the communal area, staff room or staff accommodation (where TVs would tend to be used for recreational rather than official purposes), and a licence is required but not on file, and you are/able to speak to the Officer in charge/Site manager – a commercial ROI can be taken and additional notes should be submitted clearly stating this property is owned by the Crown.

If you establish the property is a Crown Property and the Officer in charge/Site manager is not available – capture all relevant information as described and submit additional notes to the FBC clearly marked “Crown Property”.

Domestic Staff

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

and

Domestic staff living in separate accommodation away from the main building (e.g. keeper’s lodge, gardener’s cottage) require a separate licence. A Record of Interview should be taken, if a licence for the premises concerned cannot be produced.

Lodgers, Paying Guests, Tenants etc.

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.

Self-contained accommodation within another licensable place (e.g. within a house or pub) 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 cover this area as well.

Joint/Shared Tenancy Agreement

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

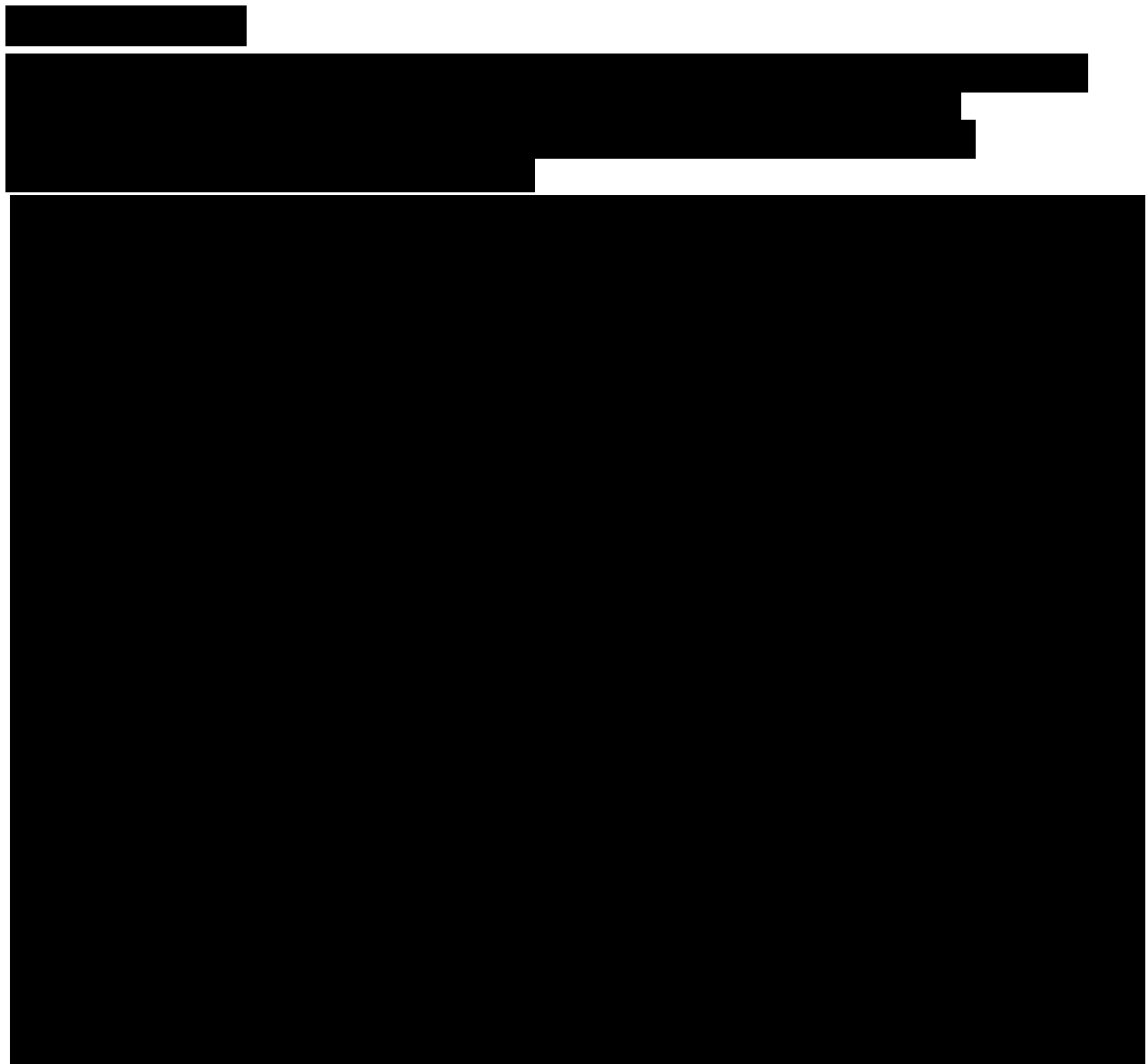
If the resident claims that the landlord or some other person is responsible for purchasing the licence, **and evidence is produced to support this** (this may be within the tenancy agreement or a collateral agreement referring to household bills or furniture):

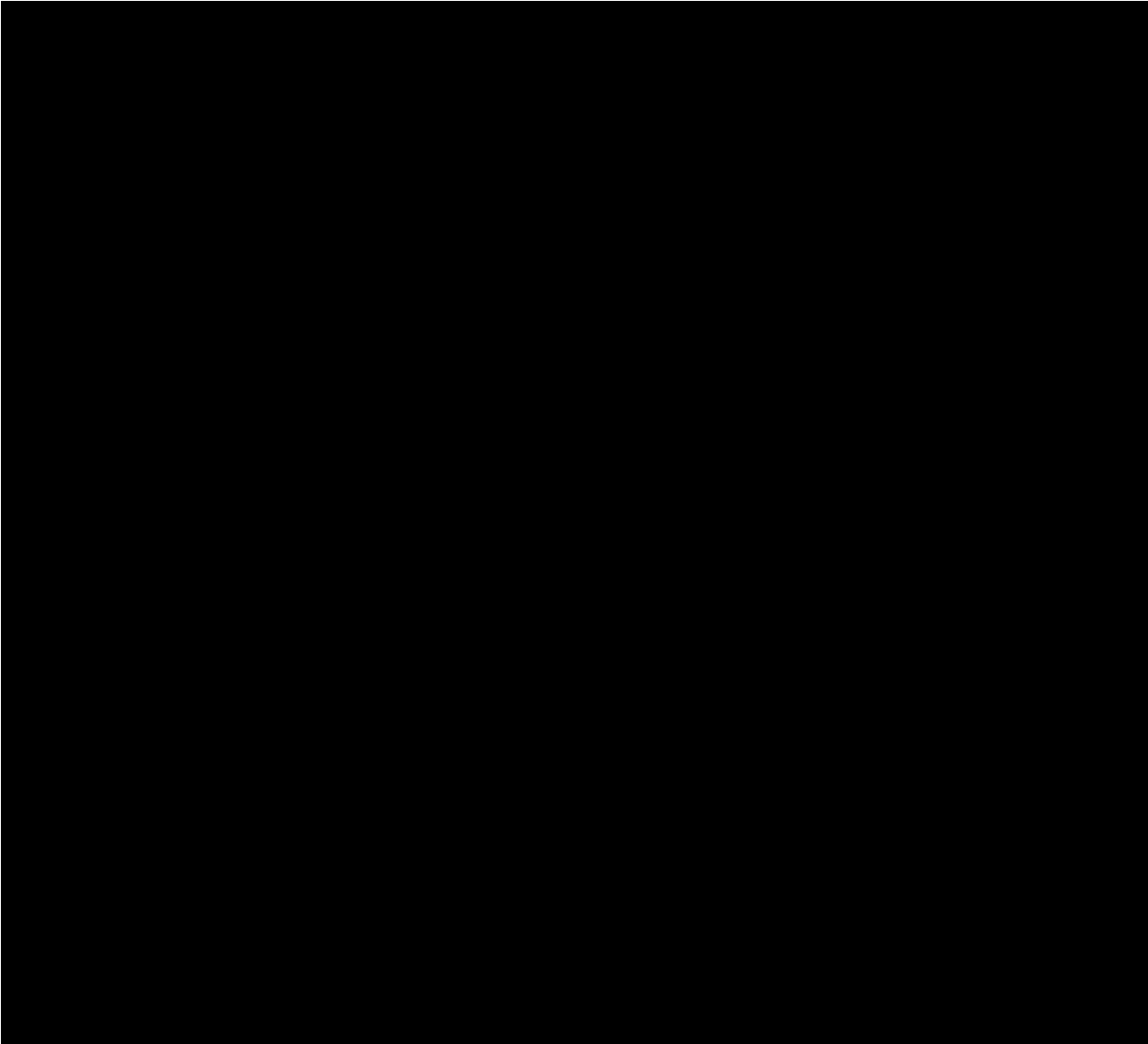
- No Record of Interview should be taken.

- The VO should complete the visit with reply code “9” and obtain if possible all relevant details such as the landlord’s name, address and telephone number and details of any evidence produced.
- The VO should ask the tenant to make a statement confirming that the television is provided by the landlord and if appropriate, 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.
- An additional notes form should be completed.

Husband/Wife

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.





Request from 3rd parties (Other persons visiting the address under Enquiry)

If a VO encounters a visitor to the address being visited who was present during the interview and expresses interest in purchasing a licence for their own address, a Record of Interview must **not** be taken from that person and a licence sale cannot be made. The VO may provide them with a calling card which outlines the ways to pay for a licence.

Dealing with Welsh speaking customers in line with the Welsh Language Standards

In March 2017 the Legal Framework governing organisations must support the use of the Welsh Language in Wales changed. This change introduced specific and more onerous 'Welsh Language Standards' which give individuals in Wales the right to receive a wide range of services through the medium of Welsh. As a result of this change, TV Licensing is required to comply with around 100 Welsh Language Standards. Some of these are relevant to TVL Field activities and where relevant the Standards are incorporated into the instructions set out below.

Failure to comply with the standards is a breach of the law and could lead to enforcement action against the BBC by the Welsh Language Commissioner. It is therefore very important that VO's adhere strictly to these instructions as a failure to do so could result in a breach of the Standards.

These requirements only apply to addresses in Wales (not the rest of the UK). Whether a customer lives at an address in Wales can be determined by their postcodes – a list of the Welsh postcodes provided below. If you are unsure whether or not a particular postcode is in Wales, confirmation should be requested from a Manager.

Welsh Postcode: All of LL, CH4 0xx, CH5, CH6, CH7, CH8, SY10 0xx, SY13 3xx, SY15, SY16, SY17, SY18, SY19, SY20, SY21, SY22, SY23, SY24, SY25, All of SA, All of LD, HR3 5xx, All of NP16 Apart from NP16 7xx, All of CF.

TV Licensing recognises the right of individuals in Wales to live their lives through the medium of Wales and we welcome communication from the public in Wales in Welsh and English.

Whilst visiting in a Welsh postcode any VO's **MUST** use bilingual leave behind calling cards. English only calling cards must not be used. If there is any doubt about whether the address is in Wales, a bilingual calling card must be used.

If a VO does not have a bilingual calling card then no calling card should be left. It is the VO's responsibility to ensure that they have sufficient stock of these cards. VO's should contact their line manager if no bilingual calling cards are received in their monthly stores order or if they are getting low on stock. The manager will then contact the FBC who will post out a supply of bilingual cards by next day delivery.

[REDACTED] between the hours of [REDACTED], the VO may also call the Welsh helpline number: 0300 790 6042 and the customer can speak to a Welsh speaking advisor using the VO's mobile telephone, [REDACTED]

An interpreter (a friend, family member or another person at the address able to translate for the person being visited) can be used to conduct the interview if one is available and this is acceptable to the customer (see Chapter 4)

Commercial Premises / Hotels: Non commercially trained VO

If a visit is produced for a commercial premises, including pubs and hotels, this should be recorded as a reply code "6" and the comments box annotated pub, hotel etc. The premises should not be visited.

Commercially Trained VOs should follow the instructions for commercial visiting.

Dealer visits - TV Retailers & Repairs

If a commercial visit is produced for a TV Dealer outlet (sales and repairs):

- If they are displaying and testing TVs for the purposes of sales or repairs only a licence is not required and reply code C should be used.
- If a TV is used in a communal (e.g. canteen) for watching live TV during breaks etc., a TV licence will be required and a Record of Interview should be taken.

Special Considerations: Licences

ARC - Care Homes- Concessionary Licences: Accommodation for Residential Care (ARC)

VOs should **NOT** under any circumstances visit this type of premises:

- Reply code **9** should be selected
- 'Care Home' should be selected from the drop down menu on the Handheld.

All types of Care Homes contact is managed by the Field Research Team based at the Field Business Centre.

Cancelled or Short-Dated Licence Involved

If the interviewee accepts that they have received correspondence short-dating and/or cancelling their licence, and the only licence that can be produced is an

expired / cancelled one as indicated on the visit (this may show as 'revoked' on the HH), then the interview under caution may continue.

Short-Dated Licence

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.

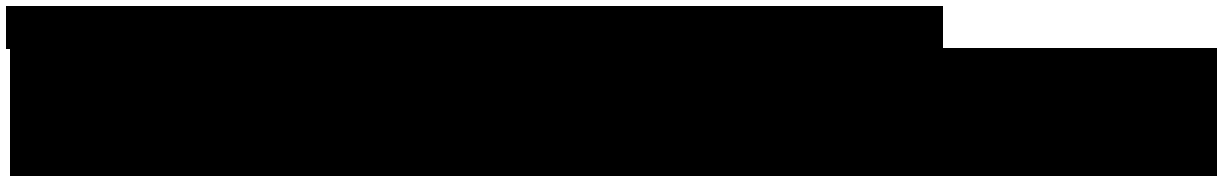
Cancelled Licence

If the visit is made before the original expiry date shown on the now cancelled (previously called revoked) licence, and this is the only licence that can be produced, and the interviewee denies any knowledge of the cancelling 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.

Second / Holiday Homes

Second /Holiday Homes can be one of three types.

- 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.



- Use reply code "9P". 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 weekly work.

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.

If a visit is made to unoccupied premises and it is learnt that the property is used as a Holiday or second home:

- The VO should seek to confirm who the owner of the property is and note this is in the comments box on the Handheld.

- Reply code 9 should be used **unless** the property is closed up for the winter. In this instance, reply code 3 should be used and a 'Months to Occupancy' entered.

Blind Concessionary Licence – Visually Impaired Customers

A blind concessionary licence is a 50% reduction of the current licence fee.

Sound Box: if a sound box is used to receive television sound but not the picture a TV licence is not required. The VO should:

- Use Reply code C and follow the reply code C procedure.
- When it is established that the interviewee is visually impaired, the VO should ensure that an appropriately sympathetic and tactful approach is adopted throughout the interview.

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

- 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**
- 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**
- A certificate issued by a Health and Social Services Trust in Northern Ireland showing the applicant is blind/severely sight impaired; **or**
- 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.

If evasion is taking place the VO should conduct an interview under caution.

Subsequent to the interview the VO 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 VO 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 (as stated on the documentation produced) they **do not** qualify for the 50% concession.

If 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.
- 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'.

Setting up a Blind Concessionary Licence

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 VO should call the VO helpline. The VO will be asked for the following information:

- What documentary evidence the VO has 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 VO 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 and 17.00, or after 17.00, the agent will request the VOs VPN and the customer's details as follows:

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

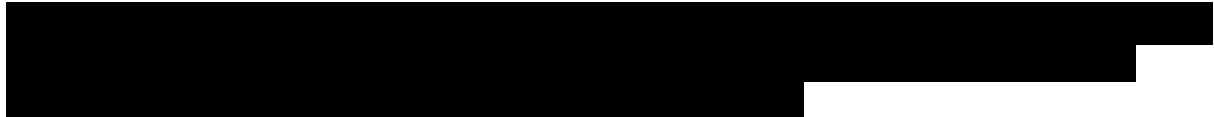
The VO must advise the customer that they will receive a telephone call from the Blind Concessions team who will set up the customer's licence.

The VO 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

The VO should record "Blind Concession" in the comments box on the close visit screen.

Contact Centre



To ensure the correct customer, address and licence details are identified when speaking to the Contact Centre you must adhere to the following procedures:

- The Contact Centre Agent should initiate the address verification to ensure the correct address is identified
- The Visiting/ [REDACTED] Officer must repeat back the address in full and/or the prem and postcode as required
- Answering 'yes' or 'no' to the address verification is not sufficient
- The Visiting/ [REDACTED] Officer must use the phonetic alphabet when relaying information to the Contact Centre Agent to ensure the correct address is identified
- If the Agent fails to begin verification then the Visiting/ [REDACTED] Officer should initiate the verification

Contact Centre: Out of Hours

If the VO is visiting a property out of the Contact Centre opening hours i.e. after 18.30, or the customer wishes to pay by cheque or cash, and it has been confirmed that they are eligible for a blind concessionary licence the VO should:

For cheque or cash payments for a blind concessionary licence:

- Issue the customer with a receipt for the amount taken
- Complete an additional notes form with full details of the documentation as would have been required over the phone
- Enter 'Blind Concession' in the close visit comments box on the HH
- Cash / cheque and receipt are returned to the FBC as per posting instructions

To set up a Direct Debit for a blind concessionary licence if the Contact Centre is not available the VO should:

- Complete a manual Direct Debit mandate form with the customer's details

- Complete an additional notes form explaining why the request has not been phoned through and full details of the documentation seen
- Enter 'Blind Concession' in the close visit comments box on the HH
- Store the Direct Debit mandate form securely until the next posting day
- Ensure that the DD mandate is enclosed in a cheques & valuables envelope and return to the FBC as per posting instructions.

For debit / credit card payment for a blind concessionary licence if the Contact Centre is not available:

As the request cannot be phoned through to the Contact Centre the VO can either:

- Call the Contact Centre the following day to arrange for them to call the customer to set the licence up, or
- Advise the customer to call TV Licensing during the office hours of 08:30 – 17:00 Monday – Friday to apply for their licence.

Black and White (Monochrome) Licence held; colour television receiving equipment being used

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. anonymous information received that a colour TV is being used when a black and white licence is held.

It should not be necessary to request sight of the black & white licence as this information should be detailed on the visit request.

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



Where entry is refused, use of colour TV equipment is denied and the VO 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 apply for a search warrant under the authority of the Communications Act 2003. Threat of a search warrant must not be used to gain access to premises.

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

Where unlicensed use of colour TV receiving equipment is admitted but permission to enter the premises is refused:

- An interview under caution should be conducted. Notes must be made on the Record of Interview that access to inspect the equipment was refused with the reason.

- Proceed with the post interview sales approach. 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).
- 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 Field Business Centre.
- An additional notes form must be included stating that a colour licence has been applied for and requesting a refund of the unused portion of the black & white licence.

Customers who are trans-gender or choose to use a gender neutral title

A customer who is trans-gender should be addressed using their preferred title. In some cases, this could be Mx - pronounced Mix, Mixer or Mux. This option is also available to customers who prefer to remain gender neutral.

In these circumstances you should use the preferred title on the Record of Interview or 555 and where appropriate, provide an explanation on an additional notes form. The Field Business Centre will then be able to make any necessary changes to the customer's records.

If you visit a customer who explains that their preferred title is Mx, you **should not** set up their licence on the handheld as you will be unable to select Mx as a name title. You must call the helpline on the dedicated VO number and explain that you require a licence setting up with Mx as the name title.

If you accidentally address someone by the incorrect gender, apologise and make sure that you use the correct title for the duration of the visit.

If the officer is unable to contact the Call Centre due to it being 'out of hours' to set up the licence, details of how to purchase a licence should be left with the customer.

Chapter 6: The Visit

Identifying the Appropriate Person to Interview

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 VO and the resident of the property being visited.

Having established using the **Identification & Verification procedure** that they are speaking to an appropriate person, (i.e. an adult who normally resides at the address)

- The VO must produce their identity card
- State the reason for the visit (that there is no record of a licence)

Named Visits

- If it is a named visit the VO must confirm whether or not the person seen is the person named on the visit.
- If they are not the person named on the visit, and the person being spoken to has confirmed that they are either a new or co-habiting resident and live at the address the VO will request and record the name of the person they are speaking to and continue with the visit.

[Redacted]

- Explain that it is a private matter and they need to speak to the occupier and leave the premises without divulging personal information relating to the visit.
- Private information must never be divulged to an unknown / inappropriate person.

[Redacted]

[Redacted]

[Redacted]

A note must be made as a comment in the comments box if evidence of identity is seen such as a driving licence, utilities receipt or a benefits book. If a Record of Interview is being completed, note these details on the additional notes form.

VOs must record customer names and telephone numbers [REDACTED]. If an interview under caution has been conducted this information must be recorded on the Record of Interview. These details should also be entered into the handheld.

If an appropriate person is not present (see also Special Considerations), the VO 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.

- Use reply code “9P”
- Additional comments should be made using the Handheld drop down menu where appropriate (e.g. minor seen) and/or using the close visits comments box
- Additional notes may be appropriate.

Intercoms

Where a VO is speaking to an occupier via an intercom but the occupier refuses to allow access:

- The visit should be coded as a “9P” with supporting additional comments from the drop down menu of the Handheld e.g. RTAD (refused to answer door).
- An interview under caution must **not** be conducted via an intercom
- Leave a calling card if there is a letterbox (see Calling Cards)

No record of interview can be conducted via:

- An intercom
- Over the telephone
- An upstairs window
- Through a letterbox

Intercom with NO Access Instructions – able to leave calling card

- If a calling card can be left, code the visit as 9 and select the ‘controlled access – letterbox main entrance’ from the close comments drop down menu

Intercom with No Access Instructions – unable to gain access or leave a calling card

- Code the visit 9i

Intercom with Access Instructions - Where Access Instructions are available and the VO has not made contact **regardless** of whether or not a calling card can be left:

- Code the visit as 9

Officers should communicate updates to or new relevant access information to the Access Co-ordinator [REDACTED]. Information should include the Prem and Postcode and the wording 'access information required'.

Interviewee is known to the VO

If the customer/interviewee is personally known to the VO

- Common sense and discretion should be applied as to whether to conduct the interview under caution
- If the VO decides to proceed with the interview under caution they must also complete an Additional Notes form to describe in detail in what capacity they know the customer (e.g. cousin, uncle, friend)
- How well they know them
- How long they have known them
- Any other relevant information in order for Court Administrator who will review the case to make the appropriate decision on whether or not to prosecute.

This additional information will enable any questions that may arise at a later date, e.g. regarding the officer and the interviewee being known to one another, to be appropriately answered.

If the VO decides not to proceed with an interview under caution they should record the visit as a 9P, together with the a close visit comment of "Customer known to VO"

In each of the above scenarios (interview conducted or not) the VO must inform their manager that they have visited someone who is personally known to them.

[REDACTED]

[REDACTED]

[REDACTED]

Satellite / Subscription Television Only Claimed

Where the customer informs a VO 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”.
- Inform the customer that regardless of where the signal is transmitted from, a television licence is required.
- An interview under caution should be conducted if appropriate.
- Any claim of exemption must be recorded as soon as the customer mentions it.
- Where permission to inspect the set is granted, the channels tested must be recorded on the Record of Interview. The package subscribed to/used must also be noted e.g. Sky Sports/Football. (See completion of Record of Interview Chapter 9).

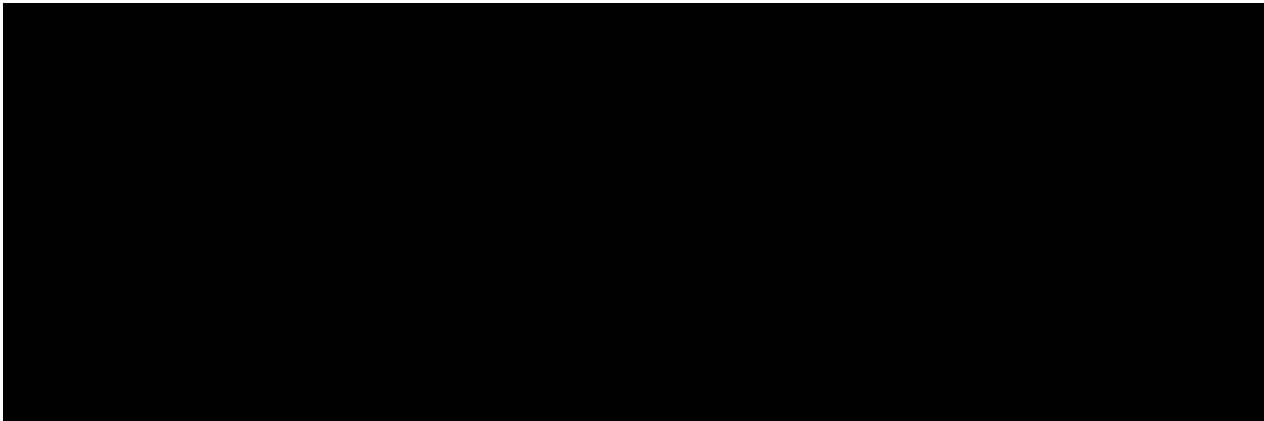
Computer/Laptop/Tablet/Smart TV/Media device use claimed

- Where the customer informs the VO that they only watch TV programmes through online or internet services the customer must be advised that a licence is required to watch or record programmes as they are being shown on TV or live on an on-line TV service.

BBC iPlayer

Furthermore, from 1st September 2016 a licence will be also required to download or watch BBC programmes on demand, **including catch up TV, on BBC iPlayer**

- The following information should be given:
 - A licence is required to watch or record programmes online as they are being shown on TV (i.e. at the same time or virtually the same time as they are scheduled to be broadcast on TV) or as they are streamed on an online TV service.
 - **This does not include on demand services such as Netflix and Amazon Prime or catch up services such as ITV Hub and 4OD (with the exception of BBC iPlayer)**A licence is required to view or download BBC catch up TV on BBC iPlayer
 - If BBC iPlayer is accessed through any other provider, such as Sky, Virgin, Freeview or BT, a licence is required
 - This excludes watching S4C TV on demand and listening to radio through BBC iPlayer.
1. An interview under caution should be conducted if appropriate.
 2. Any claim of exemption must be recorded as soon as the customer mentions it.



7. Refer to Chapter 9 for full instructions on completion of the record of interview.

Human Rights Objection / Exemption Claimed

Where the customer informs a VO 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 receiving equipment to watch or record programmes as they are being shown on TV or live on an on-line TV service, or from 1st September 2016, to download or watch BBC programmes on demand including catch up TV on BBC iPlayer 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”.
- 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.
- 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.
- Additional notes should be used clearly stating “Human Rights Objector”. When using paper visits the visit request should clearly be marked “Human Rights Objector”

Video / DVD / Games Use Only Claimed

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

- Ask to inspect the equipment

If the VO is able to confirm that TV receiving equipment is not used to receive live TV from any source (including online) or BBC programmes on iPlayer, no licence is required. This should be recorded as reply code C. If inspection of the premises / equipment is refused and the VO is therefore unable to confirm the above and is unable to gain evidence of unlicensed use, this should be recorded as a reply code **9P** with an appropriate comment.

WOIRA Claimed

Withdraw of Implied Rights of Access (WOIRA)

Scotland:

If a new WOIRA claim is made whilst visiting premises in Scotland, the following terminology should be used when relaying information to the occupant; 'I'm afraid we cannot accept your request to withdraw the right to visit.'

'The withdrawal of the common law right for TV Licensing's officers to approach your property is not recognised under Scottish law. We therefore reserve the right to visit your property should it become necessary to confirm the licensing situation.'

All attempts must be made to resolve the visit.

If the occupant claims to have already declared WOIRA then the officer should state; 'We don't have a record of your request but you should be aware that the withdrawal of the common law right for TV Licensing's officers to approach your property is not recognised under Scottish law.'

The officer should then proceed with the visit unless told to leave, observing any evidence to be used for Search Warrant application in this instance.

When closing the visit on the handheld, the term 'WOIRA' MUST NOT be used from either the drop down menu or typed into the comments section.

In the instance of WOIRA being claimed the following term is to be recorded onto the handheld with immediate effect; 'ROAR claim' – standing for 'right of access removed claim'

The rest of this section applies to England, Wales & NI only

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. VOs have a legitimate purpose for their visits, to collect and enforce the TV Licence, and therefore have such an implied right of access.

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.

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

[REDACTED]

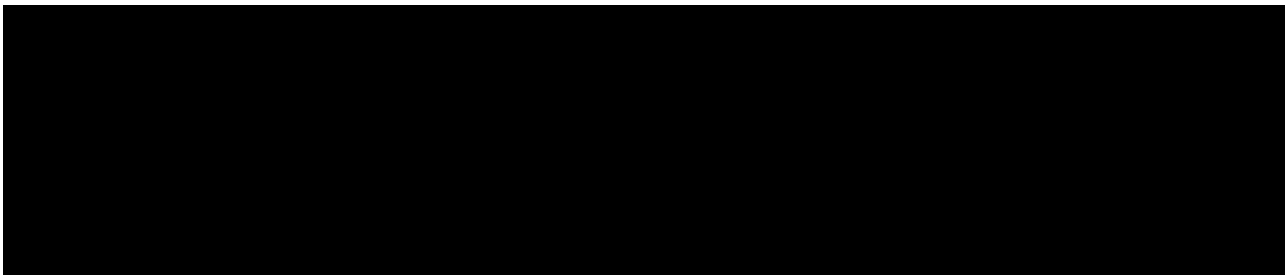
[REDACTED]

[REDACTED]



Customer states they are withdrawing TV Licensing's right of access

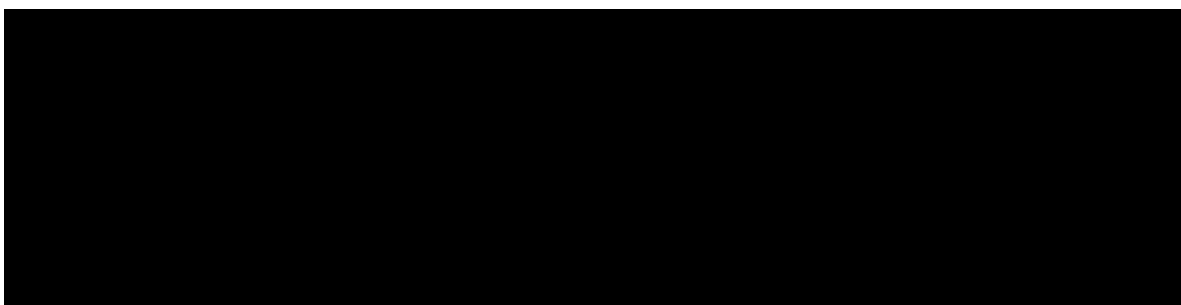
It is sometimes difficult to identify a WOIRA declaration, as opposed to a simple request just to leave for now and call back at another, possibly more convenient, time, etc.



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.



- Enter "New WOIRA request" in the 'Close Visit Comments' from the list of standard comments available.
- Submit additional notes to report any other relevant information and/or comments concerning the visit

On receipt of the visit outcome Customer Relations will correspond further with the customer to confirm their request. If the Customer has claimed, or claims WOIRA at the start of the visit and the VO has clear evidence of evasion, e.g. a TV is seen in use from the door, through window, the customer admits to having and or using a TV for live broadcast, [REDACTED] the SW procedure should be followed. (Chapter Ten)

[REDACTED]

[REDACTED]

Chapter 7: Potential Visit Outcomes

Check of Address

The VO must always ensure that they are at the correct premises to be visited:

- Select the visit from the visit list
- Click the 'visit' button to be directed to the visit outcome screen
- Click the 'A' icon to display the address. At this point the only active button on this screen will be the 'OK' button located in the top right hand corner of the address button
- Follow the ID&V procedure and check that you are at the correct address by asking the customer to quote the full address. Check that the address given is an exact match with the visit address on the handheld. 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 with the householder.
- In the case of the above scenario, and/or a licence is claimed, a check should be made via FieldGui to ascertain if the address using the house number or a variation of both name and house number also exist on LASSY and to determine if a licence is on file.
- If two addresses for the same property are on file and a licence is identified at the 2nd, confirm which address is correct. If the licenced address is the correct one, and the visit address is not – the visit outcome will be code 4 (duplicate address). Notes on the HH should explain the correct address.
- If only the visit address is on file, no licence is produced, and a Record of Interview (ROI) is taken, the visit address **as displayed on the handheld** should be recorded on the ROI and additional notes should be completed to advise the FBC of what the customer advises is the correct form of address.

No Response to Visit (No answer)

If premises appear occupied but no answer is obtained at the time of the visit, a calling card should normally be left.



Green calling cards should be used for NLN or UNS visit types only.

Confirmed Occupied: Reply code 9P

If the VO can be sure the premise is occupied (lights on, shoes in porch, TV seen, children's toys, fresh flowers etc.), and there is no answer at the time of the visit and

no call-back is planned, reply code 9P should be used and a calling card completed and left if no call-back visit is planned.

Unable to Confirm Occupied: Reply code 9

If the VO cannot be sure that the premises are occupied, and there is no answer at the time of the visit, reply code 9 should be used and a calling card completed and left.

TV Seen

If a TV set is visible on the premises:

- This must be annotated in the comments box on the visit and the handheld drop down menu used

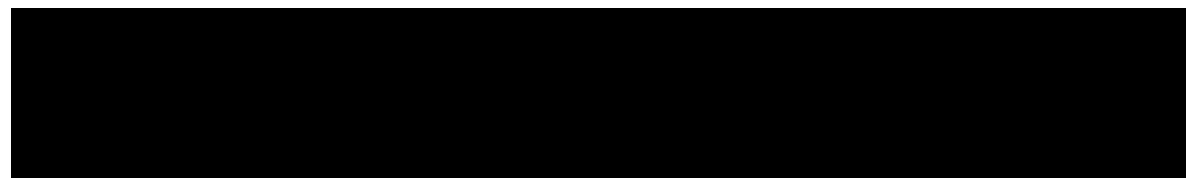


Call Back Procedure (9K)

If there is evidence that a TV may be installed, or the VO decides to [redacted] [redacted] should be made if at all possible.

If the intention is to call back to an address later:

- Code the visit 9K



- All call backs must be completed on the same day unless otherwise agreed by the manager



Where a NLN / UNS type of visit is made and no contact is made with the customer a NLN (green) calling card should be left.



Where an Anonymous Lead type visit is made and no contact is made with the customer a calling card should not be left.

Any comments noted down on the Handheld or Additional Notes must be polite, accurate, relevant and not excessive. **The requirements of the Data Protection Act must be considered.**

Unoccupied 'Empty' Premises (Reply code 2/3 or 3)

If a VO visits a property that is habitable **but clearly empty** (no furniture)

- In all cases the VO must attempt the visit; it is not acceptable practice to process a code 3 without leaving your vehicle.
- The visit should be coded as 3 (or 2/3 if a named visit). Months to Occupancy should be completed on the handheld
- A Months to Occupancy value of 3 months should normally be used, unless there is a compelling reason to enter a greater value – and if so that reason should be noted in the Close Visit Comments
- Do **not** leave a calling card

If a VO cannot confirm that the property is empty and is in any doubt:

- The visit should be coded as **9** (unresolved)
- A calling card should be left
- 'Possibly empty' to be selected from the drop down menu of the Handheld

For Sale/To Rent:

- Should only be coded as 'empty' if you can confirm that it is actually unoccupied and with a MTO of 3 (with the exception of uninhabitable addresses)

Construction/Foundations/Renovation

Where the premises exist, even if only as foundations, still due to be erected or are currently in the course of construction / renovation reply **code "3"** is to be used.

On all occasions, the estimated length of time in months (**MTO 3 – 5**) until the premises are likely to be occupied must also be indicated.

A note should be made in the comments box on the Handheld e.g. 'foundations only', 'under construction', 'renovation'.

Uninhabitable addresses

If an address fits the description below, VOs should use reply code **3 (or 2/3** in the case of a named visit) with an **MTO 96**. A note should be made in the comments box on the Handheld. E.g. 'Derelict', 'Fire Damaged'.

- Derelict
- Fire damaged
- No roof or badly damaged roof
- No signs of development (either on-going or planned)

- Council notice states long term re-development plan

Non Existent Premises (Reply code 4)

If the premises no longer exist as a licensable place:

- Reply code 4 should be used
- The non- existent reason selected from the Handheld drop down menu
- A clear explanation of what action/amendment is required using additional notes if necessary

Duplicate address on system.

- If there are two visits that are variants of the same address i.e. due to duplication on the system, the incorrect version which needs to be removed should be marked reply code “4”. 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)

Reply Code 4 (including Multi-Occupied Premises)

If the property to be visited is now flats/sub units and the visit address **no longer exists as a licensable place** e.g. Visit for 12 High Street but now Rooms 1 – 5, 12 High Street.

- The visit for 12 High Street would be reply code 4 (Multiple Occupancy)
- Check via FieldGui using the house number (partial prem) and postcode, or the VO helpline if there is no handheld signal, to ensure the flats/sub-units do not already exist on LASSY.
- If the addresses for the sub-units **are** already on LASSY, the VO must **not make any visits** to sub units of the property (unless they have a visit for it).
- If the addresses for the sub-units are **not** on LASSY, and the VO can confirm the exact way the sub-units are named/numbered e.g. Room 1, Room 2, Flat 1, Flat 2, Top Flat, Basement Flat, visits for the sub units can be created and visited.

However:

- If the visit address, in this case 12 High Street, **is still in use** as part of the property, reply code 4 should NOT be used and no visits should be created on the Handheld.
- If the visit address, in this case 12 High Street, **is still in use** as part of the property, and the sub-units are confirmed as not being on LASSY – **Manual** visits may be performed with Additional Notes submitted to the FBC.

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, VOs may make visits to all unlicensed newly identified flats/bedsits.

The VO must be aware that valid licenses could be held in a different form of the address. VOs should check on the HH to clarify the situation if required. Due to the special nature of these visits, the VO should be sympathetic and tactful in the enquiry. If evasion is discovered, then a record of interview should be completed and additional notes supplied.

If working offline, and an address or licence check cannot be performed to verify whether the sub-unit addresses are on [REDACTED]

[REDACTED] As the information still needs to be captured the VO must:

- Code the visit as a reply code 4 and select the reason of 'multiple occupancy'
- Create new addresses for each of the sub-units
- The 'visit address' checkbox must be de-selected

New addresses can only be created on the handheld 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.

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 reply code "4". Failure to do so means that further visits and correspondence will continue to be generated for the same address.

Visit Address Annotated as DEMO

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) reply code "4" should be used with a reason of 'non-existent' together with a note stating "Refer to Address Structure".

Reply Code C (Confirmed No Licence Needed)

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 or record programmes as they are being shown on TV or live on an on-line TV service, or to download or watch BBC programmes on demand including catch up TV on BBC iPlayer, are to be recorded as reply code 'C'.

Reply code “C” must only be used when a customer has allowed a VO access to inspect the premises and the VO is fully satisfied that no television-receiving equipment is installed on the premises or is being used to receive LIVE TV programmes as they are being transmitted.

On all occasions where reply code “C” is used the VO must try to confirm the name and phone number of the person seen and this information must be input into the Handheld.

If the customer indicates that they may install or use television receiving equipment to watch or record programmes as they are being shown on TV or live on an on-line TV service or to download or watch BBC programmes on demand including catch up TV on BBC iPlayer at the address within the next 12 months:

- A date of expected use (DOEU) should be entered into the ‘Expected Use’ box otherwise this is to be left blank.

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.

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 or record programmes as they are being shown on TV or live on an on-line TV service or to download or watch BBC programmes on demand including catch up TV on BBC iPlayer
- If television-receiving equipment is used in the future to watch or record programmes as they are being shown on TV or live on an on-line TV service or to download or watch BBC programmes on demand including catch up TV on BBC iPlayer a licence will be required.
- This includes a TV set, computer, mobile phone, tablet, games console, digital box, DVD/VHS recorder or any other relevant device.
- If the customer moves address during this time they should be asked to inform TV Licensing.
- Prior to submitting the Code C the VO must ensure they are submitting the code C at the correct address by re-confirming the full address including postcode back to the customer.

TV Boxed/Stored Away/Not Yet Installed

If a VO confirms that there has been no unlicensed use, e.g. the TV set is clearly stored away / still in box / has not been installed following a house move, the VO should:

- Use reply code C, enter the date of expected use, the customer’s name and telephone number.

- Reply code 9P 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.
- If the Customer requests information for purchasing a licence a calling card may be given.

Conducting No Licence Needed (NLN)/ Unconfirmed No Set (UNS) Visits

These types of visits are normally produced following the householder having made a declaration that they do not require a licence; i.e. that they do not use any equipment to watch or record live TV programmes (as they are being broadcast).

Following a householder making a NLN / No Set type of declaration they are sent a letter to acknowledge this has been recorded and that a visit may take place to confirm the situation at their address



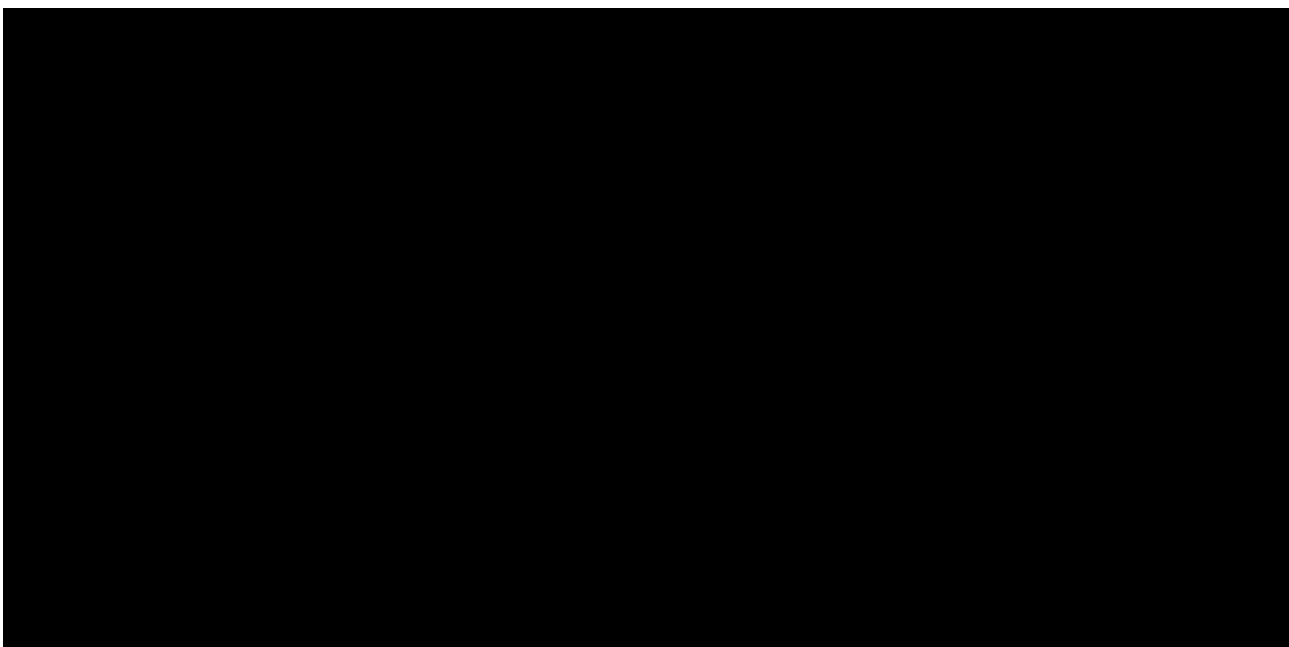
If contact is made with an appropriate person at the address the VO should:

- Explain that the reason for the visit is to confirm the situation that no licence is still needed, as advised in the letter that will have been sent
- Ask for permission to enter and inspect the premises to confirm that no TV equipment is being used.

If it is confirmed that no licence is needed:



If contact is made with an appropriate person to interview and evasion is found to be taking place a Record of Interview should be taken.



Response Gained to Call after Visit has been closed

If a response is gained after the visit has been closed on the handheld with an 'unresolved' reply code (e.g. 9, 9I, 9P, etc.) the VO must first establish if they are speaking to an appropriate person and introduce themselves and the purpose of the visit using the Identification & Verification Policy.

If the VO has established the person is the appropriate person to interview and an interview under caution is to be conducted, the VO must use an additional notes form to record the circumstances of the visit. There must not be any delay between the completion of the Record of Interview and the coding of a visit. Any unacceptable delay will be investigated. The Record of Interview completed in this instance would be considered as a Manual Record of Interview. **The VO must record on the accompanying additional notes:**

- The visit had been closed with the reply code used
- That the customer had then opened the door, returned home, etc., whilst the VO was walking away from the visit
- Whether a licence has been sold to the customer & the payment method/scheme
- Manual Record of Interview's must be recorded on the Officers facing sheet prior to posting and packed as per facing sheet order

If the VO 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 VO was walking away from the visit
- The person was spoken to and the VO established they were not the appropriate person to interview (e.g. son/daughter)
- State the correct reply code to be used e.g. Confirmed NLN reply code C plus name and telephone number.

Chapter 8: Licence Claims and Transfers

Claim That Licence Is Held

If a valid TV Licence is shown to the VO for the address being visited. Reply code 7 (or 2/7 if appropriate) should be used (**except** in the case of a duplicate address where it may be appropriate to use reply code 4).

If the address on the licence shown to the VO is **exactly** the same as the visit this should alert the VO that the licence is not on file correctly at that address.

- The visit should be entered as code 7
- Do not tick the checkbox 'is the licence now on file for the address' – this will allow for the inputting of the licence details seen and the FBC to correctly allocate the licence Full details of the licence must be entered into the handheld exactly as seen on the licence.
- Select the **correct** outcome from the drop down menu of 'Which address is correct?'
- In the comments box on the Handheld clearly note the name and licence number that should be at the address.

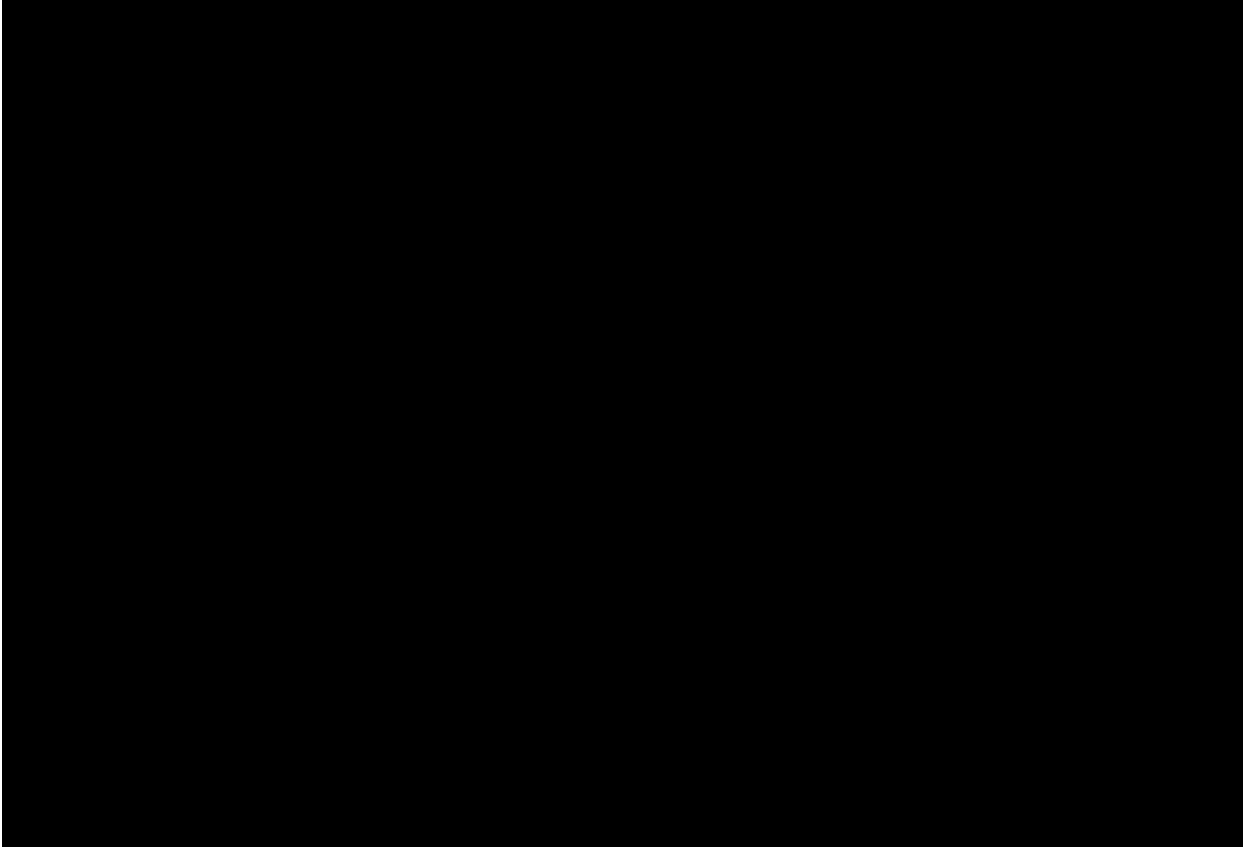
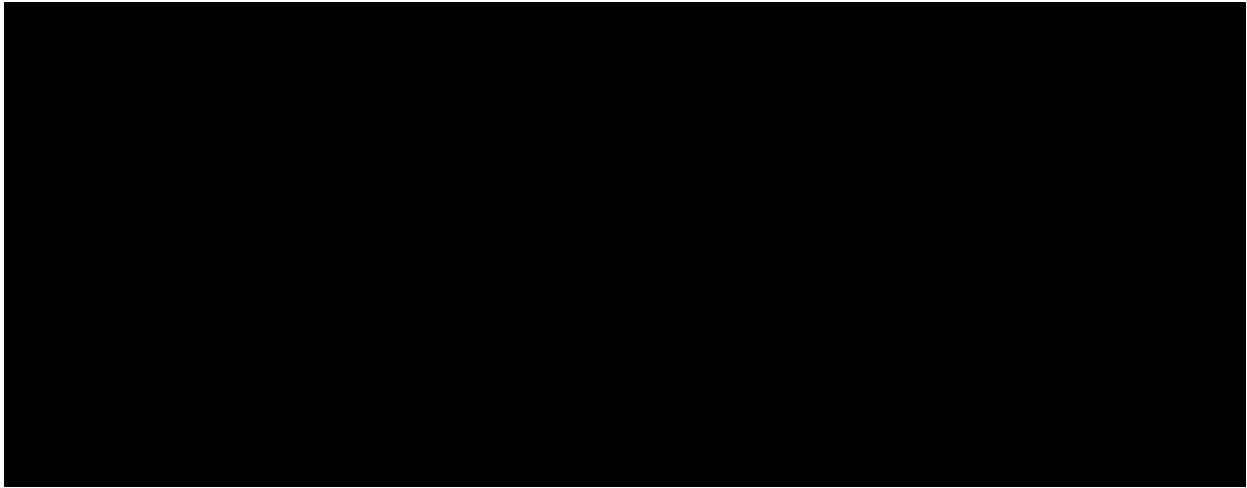
Potential Use of Code 4 for Licence produced (duplicate address)

Where a Customer produces a licence or claims that a licence is held at the address being visited the VO should:

- Check FieldGui to locate the licence.
- If a valid licence is located and the VO identifies duplicate addresses
- Confirm with the customer which is the correct address
- If the **visit** address is **incorrect** – reply code 4 should be used with the drop down menu 'duplicate address' selected
- If the address **on the licence** is incorrect – the licence should be transferred in to the correct (visit) address following the procedure for transferring licences.
- Reply code 7 should be used
- Additional notes must be submitted to the FBC clearly explaining which of the duplicate addresses needs to be removed and why.

Transferring a Licence

If a customer claims a licence is held at a previous address and needs to be transferred:



The following information must be recorded in the closed visit comments section on the handheld prior to closing the visit and confirming the transfer was successful on Field Gui;

- (1) The number of the licence that has been transferred.
- (2) The name of the individual spoken to at the door (not the name of the licence holder unless they are one and the same)
- (3) The relationship of the individual to the licence or licence holder, for example,
 - a. If the officer has spoken to the licence holder the entry should be –
01234567 J Bloggs 'LH'

- b. If they have spoken to anyone else the entry should be – 01234567 S Bloggs, followed by relationship, e.g. ‘wife’, ‘son’, ‘husband’, ‘daughter’, ‘partner’, ‘mother’, ‘father’ etc.
- Ensure that the correct visit is highlighted and the ‘A’ button selected on the Handheld displaying the visit address.
 - Using Field Gui search for the licence by: Prem & Postcode, Surname & Postcode, Licence number or if paying by Direct Debit – the account number and sort code may be used.
 - If the search is successful the licence details will be displayed. Use the expiry date to determine if the licence **is still valid**
 - Some cancelled licences will be shown as Adequately Licensed due to a known system issue. Therefore the **expiry date** must be used as a guide to determine if the licence **is still valid**.
 - Prior to changing the address the VO must re-confirm the address in full including postcode, to ensure that the licence is being transferred into the correct address.
 - Click on the Change of Address button
 - Do Not offer the option of a Confirmation Letter, this option is only to be used if the Customer requests a confirmation letter.
 - The message will come up ‘the licence has been moved’
 - The VO must check FieldGui for a licence at the address they are visiting. If the licence has been moved by the VO correctly, the visit address will show Adequately Licenced
 - The VO should make a note of the licence number
 - Use reply code 7 and tick the checkbox to say the licence is now on file for the address.
 - In the closed visit comments enter the licence number transferred in to the address and the name of the customer.

If upon checking a previous address the licence is showing as expired, the VO should advise the customer of this and complete a record of interview. A note of the licence check should be recorded as per instructions for completing a record of interview.

If the licence at the previous address has recently expired it may be showing as ‘under reminder’ – it is still expired and a record of interview should be taken – a note of the licence check should be recorded as per instructions for completing a record of interview.

Licence Claim – No Handheld/Phone coverage/System Unavailable

VOs will normally be advised in advance if the 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.

VOs 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.

If a customer from whom a VO is taking a Record of Interview claims to have a licence but is unable to produce it, the VO 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 a licence is discovered to have been on file at the time of the visit the case will be closed and the customer informed in writing by the TVL Field Business Centre.

If a VO is unable to use FieldGui, they should process licence sales as offline applications.

Bank account and / or credit / debit card details must not be noted down under any circumstances.

Temporary Accommodation

Should a VO 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 VO should transfer the licence in to the temporary address and use reply code 7. The VO 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.

Suspected Fraudulent Licence Seen.

It is possible that during the course of their visits a VO may be shown a fraudulent TV Licence by the customer. The VO 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:

Licence on File

- The VO should use FieldGui to check if the licence is on file.
- If the licence is on file, the VO should annotate the visit with reply code 7.



- The suspect licence (if the VO 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. It should be sent in an appropriately completed valuables envelope via RMSD.
- The report needs to detail the customer's name and address, what the VO believes to be suspect about the licence and any other relevant information about the visit.

Chapter 9: Taking a Record of interview

Introduction

In conducting the interview, the VO is gathering evidence of TV Licence evasion.

This is to enable the next course of action to be decided upon, which may be prosecution. As this information may be given in evidence, it must be obtained within the rules set down by the appropriate Criminal Justice System.

It is an offence to watch or record programmes as they are being shown on TV or live on an on-line TV service or to download or watch BBC programmes on demand including catch up TV on BBC iPlayer, without a licence,

It is also an offence to intentionally obstruct a person executing a search warrant or without reasonable excuse, to fail to provide them with any reasonable assistance they may require (see chapter 10).

When there are grounds to suspect that a person has committed an offence, they must caution them before any questions about it are put to them to ensure that the answers (or any failure to answer) are capable of being admissible in evidence in a prosecution.

"Grounds for suspicion" are more than vague unsubstantiated feelings or a hunch; they require some basis, but this can be less than evidence supportive of a prima facie case

An "interview" is defined as the questioning of a person regarding their involvement or suspected involvement in a criminal offence or offences. Such an interview must always be carried out under caution.

As soon as there are reasonable grounds for suspecting that an appropriate person* has committed an offence and cannot produce a valid licence, the VO must caution that person.

All questions on the Record of Interview must be asked and answers recorded verbatim where possible but must in any event accurately reflect what was said 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 verbatim (e.g. 'I'm not answering that'). If the customer refuses to speak then 'Refused' should be noted.

If the interview is to be conducted by the VO 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. In Scotland the 2nd officer must also understand that language.

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, age or date of birth and relationship of the interpreter must also be recorded. (See 'Interpreters' Chapter Four).

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.

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 reply code "9P" ..

The caution **must** be administered verbally as printed on the Record of Interview. Only in the event of exceptional circumstances may be necessary to allow the customer to 'read' the caution, this must be noted on the Record of Interview as to why it was read and not 'given' along with the response that they have understood. **The acknowledgement of understanding MUST be initialled on the ROI by the interviewee. The VO must confirm the interviewee understands the caution before continuing. Additional notes must accompany the ROI with a full description as to why the caution was not delivered verbally.**

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.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] This is to be reported through the VO's Line Manager as soon as possible.

If there is any significant break in the interview, the caution must be repeated with details of time and response documented.

Full Completion of a Record of Interview

The VO must re-confirm the address in full including postcode to the customer to ensure that they are conducting the interview at the correct address.

When completing the form the VO must pay regard to the following:

- All questions are to be asked whenever possible
- If a question is not asked that should be indicated e.g. 'Not asked'
- All questions are to be asked as seen on the Record of Interview

- Verbatim answers should be recorded/written where possible but answers must in any event accurately reflect what was said at the time of interview
- No gaps or answers with a line through should be recorded without explanation
- Full dates and times must be entered where indicated
- Use Additional notes if there not enough available space on the Record of Interview and submit
- All changes/amendments/errors must be initialled by the VO

The importance of collecting all available information cannot be over emphasized. In addition, circumstantial evidence of use should be noted on the Record of Interview whenever visible in the 'Other' section () as this provides supporting evidence for potential prosecution and may be vital if the confession should later be challenged.

England, Wales & NI

Concluding the Interview

At the conclusion of every interview the VO should either:

- Invite the interviewee to read the completed Record of Interview (Notes read by interviewee)

Or the preferred option

- Read through the Record of Interview with the customer (Notes read to interviewee). If this option is used, the VO should also write their name
- Strike through the other unused option

This gives the customer the opportunity to read and sign it as a true record of the interview. Any amendments or changes made when the interviewee has read but does not agree with the entries will need to be initialled by both the interviewee and the VO.

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

[REDACTED]

[REDACTED] The VO must then sign the

record of interview, noting the time the interview was completed and print their VPN, full name in block capitals and sign.

The under copy of the Record of Interview must be left with the customer unless to do so would put at risk the VO's health and safety. Ask the customer to confirm that the name and address are correct when handing over the under copy. The VO should bring to the attention of the interviewee the notes on the reverse of the Record of Interview.

If the VO is unable to give the customer the bottom copy e.g. door was slammed:

- (1) Both copies must be returned to the FBC
- (2) Additional notes should accompany the Record of Interview
- (3) The VO must not 'post' the second copy through the letter box

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

The VO must check that they have the top copy of the Record of Interview with them before leaving the property. If it is discovered that after leaving a property the top copy has been left at the premises, the VO must report this to their manager immediately.

A VO **should not** return to an address after completing a Record of Interview as this could prejudice any potential prosecution.

Definition of a Prosecution Report

- The full name of the interviewee is obtained. If the full name is not obtained the reason why must be stated e.g. refused first name
- The name of the interviewee recorded by the VO is consistent with the signature and name the interviewee signs the Record of Interview with.
- England, Wales & NI: If the interviewee refuses to sign the Record of Interview a reason is noted.
- The VO gains and records evidence of unlicensed live use of a television set and/or other television receiving equipment.
- It is clearly indicated whether permission to inspect the set was granted or not (Yes or No), and if not the reason why e.g. [REDACTED]
- The type of television receiver and/or receiving equipment clearly noted, including whether this is colour or B&W equipment.

- The interviewee's date of birth has been noted and if not the reason [REDACTED]
- England, Wales & NI: The Witness Statement on the reverse of the Record of Interview has been fully completed with the name, date and signature of the VO.
- The Record of Interview has been completed clearly and legibly and can be easily understood.
- The Business Standards Document has been followed.
- The relevant sections of TV Licensing Visiting Instructions have been followed and appropriate related documents have been completed.

In addition, every effort must be made to obtain:

- The Full Name
- Contact Telephone Number (this could be a mobile)
- England, Wales & NI: National Insurance No (NINO)
- England, Wales & NI: Signature of Interviewee

The Prosecutions Manager / Ops Support Manager is responsible for ensuring all Record Of Interview submissions and associated forms meet the evidential and quality standards required. Any that fail to meet the required standards will be rejected. In these circumstances the manager of the VO concerned will be notified of any rejections including the reasons, to help prevent future errors.

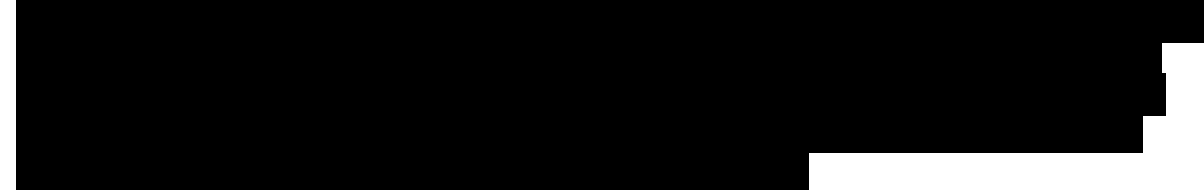
The VO should check the Record of Interview during/after it being taken and prior to posting for errors and complete Additional notes form advising of any errors.

Proof "beyond reasonable doubt"

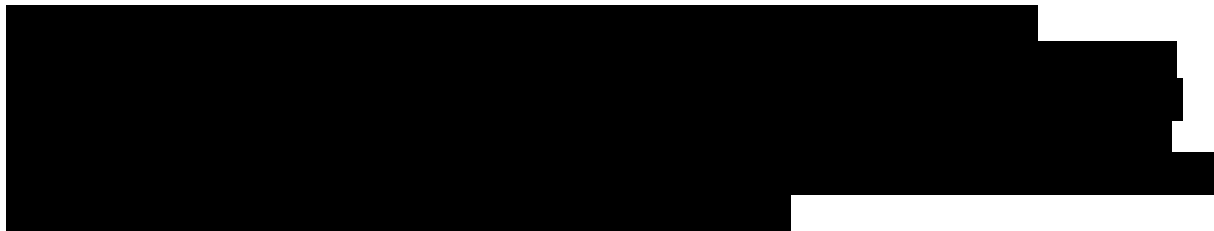
Any person accused of a criminal offence has the right to have the evidence against them tested in a court of law. Generally they need not submit a defence. The prosecution must prove beyond reasonable doubt that an offence was committed and that the accused is, in law, guilty of that offence. It is necessary therefore, to regard every interview as potentially a case that will come to trial in court and must be prepared to the same high standard in all cases.



England, Wales & NI: The record of interview has separate sections for you to note what was seen by you and what was admitted to you.



Scotland: TV Licence evasion evidence must be corroborated by a second witnessing officer. The VO and the Second Officer (adopting the notes as though they were their own) must sign the form and print name. Once signed no further entry or change may be made to the document.



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

England, Wales & NI:
Officers shall have regard to Codes of Practice, issued under the Police and Criminal Evidence Act 1984 and the Police and Criminal Evidence (Northern Ireland) Order 1989

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.

Scotland:
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.

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 e.g. rain soaked, torn up.

If there is a second officer present during the interview, 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.

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.

TV Licensing Prosecution Code for England and Wales



1. This contains further information about TV Licensing's enforcement procedures
2. Prosecution Code leaflets *must* be handed to all interviewees in England & Wales, together with the undercopy of the Record of Interview, on conclusion of an interview under caution.
3. If for any reason you are unable to leave a copy of the TVL Prosecution Code and/or the undercopy of the Record of Interview with someone you have interviewed you must note the reason(s) for this on an Additional Notes form and submit this with the Record of Interview.

Completing the Record of Interview Document - England & Wales



The Record of Interview document must be completed using black ink only.

Customer & Visit Details, opening questions & caution

England & Wales

 1 7 8 0 1 2 3 4 5 6 (1)	 tvlicensing.co.uk
Interview Ref	Day/Date (2) Time (3)
Record of Interview (England & Wales)	Title and full name (4)
TV LICENCE	Address (5)
Do you have a TV set or any TV receiving equipment here? (7)	Postcode Do you live here? (6)
Do you have a TV Licence? Details of any licence produced/claimed: (8)	(9) CAUTION: 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? (10) (If the caution is not understood, it is to be explained)
	Time of caution (11)

Northern Ireland

 1 7 8 0 1 2 3 4 5 6 (1)	Day/Date (2)	Time (3)	 tvlicensing.co.uk
	Title and full name (4)		
Interview Ref	Address (5)		
Record of Interview (Northern Ireland)	Postcode		
TV LICENCE	Do you live here? (6)		
Do you have a TV set or any TV receiving equipment here? (7)			
Do you have a TV Licence? Details of any licence produced/claimed: (8)			
(9) CAUTION: 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. (If the caution is not understood, it is to be explained) (10)			
			Time of caution (11)

1. 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.
2. Both day and date must be entered. Example; Wednesday 23rd May 2014
3. 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.
4. Enter the title, forename/s and surname of the interviewee. This should be clearly and legibly printed on the Record of Interview. **Every effort must be made to obtain the full name of the interviewee. If it is refused, this MUST be noted.**
5. Enter the full postal address and postcode of the address visited as is displayed on the Handheld. This information should be recorded by referring to the handheld using the 'A' icon (check address shortcut) to display the full address.
6. Write the interviewee's response - verbatim if possible. This should be "Yes" in almost every case. If the answer is "No", then the VO **must** note the reason [REDACTED]
7. 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/or use a laptop, tablet or phone to watch live TV or watch/download BBC programmes on demand. If this happens the circumstances **must** be noted on the Record of Interview.
8. Enter response – verbatim. If there is a claim a licence is held or any indication given by the customer that a licence may be held, enter explanatory

comments e.g. "It's in my old address" then obtain the address and perform a licence check on Field GUI. If a Field GUI / telephone licence check is made, this must be indicated and the result must be noted e.g. Checked, NLOF (no licence on file) or Checked, Exp. 05/14. The address given must also be documented on additional notes and submitted with the Record of Interview. If a licence is confirmed, stop the interview and code the visit appropriately.

9. If in the light of the answers to the questions at (6) & (7) 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 necessary for the customer to 'read' the caution, this must be noted on the Record of Interview as to why it was 'read' and not 'given' along with the response that they have understood.
10. Write the interviewee's response – verbatim. If it is not possible to give the caution, then this must be annotated at 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. You may be asked in court at a later date to give your explanation again.
11. If the interviewee makes any comment during or immediately after the caution was given, this must be noted here. Record the exact time the caution was given in 24hour format.

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 with time and response noted.

TV Receiver/Evidence England & Wales / Northern Ireland

TV RECEIVER	May I come in to see the receiver? (12)
TV receiver seen - details: (*Circle as appropriate)	TV - PC - Laptop - Phone - Tablet* Make: (13) Colour - B&W - In use - On standby - Brought into use - Power connected* Signal source connected: aerial - satellite - cable - internet*
	Digital box Media player (Details) (14)
Programmes/channel/service in use: (15) (Programme and channel or website/app)	
Programmes/channel/service tested: (16) (Details)	
Other observations/comments: (17) (E.g. satellite dish/aerial/on demand service)	
Admissions: (*Circle as appropriate)	TV - PC - Laptop - Phone - Tablet* Make: (18) Colour - B&W - In use - On standby - Brought into use - Power connected*
	Digital box Media player (Details) (19)
How do you watch or record live TV?	Aerial - Cable - Satellite - Online* (20)
What live TV services do you use?	Free - Paid* (21)
What live TV channels do you normally watch? (22)	
Do you download or watch BBC programmes on demand, including catch up TV, on iPlayer? (23)	

12. The VO must ask to enter the property to see the receiving equipment. Write the interviewee's response - verbatim. A note must be made if permission to enter the premises is refused and / or permission to inspect the receiving equipment is refused e.g. 'You can see it from the door'/ 'through the window'.

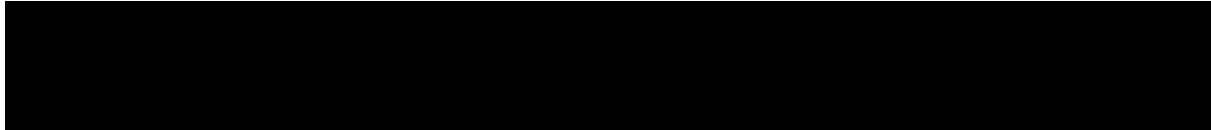
13. Circle details of the receiving equipment seen: TV, PC, Laptop, Tablet and record the make (E.g. Samsung, apple, HP). Circle additional details of receiver seen: Colour, B&W, In use, On standby, Brought into use, Power Plugged in. Circle the signal source connected: Aerial, satellite, cable, internet. Note that the receiver may initially be seen in use for another purpose ie; gaming or dvd's. Details of such should be noted in reference point (15) see below.

14. Record the digital box or media player details (E.g. Virgin media box, apple TV, android TV, Laptop or tablet, phone, PC)

15. If the receiver is in use what programme and channel or service was initially seen? The name of the programme needs to be clearly noted in this section. If unable to identify the name of the programme then programme type such as cookery, tennis, news programme needs to be recorded. If a website or app is in use or brought into use the name of the service, website or app needs to be clearly noted in this section, including the URL if applicable and the name of any programmes initially seen. This will provide vital evidence in court, if the interviewee disputes this at a later date.

16. List the channels tested, (plus satellite and/or cable if fitted) and programmes/service seen. The name of the programme needs to be clearly

noted in this section. If unable to identify the name of the programme then programme type such as cookery, tennis, news programme needs to be recorded. If the picture quality is poor this must be noted. If a website or app is used list the services received via the website or app. If a video, DVD or games console is being played ask to see the channels that can be received.



18. If access has been denied, indicate here any admissions made by the interviewee as to the type and make of TV set and other equipment used. **NB.** Items are to be **circled**.

19. If access has been denied, indicate here any admissions made by the interviewee as to the digital box/media player used.

20. Question must be asked on all occasions and the response noted with the circling of the relevant option - Aerial, Cable, Satellite, Online

21. 

22. Record details of what live TV channels are normally watched (E.g. BBC1, BBC2, ITV, Channel 4, BBC4)

23. Write the interviewee's response verbatim and establish what device is used to receive iPlayer programmes, e.g. smart TV, phone, tablet, laptop

Personal Details/General Remarks England & Wales / Northern Ireland

When did you last watch, record or download live TV and/or BBC programmes on iPlayer here?	(24)	Live TV/BBC iPlayer*
What did you watch/record/download on this occasion? (Details)	(25)	Live TV/BBC iPlayer*
How long have you been receiving live TV and/or BBC programmes on iPlayer here without a licence?	(26)	Live TV/BBC iPlayer*
PERSONAL DETAILS	Contact details - phone/mobile/other	(27)
How long have you lived here?	(28)	Date of birth (29) (31)
National Insurance no.	(30)	What is your occupation/status? (31)
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? (32)		
Are there any personal circumstances you would like us to be aware of? (33)		
Notes read by interviewee/read to interviewee by**	(34)	Wales only Further correspondence language English/Welsh** (36)
These notes are not accurate because** (If accuracy of notes is disputed by interviewee)	(35)	
I agree that these notes are a correct record of the interview** (38)		
Signed (Interviewee)	(37)	Print full name (38)
IT IS IN YOUR INTERESTS TO READ THE NOTES OVERLEAF CAREFULLY	Time interview ended	VPN
	Signed (Enforcement Officer)	Print name
	Signed (Second Officer)	Print name
Licence purchase requested during interview via:	(39)	Licence sold without prejudice/Not tendered** (*Circle as appropriate) (**Delete as appropriate)

24. Question must be asked on all occasions [redacted] Write the interviewee's response verbatim e.g. 'yesterday'. Circle Live TV or BBC iPlayer as appropriate. If iPlayer has been used to watch live TV then circle both Live TV and iPlayer.

25. Question must be asked on all occasions [redacted] . Write the interviewee's response - verbatim e.g. 'BBC 1, Eastenders' or 'iPlayer, Top Gear'. , Circle Live TV or BBC iPlayer as appropriate. If iPlayer has been used to watch live TV then circle both Live TV and iPlayer.

26. Question must be asked on all occasions. Write the interviewee's response - verbatim e.g. 'six months'.

27. 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 student's home address).

28. Write the interviewee's response – verbatim e.g. 'three months'. Do not convert to a date.

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

29. Write the interviewee's response - verbatim.

30. Write the interviewee's response - verbatim. If challenged as to why we ask for this, explain it is for identification purposes.

31. Write the interviewee's response - verbatim.

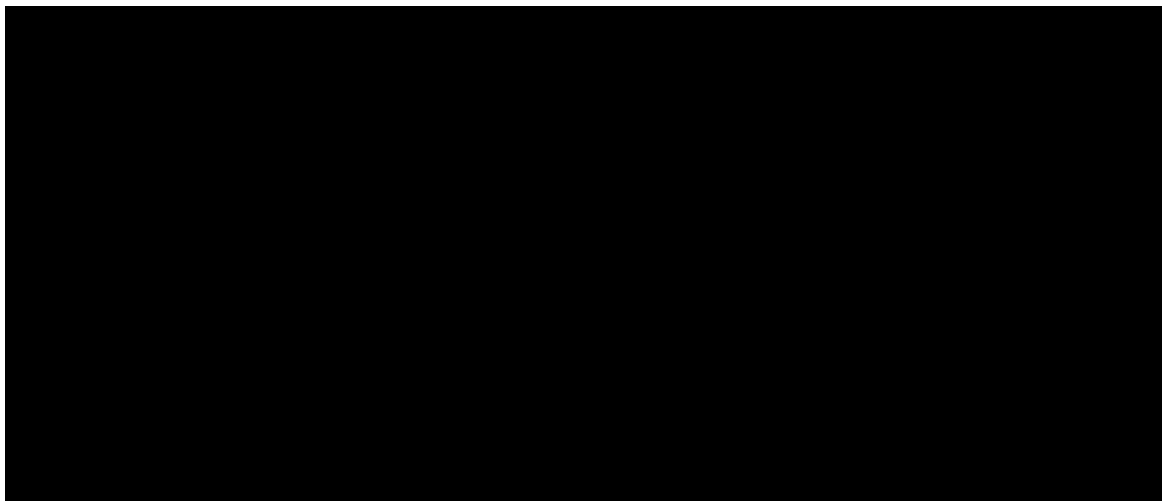
32. You must inform the interviewee that they may be prosecuted as documented on the Record of Interview and record the interviewee's response – verbatim if possible or record no response.



34. 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.

35. If the interviewee does not agree that the notes are correct, write the interviewee's response - verbatim. If necessary, amend the relevant entry and initial the change. Ask the interviewee to initial the change as well.

36. Wales only – Delete as appropriate. For every visit carried out at an address in Wales you must ask the person being interviewed to confirm their language preference for further correspondence. This also needs to be recorded in every instance when an interview is conducted with an individual in a Welsh postcode area. The VO must ask the interviewee whether they would prefer further correspondence in Welsh or English if we need to write to them about the visit. If they express a preference for Welsh this **must be** clearly recorded on an Additional Notes form ideally in capitals and the standard closed visit comment 'Welsh Correspondence' must be entered into the handheld application. In addition, in the 2nd closed visits comments box 'next action' screen, select 'next action' together with the 'preferred language of Welsh' from the drop down options.



- Refer to Chapter 5: Special Considerations – Dealing with Welsh speaking customers in line with the Welsh Language Standards for further information.

37. The interviewee must be asked to sign the record of interview and print their full name. If the interviewee does not sign the Record of Interview then a suitable entry must be made e.g. "Declined", "Refused", "slammed door". Any reason given for refusal must be noted.

38. Note the time the interview was concluded. The VPN of the Officer conducting the interview must be noted. The VO (and if present the Second Officer) must sign the form and print name. Once signed no further entry or change may be made to the document.
39. If the interviewee offers to pay during the course of the interview, wait until the interview has been completed (no payment is to be taken until Record of Interview has been completed). The method of payment should be noted here. Delete 'Accepted without prejudice' or 'not tendered' as appropriate. If a sale is made after the Record of Interview has been signed by the interviewee, this must not be noted on the Record of Interview, but is recorded on the handheld or visit request.

Notes for Interviewee

England & Wales:

<p>PLEASE READ THESE NOTES – THEY ARE VERY IMPORTANT</p> <p>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.</p> <p>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 Customer Service Centre, PO Box 88, Darwen BB3 1WZ.</p> <p>If you do not have a valid TV Licence, please get one straight away. For details of how to buy a TV Licence, call 0300 790 6122.</p> <p>Please note: the Enforcement Officer who conducted this interview does not have the authority to give you time to pay.</p> <p>Even if you buy 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.</p> <p>Please tell us if you move address. You can do this by writing to us at TV Licensing Customer Service Centre, PO Box 88, Darwen BB3 1WZ, or by calling 0300 790 6122.</p>
<p>TV Licensing (including the BBC as the data controller, and its suppliers) will use your details only to operate the TV Licensing system and will not give them to anyone else unless required or permitted to do so by law. Find out more about how we keep your data safe and your data rights including rights to access and correct your data at tvlicensing.co.uk/privacypolicy</p>

Northern Ireland:

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 Customer Service Centre, PO Box 88, Darwen BB3 1WZ.

If you do not have a valid TV Licence, please get one straight away. For details of how to buy a TV Licence, call 0300 790 6122.

Please note: the Enforcement 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.

TV Licensing (including the BBC as the data controller, and its suppliers) will use your details only to operate the TV Licensing system and will not give them to anyone else unless required or permitted to do so by law. Find out more about how we keep your data safe and your data rights including rights to access and correct your data at tvlicensing.co.uk/privacypolicy

TML76/CE/A6/2NI

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. VOs should use the VO helpline number if needed when confirming a licence or arranging a sale.

Notice to Defendant and Statement of Witness

England & Wales:

STATEMENT OF WITNESS	42	(AGE: OVER 18)
<p>I am employed by Capita Business Services Ltd as an Enforcement Officer authorised to conduct TV Licensing enquiries.</p> <p>Whilst carrying out TV Licensing enquiries I called at the address on the date and at the time set out on the form overleaf, where I spoke with the person recorded on that form. I interviewed that person under caution and made a written record of the interview, in accordance with the Police and Criminal Evidence Act 1984 Codes of Practice. I produce and exhibit overleaf the record of interview.</p> <p>This statement, consisting of one page, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.</p>		
Signed (41)		Date (40)

The witness statement on the reverse of the Domestic Record of Interview must be completed at all times (42) Print your name on the Statement of Witness line (40) and also sign (41) 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.

Northern Ireland

Name of Witness: **40**

Age: Over 21

I HEREBY DECLARE that this statement consisting of (1) page signed by me and exhibit (1) referred to herein is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

This day of 20 **41**

I am employed by Capita Business Services Ltd as an Enforcement Officer authorised to conduct TV Licensing enquiries. Whilst carrying out TV Licensing enquiries I called at the address on the date and time set out on the form overleaf, where I spoke with the person recorded on that form. I interviewed that person under caution and made a written record of the interview, in accordance with the Police and Criminal Evidence (Northern Ireland) Order 1989 Codes of Practice. I produce and exhibit overleaf the record of interview.


42
..... Signature of Witness



Completing the Record of Interview Document - Scotland

The Record of Interview document must be completed using black ink only.

Customer & Visit Details


 **(1)**
1784058251

Interview Ref Day / Date **(2)** Time **(3)**

Name **(4)**

(Title and full name)

Address **(5)**


www.tvlicensing.co.uk

Record of Interview (Scotland) Postcode

1. 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.
2. Both day and date must be entered. Example; Wednesday 23rd May 2014

3. 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.
4. Enter the title, forename/s and surname of the interviewee. This should be clearly and legibly printed on the Record of Interview. Every effort must be made to obtain the full name of the interviewee. If it is refused, this **MUST** be noted.
5. Enter the full postal address and postcode of the address visited as is displayed on the Handheld. This information should be recorded by referring to the handheld using the 'A' icon (check address shortcut) to display the full address.

Opening Questions and Caution

(9)	TV LICENCE	Do you live here? (6)
	Do you have TV receiving equipment on the premises?	(7)
	Do you have a TV Licence?	(8)
	CAUTION: I will ask you some questions about the offence of using a television receiver without a licence. I will ask to come in to your property to test your TV receiver to confirm how you use it. You don't have to answer or cooperate but anything I see and any answers you give may be used in evidence. Do you understand?	Time of caution (10)
	<small>(If the caution is not understood, it is to be explained)</small>	(11)

6. Write the interviewee's response - verbatim if possible. This should be "Yes" in almost every case. If the answer is "No", then the VO must note the reason why they are continuing the interview e.g. [REDACTED]
7. 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/or use a laptop, so the answer may be "No", but a TV Licence will be required. If this happens the circumstances must be noted on the Record of Interview.
8. Enter response – verbatim. If there is a claim a licence is held or any indication given by the customer that a licence may be held, enter explanatory comments e.g. "It's in my old address" then obtain address and perform a licence check on Field GUI. If a Field GUI / telephone licence check is made, this must be indicated and the result must be noted e.g. Checked, NLOF (no licence on file) or Checked, Exp. 05/14. The address given must also be documented on additional notes and submitted with the Record of Interview. If a licence is confirmed, stop the interview and code the visit appropriately.
9. If in the light of the answers to the questions at (6) & (7) 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 necessary for the customer to 'read' the caution, this must be noted on the Record of Interview as to why it was 'read' and not 'given' along with the response that they have understood.**
10. Put down the exact time the caution was given in 24hour format.

11. Write the interviewee’s response – verbatim. If it is not possible to give the caution, then this must be annotated at 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. You may be asked in court at a later date to give your explanation again.

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 with time and response noted.

Personal Details

PERSONAL DETAILS	
Contact details – phone / mobile / other	(12)
How long have you lived here?	(13)
What is your date of birth?	(14)
What is your occupation / status?	(15)
Description	(16)

12. 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 student’s home address).

13. Write the interviewee’s response – verbatim e.g. ‘three months’. Do not convert to a date.

14. Write the interviewee’s response - verbatim.

15. Write the interviewee’s response - verbatim.

16. Record the personal description of the customer. Please refer to chapter 13 for further guidance.

Television Receiver/General Remarks

TV RECEIVING EQUIPMENT	
May I come in to see the TV receiving equipment?	(17) _____
Equipment details: black & white/colour; type; manufacturer	(18) _____
In use/brought into use/on standby	(19) _____
Channels tested and programmes seen/heard (Programme and channel or website/app)	(20) _____
Area, position of TV receiving equipment and any other circumstantial evidence	(21) _____
When was the TV receiving equipment installed at this address?	(22) Documentation of installation (Y/N) _____ (/ /)
How do you watch or record live TV?	Aerial - Cable - Satellite - Online* (23) _____
What live TV services do you use?	Free - Paid* (24) _____
Do you download or watch BBC programmes on demand, including catch up TV, on iPlayer?	(25) _____
When did you first use TV receiving equipment without an appropriate licence at this address?	(26) _____ (/ /)
When did you last use the TV receiving equipment to watch, record or download live TV and/or BBC programmes on iPlayer here?	(27) _____ (/ /)
What did you watch/record/download on this occasion? (Programme and channel or website/app)	(28) _____
<i>I have to tell you that you may be reported to the Procurator Fiscal for an offence under the Communications Act 2003, and I have no authority to decide whether you may or may not be prosecuted. Do you understand?</i>	(29) _____
Are there any personal circumstances you would like us to be aware of?	(30) _____
Please note any further comments and payment advice given to the customer	(31) _____
Time interview concluded (32)	VPN _____
Signed (Enforcement Officer)	Print name
Signed (Second Officer)	Print name

(*Circle as appropriate)

17. The VO must ask to enter the property to see the receiving equipment. Write the interviewee's response - verbatim.

A note must be made if permission to enter the premises is refused and / or permission to inspect the set is refused e.g. 'You can see it from the door'/'through the window'.

18. Record the details of the television receiving equipment seen: Colour, B&W, type e.g. TV, Laptop and the manufacturer e.g. Samsung, HP.

19. Note if the receiver was in use or brought into use or on standby.

20. List the channels tested, and the programmes seen. If the picture quality is poor this must be noted. If a video, DVD or games console is being played ask to see the channels that can be received. If unable to identify the name of the programme then programme type such as cookery, tennis, news programme needs to be recorded. If a website or app is in use or brought into use the name of the service, website or app needs to be clearly noted in this section, including the URL if applicable and the name of any programmes

initially seen. [REDACTED]

21. Note the area and the position of the set and any details of circumstantial evidence. [REDACTED]
22. Write the interviewee's response verbatim e.g. 'six months ago'. If any documentation of installation is produced, this must be noted (receipt number, date, retail outlet, tenancy agreement).
23. Circle how live TV is being received: Aerial, Cable, Satellite, Online.
24. Circle what live TV services are used: Paid, Free.
25. Write the interviewee's response - verbatim.
26. Write the interviewee's response - verbatim e.g. 'three months ago' - do not convert to a date.
27. Write the interviewee's response - verbatim e.g. 'yesterday' - do not convert to a date.

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

28. Write the interviewee's response - verbatim e.g. 'BBC 1, Eastenders' or 'iPlayer, Top Gear'. , Circle Live TV or BBC iPlayer as appropriate.
29. The VO must inform the interviewee that they may be prosecuted as documented on the Record of Interview and record the interviewee's response – verbatim.

[REDACTED]

31. Note the time the interview was concluded. The VPN of the Officer conducting the interview must be noted. The VO and the Second Officer must sign the form and print name. Once signed no further entry or change may be made to the document.
32. If the interviewee offers to pay during the course of the interview, wait until the interview has been completed (no payment is to be taken until Record of Interview has been completed).

Notes for Interviewee

	Day/Date (33)	Time
Interview Ref	Name	
	(Title and Surname)	
	Address	
Notes to Interviewee		Postcode

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 reported to the Procurator Fiscal for an offence 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 Customer Service Centre, PO Box 88, Darwen BB3 1WZ.

If you do not have a valid TV Licence, please get one straight away. For details of how to buy a TV Licence, call 0300 790 6122.

Please note: the Enforcement 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 reported to the Procurator Fiscal for the offence. If you pay for your licence in instalments, you must ensure that your payments are kept up to date.

Please tell us if you move address. You can do this by writing to us at TV Licensing Customer Service Centre, PO Box 88, Darwen BB3 1WZ, or by calling us on 0300 790 6122.

Signed Date

TV Licensing (including the BBC as the data controller, and its suppliers) will use your details only to operate the TV Licensing system and will not give them to anyone else unless required or permitted to do so by law. Find out more about how we keep your data safe and your data rights including rights to access and correct your data at tvlicensing.co.uk/privacy-policy

(33) 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 VO should complete the date, time, name, address, post code, sign and date the notes and pass them to the customer upon completion of the interview.

The telephone number listed is for customer use only. VOs should use the VO helpline number if needed when confirming a license or arranging a sale.

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. A decision to prosecute can only be made using your Record of Interview; 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

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.

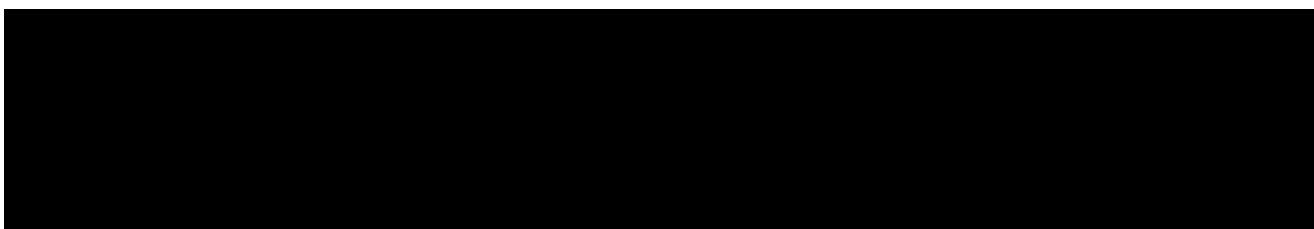
Where a VO visits a property and computer use is claimed, the VO must follow the procedures as set out:

A VO 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.



The VO should obtain sufficient evidence from questioning the interviewee, to be able to prove beyond reasonable doubt that the computer is being used to watch or record "live" TV programmes or on demand programmes through iPlayer.

Every effort must be made to obtain the following information:





Where possible this information must be captured on the Record of Interview. An additional notes form should also be completed if required.

Section 9 Witness Statements (Excluding Scotland)

When a full witness statement is prepared by the FBC and sent to the VO the VO 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 they must be clearly marked and all of the papers returned to the FBC within 7 days of receipt. These must be returned via RMSD with your normal work, but separated and clearly marked on the facing sheet.
- If the Witness Statement is correct, the VO must sign and date all three copies of the Witness Statements where indicated.
- Return all of the documentation to the FBC within 7 days of receipt. These must be returned via RMSD with your normal work, but separated and clearly marked on the facing sheet.
- If there is no work due to be posted i.e. due to sick or annual leave Section 9s should be sent in within the required timescales (7 days) by RMSD. A facing sheet should be included.

Chapter 10: Search Warrants

Requesting a Search Warrant

Before a Search Warrant is granted by a Court, they have to be satisfied that there is no alternative way left to gather evidence. We must show that we have exhausted all avenues to gain the co-operation of the occupant and that we will not otherwise be granted access.

[REDACTED]

[REDACTED]

[REDACTED]

ALL evidence seen or heard must be noted on the

[REDACTED]

[REDACTED] the VO must furnish additional information to support the application. All Records of Interview, additional notes and any additional evidence must be attached to the Search Warrant application.

The SW Application Form is designed to help a VO to provide the required information. All sections must be considered and not left blank.

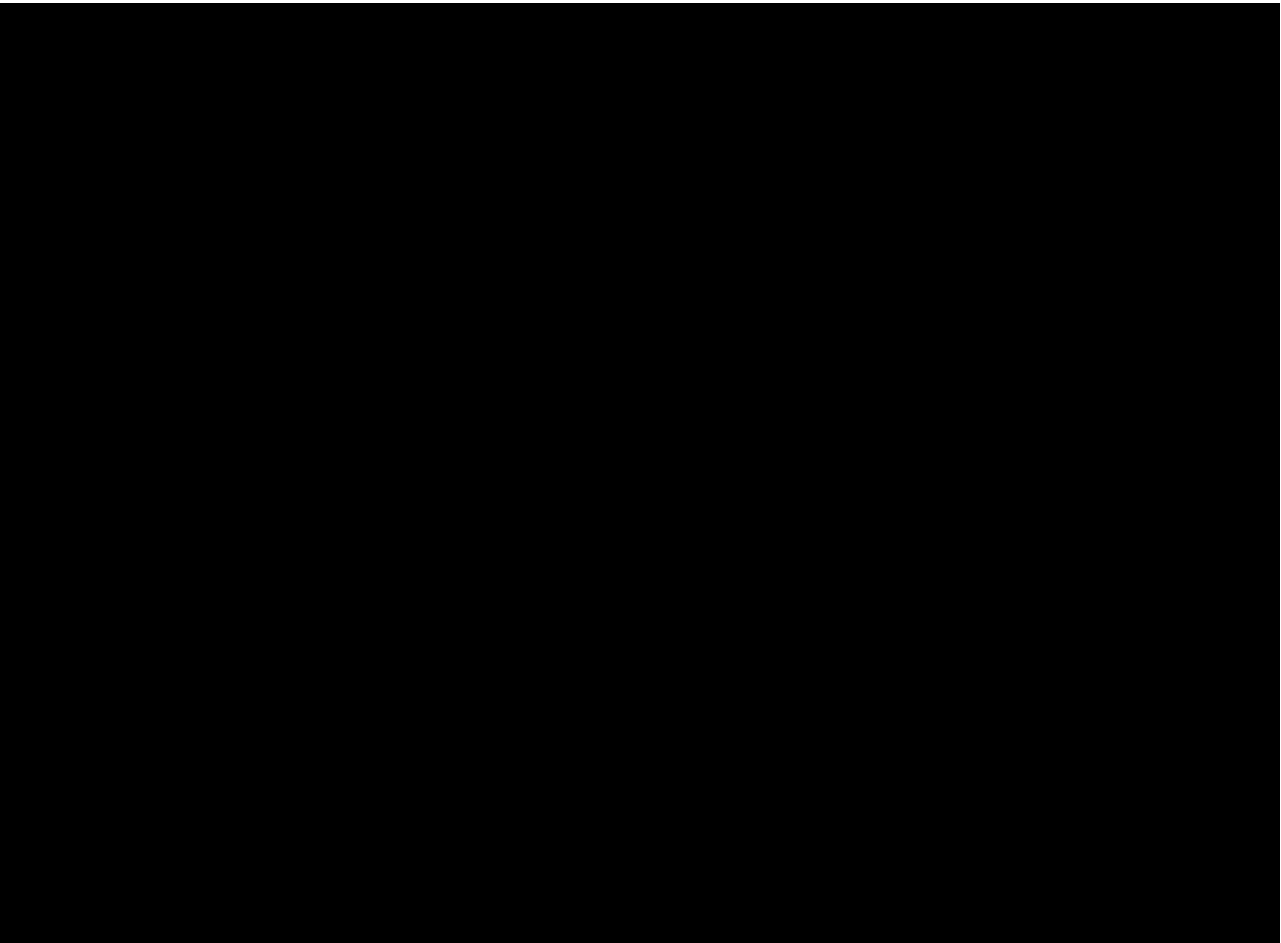
[REDACTED]

The Record of Interview must be completed at the time of the visit whenever possible and the VO must provide all relevant information on the Search Warrant Application,

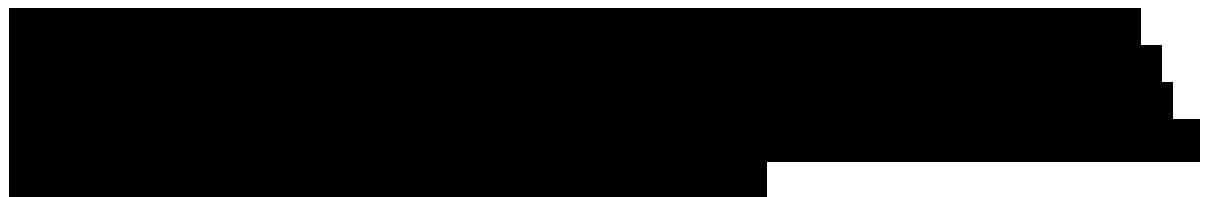
[REDACTED]

[REDACTED]

[REDACTED]



If enough information has been gathered to commence the Search Warrant process, reply code 9W should be used. The reference number generated from the Handheld must be written at the top of the Search Warrant Application Form. All associated paperwork should be sent to the FBC in line with VO Posting Instructions.



Execution of a Search Warrant

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 (Sherriff in Scotland).

Notice of Powers and Rights (England, Wales & NI only): 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.

England, Wales & NI:

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. 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 will sign this.)

Scotland: 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 manager will attend court to apply for the Warrant. 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 Scotland the Sheriff will issue the warrant)

Timing: A Search Warrant is valid for **one calendar month from the date of signature** 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 entry and search of the premises

- Each attempt to execute the warrant must be noted on the contact log within the warrant execution return form.
- Whether or not the warrant is successfully executed, on expiry (or before with the agreement of the search warrant duty at the Field Business Centre) the papers are to be passed to the TVL Field Business Centre for the court to be advised of the outcome.

Under no circumstances must the warrant be executed without two officers being present. One of the officers will usually be an Area Manager and the two officers will 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.

- 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 and the appropriate section of the SW Execution sheet annotated.

- Arrangements must be made with the Police for a Police Officer to accompany the execution of the warrant. 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.

Police availability will be dependent on their operational commitments. It is important to make contact with the appropriate Police station as soon as the warrant is received 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. Every police contact must be recorded on the warrant contact log. Include the date, time, person spoken to and the outcome of the contact.

[REDACTED]

[REDACTED], the AM/VO 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. The 'Request for Police Assistance' Letter should be handed to the Police Officer which explains the reason for the request for assistance. DO NOT add the name or address details of the customer for whom the warrant has been issued.
- 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]

- 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.

[REDACTED]

- Record the contact on the warrant contact log.

[REDACTED]

[REDACTED]

[REDACTED]

Vulnerable Person:-

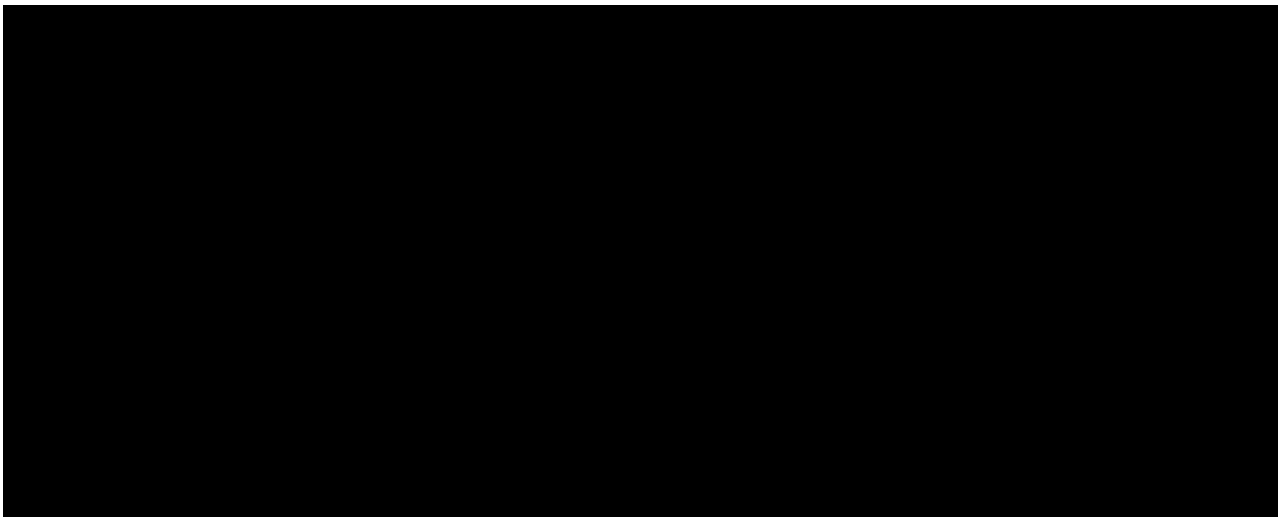
Known Vulnerable Customer: Advise Police as they may have information, check with Legal before executing warrant and refer to vulnerable customer instructions at chapter 5. Any information received and the outcome of the discussion with Legal must be recorded on the Execution Information sheet

If a Vulnerable Person is identified during the execution of a warrant the officer/manager must follow the vulnerable customer instructions at chapter 5.

The circumstances of the vulnerability and nature of any disability or illness apparent to the officer or disclosed by the occupant must be recorded on the ROI or Execution Information sheet. If the vulnerable person is not the responsible adult then the welfare of the vulnerable person must be taken into consideration by keeping noise and disruption to a minimum and asking the responsible adult whether they would prefer to discuss the matter privately/discretely to avoid upsetting any other persons in the property.

All safeguarding information/details/findings must be documented on the Execution Information sheet.

No attempt is to be made by Capita staff to force access to premises.



If the occupant refuses to give their name when executing the warrant, the accompanying Police Officer should be asked to intervene and request the information.

If a person suspected of committing an offence refuses to give their name to a Police Officer when asked to do so, the Police Officer may arrest and detain that individual in order to identify them. The name & number of the Police Officer must be noted.

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.

[REDACTED]

[REDACTED]

On making contact with the occupier:

- The lead officer must identify themselves (and any other person with them) and the purpose and grounds for the search, and the original warrant must be presented (shown) to the occupier

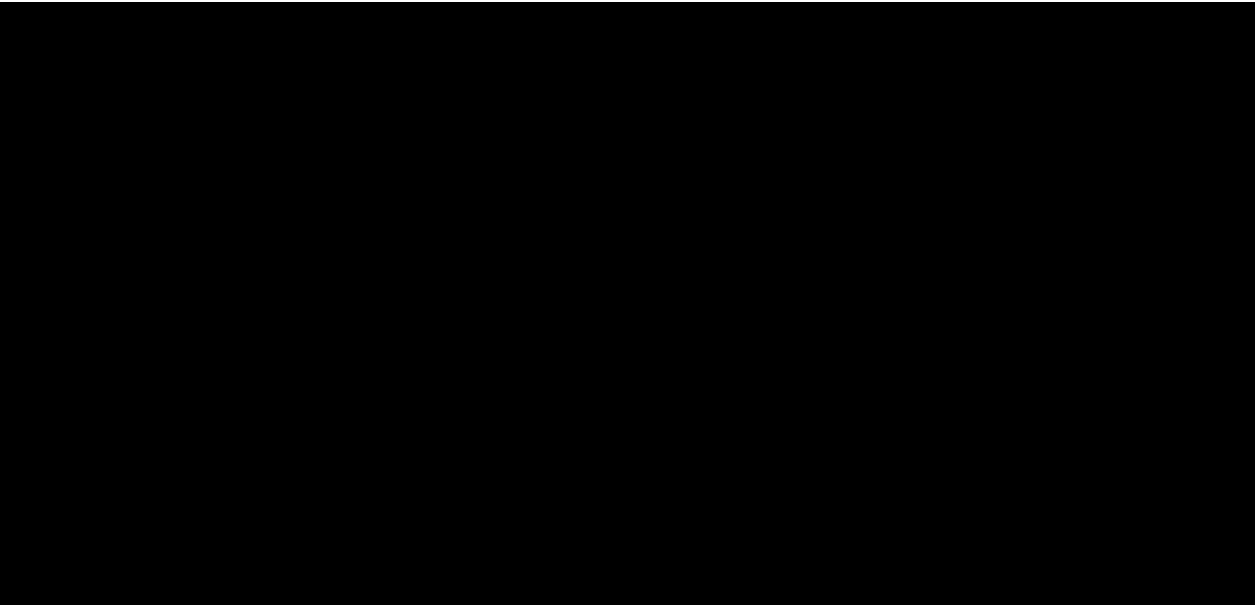
If access is gained to the premises:

- England, Wales & NI: A copy of the Warrant and the Notice of Powers and Rights must be handed to the occupier or left in a prominent position in the premises.


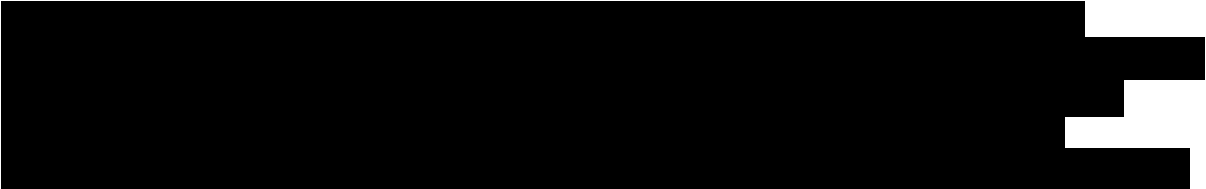
[REDACTED]

- Visit Outcome section to be completed following conclusion of execution/unsuccessful attempts.

[REDACTED]



It is best practice and advisable to ask the occupant to turn on the TV if one is found, but if the occupant refuses, the warrant gives the officer the authority to test the set and to note what is found. The room layout and receiving equipment setup must also be carefully noted along with any other relevant details.



Any search of the premises must cease once sufficient evidence has been gathered. A Record of Interview is to be completed and signed by both officers.

Scotland:

As the warrant provides authority to enter the premises and test any receiver found, **the caution on the Record of Interview must be amended by striking out the following sections:**

I will ask you some questions about the offence of using a television receiver without a licence. I will ask to come in to your property to test your TV receiver to confirm how you use it. You don't have to answer or cooperate but anything I see and any answers you give may be used in evidence. Do you understand?

A reviewer will need to know when during the search process the interview took place. The time and point at which the interview recorded was completed must

therefore be recorded on the Search Warrant Execution Information Sheet. The visit should be completed with the relevant reply code.

All persons who are present during the interview **MUST** be noted on the Search Warrant Execution Information Sheet (M581). 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.

After the Search

At the conclusion of the search the Search Warrant Execution Information Sheet (M581) must be agreed and signed by both officers.

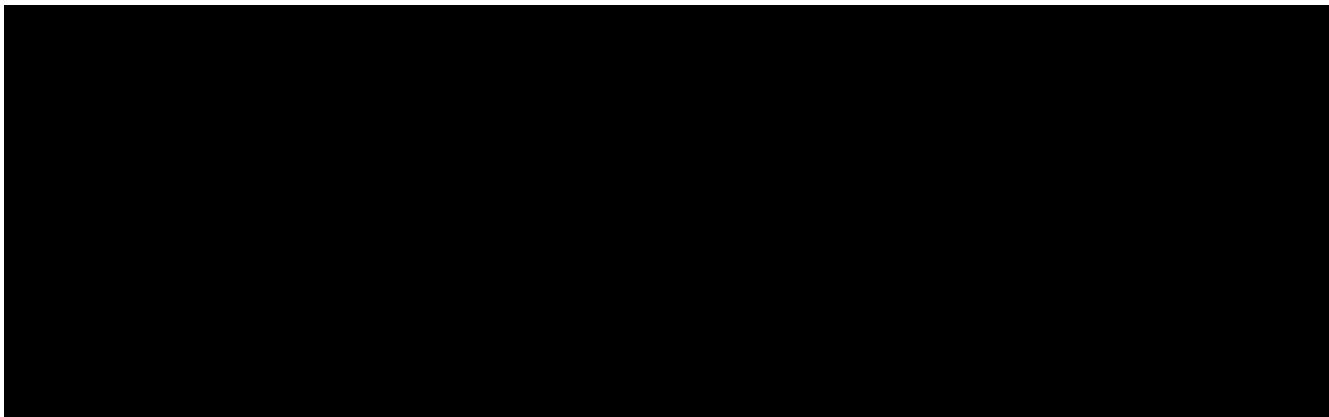
The lead officer must complete in full and sign the endorsement towards the bottom of the original and the applicant copies of the warrant before returning them to the Field Business Centre.

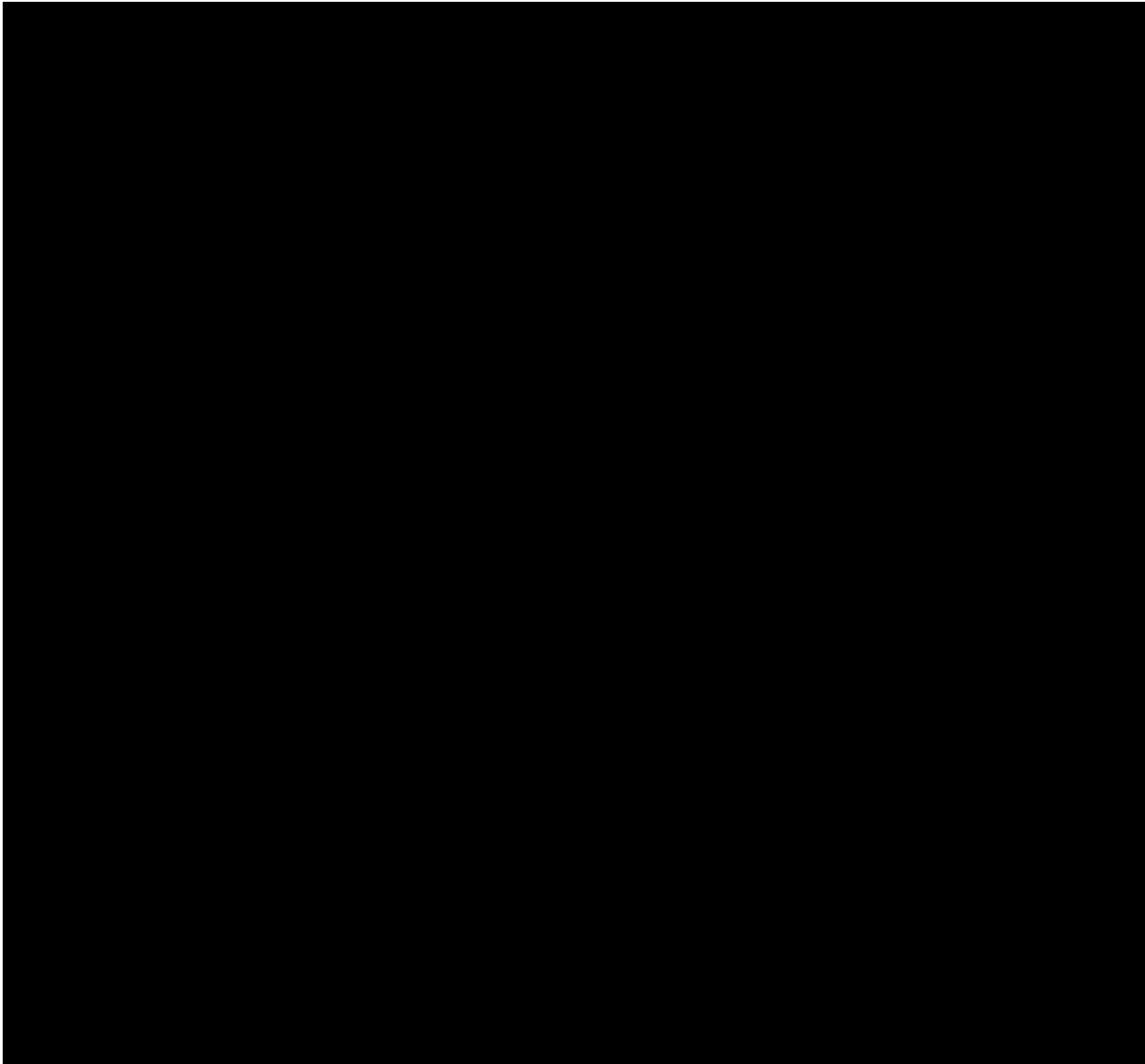
All papers relating to the visit including the Execution Information Sheet, Record of Interview and the original warrant, and any additional notes are to be returned to the TVL Field Business Centre (separately from normal daily work) within 2 days of the execution or final attempt to execute the warrant. The FBC will advise the court of the outcome of the warrant.

If a customer asks to purchase a licence, a manual sale must be completed. The VO 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. A receipt should be given to the customer. In these circumstances the cash, cheque, DD mandate should be returned to the FBC in a plastic bag (cash) valuables envelope in a RMSD silver bag along with the SW papers.

Multi-occupied premises

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.





Chapter 11: Selling a TV Licence

Note that no attempt may be made to sell a licence unless you confirm the customer has working TV receiving equipment that they legally would require a TV licence for. This includes officers on [REDACTED] visits.

Address Confirmation

At the start of any sales / licence renewal process on your handheld a screen will launch to display the full address of the visit that is open on the HH. Ensure that you have re-confirmed with the customer that you are at the correct address for the licence to be issued to before you continue.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The number of new licences set up will be automatically generated in the forms and monies total screen when using a handheld.

If the VO accepts any of the following as payment for a licence they must follow the posting procedure as per Chapter Three.

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

The VO should establish if the customer is able to pay in full, either by Debit/Credit Card/Cash or Cheque. If unable to do so immediately but wishes to pay in full in a few days/weeks an Annual Direct Debit should be offered and explained. If the customer is not able to pay in full, the VO should establish if they have 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 VO should ask the customer if they could make the first payment immediately by either debit/credit card.

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 VO should offer a Cash payment scheme and ask for an initial payment.

If the customer is unable to make an initial payment for the cash scheme the VO should offer a cash scheme without an initial payment.

NB: Please refer to the 'selling a licence' section in the handheld user guide for the full instructions on completing a sale on FieldGui and the Chip & Pin device.

Issuing Receipts

There are 2 types of receipt books:

- Chip & Pin – Receipts for credit card and debit card payments
- Cash/cheques – Receipt for negotiable items

The triplicate receipt books are self-carbonating and a divider must be used between entries.

When issuing a receipt for cash/cheque payments the VO must check that the correct address is written on the receipt.

VOs must use the Chip & Pin receipt book for payments by credit/debit card.

- The VO should ensure that the receipt is fully completed with the information given on the merchant receipt screen of the handheld.
- The Officer should write their VPN in the right hand side of the Customers Signature box on the Merchant copy (until the receipt books are updated with a place for this)

- The merchant ID is 04853 for card payments.
- The card holder must sign the receipt if the customer swipes the credit/debit card and the PIN is **not** used
- Top receipt (white Merchant) – to be sent in a Valuables Envelope to the Field Business Centre
- 1st copy (blue Customer) – to be given to the Customer
- 2nd copy (green) – to be retained in the receipt book

VOs must use the cash/cheque receipt book (Negotiable Items) for cash/cheques/stamps payments. The VO should ensure that the customer's name and address, details of the negotiable item, VPN, date and signature are clearly legible on all copies

The VO 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 Area Manager.

Only one receipt book of each type may be used at any time.

Completed receipt books should be returned to the Field Business Centre as described in Chapter Three.

Direct Debit with Initial Payment

If the customer wants to pay by initial payment Direct Debit, the only available option is to do so by credit/debit card.

The VO **MUST** be speaking to the Bank Account Holder to set up the direct debit, this can be either in person or over the phone.

If the customer wishes to make an initial payment by debit or credit card the VO should use the Chip & Pin device and FieldGui via the HH. Please refer to the 'selling a licence' section in the handheld user guide for the full instructions.

If using the chip & pin device, before proceeding with the initial payment ensure that the customer can provide the correct bank account details. You will not be able to remove the debit/credit card from the chip & pin device once the process has started.

If using the chip & pin device and the terminal fails to read the chip 3 times you will need to swipe the card. It is imperative the card holder signs the receipt if the card is swiped.

The chip & pin receipt book must be used for credit/debit card payments. The merchant receipt screen on the handheld will display the required details for completing the receipt.

If the handheld suffers from a failure/fault during a visit 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.

Checks should be made through Field GUI if there is any doubt as to whether or not a sale has been successful or not. DO NOT re-enter details again until this check has been completed. Failure to check may result in a duplicate licence being set up ie two licences at the one address.

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

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

Customer accounts with the Debt Collection Service

If you encounter a customer who has a licence from a previous address and who mentions that they have been referred for debt collection, you should transfer the licence as normal and advise the customer that they need to contact Akinika Debt Recovery Ltd about the missed payments.

We cannot accept arrears payments from Direct Debit customers who have been referred for debt collection.

Direct Debit Application (No IP)

If the customer wants to set up a Direct Debit without an initial payment, the VO must use FieldGui.

If FieldGui is not available the sale can be performed offline. It is important to ensure that the sort code and account number given are correct as the handheld will not validate the details when a direct debit is processed offline.

If the handheld suffers from a fault during a visit the VO should 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).

Checks should be made through Field GUI if there is any doubt as to whether or not a sale has been successful or not. DO NOT re-enter details again until this check has been completed. Failure to check may result in a duplicate licence being set up ie two licences at the one address.

If the sale is performed offline or by phone the VO 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".

The VO MUST be speaking to the Account Holder to set up the scheme, this can be either in person or over the phone.

If the VO is unable to use FieldGui or to contact the VO helpline they must complete an offline paper 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 VO 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.

NB: Under no circumstances should a VO record customer's bank details with a view to phoning them through at a later date.

If using paper visits the VO should record the licence number and "Direct Debit" in the comments box of the visit request.

The VO 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".

VOs can only accept full licence 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

If the customer wants to pay in full by debit or credit card, the VO should use FieldGui and the Chip & Pin device. If the Handheld suffers a fault, the VO should telephone the VO Helpline.

When phoning the VO helpline the VO 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.

Checks should be made through Field GUI if there is any doubt as to whether or not a sale has been successful or not. DO NOT re-enter details again until this check has been completed. Failure to check may result in a duplicate licence being set up ie two licences at the one address.

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

Cheques

When taking a cheque from a customer VOs must ensure that:

- It is made payable to "TV Licensing"
- It is dated correctly (not post-dated)
- It is for the appropriate full 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.

VOs 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 Record of Interview has been taken the figure “8” in a circle.

The VO should use the negotiable items payment method on the HH to register the cheque payment. If using paper visits the VO 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.

The VO must issue a receipt to the customer. The white Merchant receipt 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

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

The VO must take the full cash payment to a PayPoint outlet at the earliest opportunity and purchase the licence. This should be at the end of the VOs working day or the beginning of their next working day at the latest.

- On receipt of the licence issued by PayPoint the VO must check that the name, address and postcode on the licence matches the details of the address visited.
- On checking the receipt, if the VO discovers that any of the details are incorrect the Area Manager must be notified immediately in order to prevent a possible data breach. 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 VO will not be credited with a sale if the licence is set up at any address other than the address visited.
- The VO must write either “PayPoint” or “posted” on the white Merchant copy of the receipt book to show how the payment has been processed.

It is important that when a PayPoint licence has been purchased 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.

VOs 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 **or if the PayPoint outlet is unable to locate the address.**

In this instance the VO 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 as per posting instructions.

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.

If the customer requires a licence with a different fee e.g. a Black and White licence PayPoint outlets will not accept the payment unless the customer has given the VO a bar-coded renewal notice. The VO must usually send these types of payments to the Field Business Centre to be processed.

TV Licence Saving Stamp payments

TVL Saving Stamps are no longer valid. If stamps are offered as full or part payment (with cash) to purchase a licence, the VO 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.**

- 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 VO should advise the customer that they will receive their refund in the post.

TV Licensing Savings Card

If a customer produces a TV Licensing Savings Card the VO 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.

The customer should either:

- Ring TVL Contact Centre [REDACTED] 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

The person who will be / is the Licence Holder **MUST** be present with the VO to set up the account, or to action any change of address / name / other details.

Weekly Cash Scheme (CEE)

- The VO 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.

- Customers who are trans-gender or prefer to use a non gender-specific title. If a customer who explains that their preferred title is Mx, you should not set up their licence on the handheld as you will be unable to select Mx as a name title. You must call the contact centre on the designated number and explain that you require a licence setting up with Mx as the name title.
- The Frequency field value must be set to "Weekly".
- Scan the card into the Hand held device prior to giving it to the customer and leaving the address
- Do not scan cards twice – if for whatever reason after scanning a card, the customer does not accept it, the scanned card must marked 'VOID' and returned to the FBC. **The card must not be re-issued**
- If a card does not scan, an alternative card should be issued and the original card marked 'VOID' and returned to the FBC. No further attempts to scan this card to another address should be made
- The manual entering of the card number into the Hand held device should only be carried out in exceptional circumstances
- The card number entered into the Handheld device should be physically checked against the actual card number on **ALL** occasions
- Any errors identified should be reported to your Area manager as soon as possible and additional notes should accompany any documentation reference the visit

Weekly Cash Scheme with Initial Payment

- An initial payment for a cash scheme can be made by credit/debit card using the chip & pin device or by cash.
- Enter the initial payment amount in either the debit/credit card or the negotiable item section.
- The minimum initial payment must be no less than the amount of the first weekly payment'
- If using the chip & pin device and the terminal fails to read the chip 3 times you will need to swipe the card. It is imperative the card holder signs the receipt if the card is swiped.
- The chip & pin receipt book must be used for credit/debit card payments. The merchant receipt screen on the handheld will display the required details for completing the receipt.

- If cash is taken the payment must be enclosed in a clear sealable plastic bag with the Merchant copy of the receipt. The plastic bag must be enclosed in a valuables envelope for the day and returned in an RMSD envelope with your weekly work.
- The Customer Card number must be annotated clearly on the Merchant receipt.

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.

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 TVL Cash.

If the VO runs out of pre-allocated cards a weekly payment scheme sale cannot be made.

Monthly Cash Scheme

- 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.
- Customers who are trans-gender or prefer to use a non gender-specific title. If a customer who explains that their preferred title is Mx, you should not set up their licence on the handheld as you will be unable to select Mx as a name title. You must call the contact centre on the designated number and explain that you require a licence setting up with Mx as the name title.
- Set the frequency field value must be set to "Monthly".
- Manually enter the Member no. 000000000 (9 x zeroes) into the CEE Card No. field.

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 CEE card for a Monthly Cash Scheme sign up. TVL Cash will post a card and welcome pack out to the customer when they receive the 000000000 application number from the handheld.

Cash Scheme Cards for 'manual visits' i.e. for addresses not on the handheld.

- Complete an additional notes form to explain the reason for the visit and the sale e.g. multi-occupied and post with 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:

Phoning TVL Contact Centre

The VO should only phone TVL Contact Centre via the designated VO number in the following cases :

- 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 VO 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 (Manual/Paper Visit)
- 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.

The VO should not ring TVL Contact Centre to check an application has been processed.

- Because they have run out of weekly payment cards.
- Set up a CEE cash scheme if they are able to on the handheld.
- They may have made a mistake when issuing a card; e.g. with the customer details and/or to the wrong address. Any such errors must be reported on an additional notes form with that day's work. The VO **must** advise their manager immediately and follow the Data Breach Procedure. (Chapter 2)

Note that should it be necessary to contact TVL Cash you should do so

General Guidelines

TVL Cash provide a text messaging service to TV Licensing Payment Card customers.

When necessary, customers will receive text messages to their phones regarding their accounts.

- 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.

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.

The VO 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 VO gave them the card, otherwise they will be deemed to be in arrears.

Inform the customer 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.

Chapter 12: Court Attendance & Protocol

Court Attendance and Protocol

It is the legal right of defendants to challenge the evidence against them in Court.

In the case of a challenge, the VO must attend court to present their evidence in a case where they were the Interviewing Officer. In exceptional circumstances it may be necessary for the VO to attend court to give evidence in high profile cases or Crown Court appeals, even though the VO may no longer be employed by the business. Compensation for loss of earnings and travel expenses will be paid.

To facilitate the contact with the VO the company may retain address and contact telephone details for up to a maximum of three years. The company will treat all personal/sensitive data as confidential and will not use or process it other than for legitimate purposes.

The TVL Field Business Centre will send notification of any appropriate hearings to the VO, where they are required to give evidence. The VO must acknowledge receipt of the notification within 5 working days.

Scotland: If the prosecution takes place in Scotland and the officer is required they will receive a citation to attend court and the prosecution will be conducted by the PF.

The VO must liaise with their Area 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 Area Manager is advised as soon as possible of any reasons why the VO is unable to attend.

[REDACTED]

The Court Presenter (CP) prosecuting the case will make contact with the VO prior to the hearing to arrange to meet; this will give the CP and the VO the opportunity to discuss the case/evidence prior to the hearing

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The VO must inform their Area Manager whether their attendance is still required or not.

The VO 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.

The court expects that the VO 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.

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

The VO may be given the original or a further copy of the Record of Interview by the prosecutor.

The VO should bow to the Magistrates on entry to the courtroom, and stand up each time as the Magistrates enter or leave the courtroom. The VO should be guided by the prosecutor regarding court etiquette.

Matter Proceeds

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

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

The VO 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.

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.

This procedure follows in respect of any other prosecution witnesses.

The VO must leave the witness box when allowed to do so.

When the VO is no longer required by the prosecutor and given permission, they may leave the court (bowing to the Magistrates on exit).

Once the case has been finalised and they are no longer required at Court, the VO must hand their Record of Interview back to the CP before they leave Court

No information must be given to the media.

Chapter 13: Legislation and Legal Advice

General Data Protection Regulations (GDPR) 2018 & Data Protection Act (DPA) 2018

The 2018 GDPR and the accompanying DPA legislation controls the way that information is handled and gives legal rights to people who have information stored about them. The legislation is intended to harmonise data privacy rules across Europe, to protect and empower all EU citizens' data privacy and to reshape the way that organisations approach data privacy.

It ensures that those who collect, use, process and store personal data do so accurately, protect it and do not misuse it.

Compliance with the GDPR rules and principles is required by any persons, businesses or organisations handling personal data in the EU and those offering products or services into the EU — even when the organisation is not located in the EU.

The BBC is the controller of all TV Licensing customer data because they decide how and why the data is to be collected and used. Capita are the BBC's processor. We process this data on behalf of the BBC. GDPR applies to controllers and processors and both can be ordered to pay large fines (up to 4% of global turnover) if they don't comply with the rules. The BBC's Data Protection Policy (BBC017) determines how TVL process customers' personal data.

What data does GDPR apply to?

GDPR applies to the processing of personal data on a computer or in an organised paper filing system

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

Personal data is any information that relates to an identifiable living individual. 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, as well as information about their whereabouts and online identifiers such as an IP address.

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

Personal data will be considered as 'Sensitive' personal data (sometimes referred to as special category data) if it reveals a data subject's:

- Racial or ethnic origin
- Political opinions
- Religion

- Membership of a trade union
- Health
- Sexual life or orientation
- Criminal activity or offences
- Or is genetic or biometric in nature and is used to uniquely identify a living person.

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

The Principles

- GDPR is based on a framework of 6 core principles. Compliance with the spirit of these key principles is a fundamental building block for good data protection practice
- **Lawfulness, Fairness and Transparency** - A data controller has responsibility to ensure that any processing of personal data is lawful, fair and transparent. In particular, it should be transparent to individuals that personal data concerning them is collected, used or otherwise processed and explanations of those processing activities must be accessible and easily understood.
- **Purpose Limitation** – A controller must ensure that personal data is collected for specified, explicit and legitimate purposes and not further processed in ways which are incompatible with those purposes.
- **Data Minimisation** – The GDPR requires that personal data shall be adequate, relevant and limited to what is necessary in relation to the purpose for which it is processed.
- **Accuracy** – Personal data must be accurate and where necessary kept up to date. Inaccurate personal data should be corrected or deleted immediately.
- **Retention** – Personal data must be kept in a form which permits identification of data subjects for no longer than is necessary.
- **Integrity and Confidentiality** – This principle addresses data security. Controllers and processors are responsible for ensuring that personal data is kept secure against;
 - **External threats** – such as hackers and cybercriminals
 - **Internal threats** – such as poorly trained employees intent on committing crime
 - **Accidental loss, destruction or damage**

Legal Basis for Processing

The first principle requires that all personal data is processed lawfully, fairly and in a transparent manner. Processing is only lawful if we have a lawful basis to process that data. There are six available lawful bases for processing. No single basis is 'better' or more important than the others.

Processing of sensitive data needs both a lawful basis for general processing and an additional condition for processing this type of data.

Task carried out in the public interest

As a 'public authority', the BBC use the 'public task' basis for most of their processing,

Consent

Whilst GDPR includes stricter rules around consent, as we rely on 'public task' as our principle legal basis the consent rules generally don't apply to TV Licensing.

We don't require consent in order to send information to, or visit customers.

In practice this will mean that we no longer need to ask the customer for permission to contact them by SMS.

Rights of the Data Subject:

GDPR gives customers much more control over their data; these new rights are listed below. If a customer asks to make a request under these rights, you should advise the customer to put their request into writing;

- By Post – Data Protection Manager, TV licensing, Darlington, DL98 1TL
- By email - They should send the request to tvlicensing@capita.co.uk

Right to be Informed

Customers should be told the details of what we capture and how we use it. This is a key transparency requirement under the GDPR. This is detailed in our Privacy Policy which is available online at www.tvlicensing.co.uk/privacy

Right of Access (Subject Access Request)

The right of access, commonly referred to as subject access, gives individuals the right to obtain a copy of their personal data, If a customer wishes to make a Subject Access Request they will no longer need to pay a £10 processing fee. However they may be charged if the request is repetitive or unreasonable.

If a customer should state that they wish to make a SAR or 'Right of Access' request they will need to contact TV Licensing in writing by either mail or e-mail. The customer will then be sent a form to complete and return; we have to respond within 30 days.

Right to Rectification

Customers have the right to have inaccurate personal information corrected. Please note that if a customer wants to update details on their licence, these can be actioned as normal and in line with our current ID&V policy.

Right to Erasure

Customers have the right to ask us to remove data we hold about them, this may also be known as the 'right to be forgotten'. Most of the personal data held by TVL is required to allow us to operate the TVL system so the customer's right to erasure is in practice limited.

Right to Restrict Processing

GDPR gives individuals the right to restrict the processing of their personal data in certain limited circumstances. This means that an individual can limit the way that an organisation uses their data. This is an alternative to requesting the erasure of their data.

Right to Portability

This means getting customer data into a certain format so they can take their data elsewhere where the legal basis for processing that data is consent or contract. The right to portability generally does not apply to TV Licensing data.

Right to Object

Customers can ask us not to use their data. We may refuse where we have compelling legitimate grounds to process the data. Most of the personal data used by TV Licensing is required to allow us to operate the TV Licensing system so the customer's right to object is in practice limited. There is an absolute right to object to marketing but TV Licensing mailings are considered service messages rather than marketing.

Rights in relation to automated decision making and profiling

GDPR places restrictions on automated decision-making i.e. decisions taken using personal data processed solely by automatic means and which have a significant effect on the individual concerned, and on profiling i.e. the automated processing of personal data to evaluate certain personal aspects, in particular to analyse and make predictions about an individual.

Any profiling of customers undertaken by TV Licensing is not used without human intervention and does not have significant effect on the individual. As a result this right has no impact on TV Licensing.

The Law Enforcement Directive

GDPR does not apply to 'competent authorities' processing personal data for law enforcement purposes. The Law Enforcement Directive 'the Directive' is European law that complements the GDPR provisions and sets out the requirements for the

processing of personal data for criminal law enforcement purposes. Unlike the GDPR the Directive does not take direct effect in law in the UK so Part 3 of the DPA transposes the Directive into UK domestic law.

The BBC is a competent authority for the purpose of Part 3 of the DPA due to the fact that it has a statutory responsibility to prosecute TV Licensing offences.

This means that when processing data obtained for the purpose of law enforcement (i.e. information obtained as a result of a cautioned interview, search warrant or detection) we are obliged to process that data in line with Part 3 of the DPA.

The Part 3 provisions to a large extent mirror GDPR. The same 6 principles apply, though the first principle excludes the transparency requirement to avoid prejudicing any criminal investigation, and there is only one legal basis for processing, that being law enforcement. There are additional safeguards due to the sensitivity of the data and the data subjects' right are restricted to a degree again to avoid prejudicing or undermining any investigation/prosecution.

You need to be aware that the Directive, and more specifically Part 3 of the DPA applies to law enforcement rather than GDPR but as the general principles remain the same the way you process customer data does not change.

Application to VOs

VOs should establish the licensable status of a premise, interview any suspected evader and sell a licence if required. Whenever a living individual can be identified from the information that is in our possession, or from information a VO collects as part of the investigation, then this will be personal data and the processing of that data must be in compliance with the DPA.

The data subject must be advised who is collecting the data and the purpose of the collection. Therefore VOs 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 VOs must take these principles into account when additional notes and comments are made.

The VO must ensure that personal information (e.g. when recording a sale and/or that a Record of Interview has been taken) is accurately recorded against the correct visit.

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.

VOs 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 a VO has visited their house so confirmation of this to an occupant would not breach the DPA.

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

An occupant who claims to be the [REDACTED] 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.

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

If however a neighbour or Police Officer approaches the VO and volunteers information that is relevant to the immediate investigation or will assist future enquires, then that information must be captured, but the VO must ensure as far as possible that it is accurate, relevant to our enquires 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.

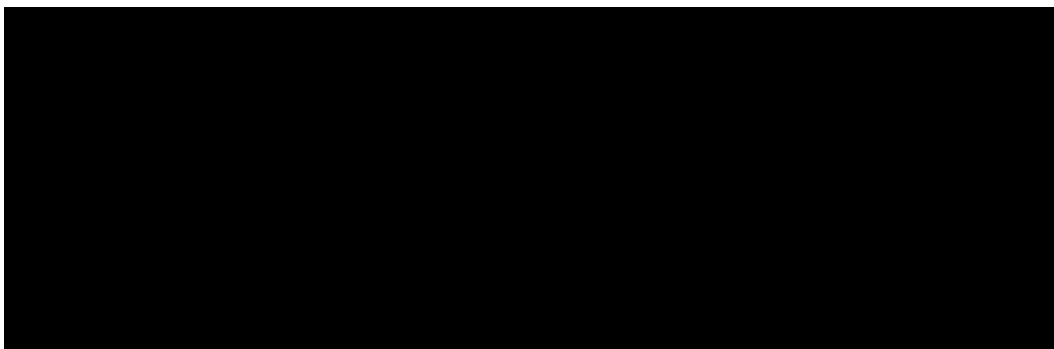
If the VO is asked who they are, what they want with the occupier or whether they would like to leave a message, they are to explain that they have private business with the occupier and will leave a calling card for them. The VO should not identify themselves or the purpose of their visit. If an explanation 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.

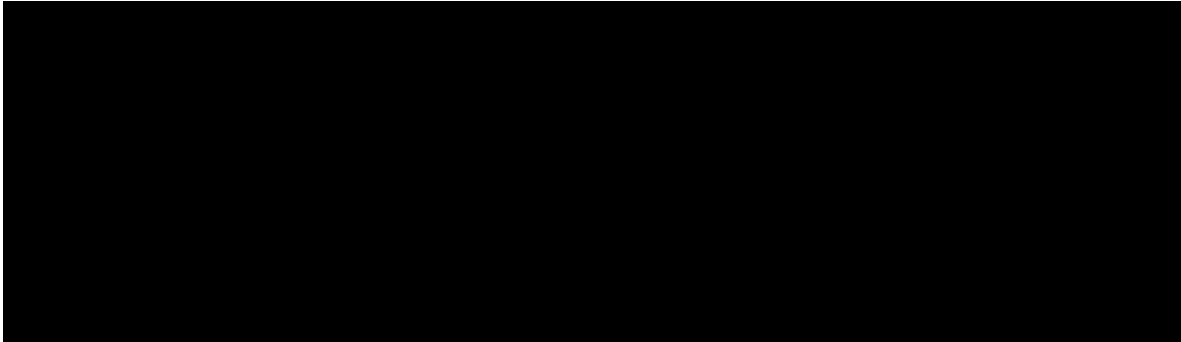
If a property appears to be unoccupied and a third party such as a neighbour makes contact with the VO, then the VO may attempt to confirm that status.

The VO 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.

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:





This list is not exhaustive. This information is relevant to our enquiry. 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.

Other information that may be given to a VO 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.

VOs 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.

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

Equality Act 2010

Race and Religion

The Equality Act 2010 is the law which bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society.

The act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership

- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Equality Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

The act prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).

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. VOs should also ask how unfamiliar names should be pronounced and check the spelling.

Personal Descriptions

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 person's description. Any description made after an interview should 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.

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

When recording the perceived ethnic background of a person, VOs must use appropriate language which accurately and fairly describes the appearance of the individual.

The most appropriate way of doing this is to use the Census categories from the Office for National Statistics (ONS) self - classification ethnic monitoring system.

These are: White (W); Mixed (M); Asian (A); Black (B); Chinese and Other (O). If a country of origin is provided then this should be noted.

Name and Naming Systems

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

The VO needs to establish the full name of the customer. They must clarify the correct spelling of the customer's name and the pronunciation of the 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.

Communications Act 2003

The Communications Act came into force on the 1st April 2004.

- Creates the offence of installing/using a television receiver without a licence.
- Gives the power to define a television receiver.
- Grants the power to issue and revoke licences.
- Grants the powers to charge for the licence.
- Provides the penalties for the offences.
- Grants the power to request a search warrant.

Modification of the Communications Act 2003

From the 1st of September 2016 a TV Licence is required to download or watch BBC programmes on demand.

This includes catch up TV on BBC iPlayer

If BBC iPlayer is accessed through any other provider, such as Sky, Virgin, Freeview or BT, a licence is required

This excludes watching S4C TV on demand and listening to radio.

Police and Criminal Evidence Act 1984 ('PACE') and the Police and Criminal Evidence (Northern Ireland) Order 1989

PACE, and its associated Codes of Practice, came into force in 1986. The Act was designed primarily for the police but all those with a duty to investigate crime are required to follow applicable sections.

- If an officer has grounds to suspect that an offence has been committed a caution must be issued before asking any further questions, the answers to which could incriminate the suspect.
- An accurate record must be made of each interview.
- The interviewee must be given the opportunity, unless impractical, to sign the record of interview if it is accurate or mark it as being inaccurate.
- An interview under caution cannot be conducted if the officer has reason to believe that the interviewee is under the age of 18 or is unable to

understanding what is taking place, the offence they have committed & the possible consequences as a result of mental incapacity, illness or intoxication.

Criminal Procedure (Scotland) Act 1995

The Criminal Procedure Act Scotland consolidates certain enactments relating to Criminal Procedure in Scotland.

The Act was designed primarily for the Police, however as a prosecuting authority investigating a criminal offence we will, where applicable, have due regard to the provisions of the Act **Common Law (Scotland)**

Common law is law developed by judges and courts, stated in decisions that nominally decide individual cases but that have precedential effect on future cases.

The rights of a suspect are upheld by a combination of legislation (such as the CPA '95 and the Human Rights Act) and the common law. The common law has introduced the test for the admissibility of answers by suspects under the general heading of "fairness". Fairness requires the issue of a caution prior to questioning a suspect about his or her involvement in an offence,

Freedom of Information Act 2000

FOI came into force on 1st January 2005

- Provides a right to access information held by public authorities.
- Applies to all information held on behalf of BBC.
- DPA still applies to information held against individuals.
- All public requests for information must be made to the BBC.

Human Rights Act

HRA was passed in 1998. The points that we need to be aware of are:

- Right to a fair trial.
- Right to respect for private and family life.
- Freedom of expression.
- Right to peaceful enjoyment of possessions.



[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Chapter 14: Visit Reply Codes

Visit Request Reply Codes

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

If using paper visits every visit request must have the Visiting Party Number of the VO 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.

A double reply code is normally used where the person named on the visit request has not been seen/spoken to or has moved away and a new tenant is now resident. The name we are holding on file for the address needs to be updated before we can add further data to the address.

If the person named on the visit has moved away then reply code “2” must be used with the second code to indicate the result of the visit. See the list of acceptable double reply codes.

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’

Single Visit Reply Codes

- 2** On its own this should only be used where the interviewee named on the visit request has moved away or is now deceased.
- 3** The premises exist, even if only as foundations, but are **definitely** unoccupied, are due to be erected or are currently in the course of construction / renovation. The VO must always attempt the visit. It is not acceptable to process a code 3 without leaving the vehicle. 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. Where an address is uninhabitable and / or is unlikely to be lived in for the foreseeable future [REDACTED] a months to occupancy (MTO) value of 96 is to be used.
- 4** If the premises no longer exist as a licensable place reply code “4” 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 duplication on the system, the incorrect version which needs to be removed should be marked reply code “4”. 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 VO to visit.
- 6** To be used if a visit is received for commercial premises, including pubs and hotels. The premises should not be visited unless trained for Commercial visiting.
- 7** The interviewee has produced a licence, PayPoint receipt, or it has been possible to confirm the licence details via FieldGui or the VO Helpline.
- The full details of the licence must be recorded, including: date, time place of purchase, PayPoint agent number (if applicable) and licence number.
 - If there is any difference in the address, this should be noted, clearly indicating the correct form of address. If using a paper visit complete the 'Code 7 details licence details' section on the back of the visit request together with any appropriate comments.
- 8** Interview under caution conducted.
- 9** Visit made, no reply obtained, unable to confirm premises are unoccupied. Also to be used for intercom systems when no access instructions available, and a calling card left via the main entrance. In this instance select 'controlled access – letterbox main entrance' from the close comments drop down menu . Code 9 also applies to Intercom properties WITH Access Instructions/no contact made regardless of whether or not a calling card can be left.
- 9A** (Scotland only) Visit made by one VO where a code '8' could have been claimed.
- 9I** Only to be used where there are NO Access Instructions, access to premises is by intercom / key code, entry has been sought but no entry to the premises has been obtained and it has not been possible to leave a calling card.
- 9K** Call back flagged. Indicates that a call back is planned for this visit. This should only be used if the VO plans to return to the address on the same day as the original visit. Handheld use only.
- 9N** Visit made, promise to purchase a TV Licence made XXXXXXXXXX

- 9P** It has been confirmed that the premises are occupied but the VO has been unable to speak to an appropriate person.
- 9R** Purchased refused - [REDACTED] has spoken to the appropriate person at the address and a licence has not been sold ([REDACTED])
- 9S** Visit made and a TV licence sold ([REDACTED]) or an Over 75 person seen.
- 9W** Potential Search Warrant. A Search Warrant has been requested. (Not to be used by [REDACTED])
- 9X** Suspected evasion [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- A** Confirmed B&W use only and B&W licence held; e.g. where anonymous information has been received that a colour set is being used and inspection has confirmed that only B&W TV equipment is being used.
- C** No television receiving equipment, installed or being used to watch TV programmes as they are being transmitted are to be recorded as reply code 'C'. Reply code "C" must only be used when a customer has allowed a VO access to inspect the premises and the VO 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.
- D** Not to be used – currently not in use

Acceptable Double Reply Codes

Please note that the full definition of the meaning of each reply code should be referred to in addition to the shortened version used below.

- 2 / 3** The person named on the visit has not been seen/spoken to or has moved to an unknown address and the premises are now unoccupied.
- 2 / 4** The person named on the visit has not been seen/spoken to or has moved to an unknown address and the address to be visited no longer exists as a licensable place.
- 2 / C** The person named on the visit has not been seen/spoken to or has moved to an unknown address and no TV Licence is now needed.

- 2 / 6** The person named on the visit has not been seen/spoken to or has moved to an unknown address and the premises are now commercial / non-domestic.
- 2 / 7** The person named on the visit has not been seen/spoken to or has moved to an unknown address and a new licence not listed on the visit is seen. (Where the licence seen is already on file for the address in a different name reply code "2" only should be used).
- 2 / 8** The person named on the visit has not been seen/spoken to or has moved to an unknown address and a prosecution interview has been conducted with the new occupier.
- 5 / 7** To be used where a licence has been short-dated due to late renewal and the licence holder is able to confirm that the late renewal was due to no licence being needed in the intervening period i.e. where the VO is satisfied that the licence should not have been amended.

Chapter 15: Use of the TVL555 Sales Form

An Officer cannot claim a sale unless a correctly completed Sales Form - TVL555 is returned to the Field Business Centre. Note that no attempt may be made to sell a licence unless you confirm the customer has working TV receiving equipment that they legally would require a TV licence for. This includes [REDACTED] visits.

The TVL555 Form must be used with visit reply codes 9S (sale claimed) and a copy handed to the customer (Unless to do so would risk the health and safety of the Officer. In this instance details should be reported to the Line Manager and additional notes completed).

All information recorded on the TVL 555 form must be clearly legible.

A sales interview should only be conducted with a responsible adult or householder.

Completing the form

The following information must always be captured on the TVL 555 form:

- Date of visit
- Start time
- Full name and title of the person responsible for the licence. This must be the person who is named at the top of the TVL555 form and must be offered to the same person for signature.
- First Line of address and postcode - This information should be recorded by referring to the handheld using the 'A' icon (check address shortcut) to display the full address.
- Telephone number. If the customer does not have a telephone this must be noted.

Licence sale details

When a licence is sold at the time of the visit, the Officer must tick the appropriate box on the TVL 555 Form.

The following additional details must be recorded in the appropriate fields on the Form:

- Credit or debit card – Licence number
- Cash or cheque – Receipt number
- Direct Debit – Licence number
- TV Licensing Payment Card – Card number

Customer's account details must not be recorded on the TVL 555 form.

Over 75's

When completing a TVL 555 Sales form for an Over-75 with the exception of the first line in section 1 the rest of the information in sections 1 and 2 must be deleted.

Customer acknowledgement

I was visited today by an Officer from TV Licensing who found that I was using TV receiving equipment without a licence at this address to: a) watch or record programmes as they were being shown on TV or live on an online TV service, or b) download or watch BBC programmes on demand, including catch up TV, on IPlayer.

This is an offence that I could be prosecuted for under the Communications Act 2003 and fined up to £1,000 plus any legal costs and/or compensation I may be ordered to pay.

~~*1. I have now paid for / entered into an agreement to pay for / paid the arrears owed for a TV Licence. I understand that if I keep up my payments and make sure I stay licensed, no further action will be taken against me by TV Licensing on this occasion. I also understand that if I don't keep up my payments and become unlicensed again, TV Licensing may take further action that could result in me being prosecuted for an offence under the Communications Act 2003, and fined up to £1,000 plus any legal costs and/or compensation I may be ordered to pay.~~

~~*2. I have delayed buying a licence. I understand that if I do not buy a licence immediately, TV Licensing may take further action. This could mean I risk prosecution and a fine of up to £1,000 plus any legal costs and/or compensation I may be ordered to pay.~~

(*Delete as appropriate)

Concluding the interview

Having made the customer aware that further action may be taken if payments fail, the Officer must complete the declaration by recording their name, VPN and signature.

The Officer must either give customers the opportunity to read the Customer Declaration themselves or read it to them.

The Officer must ask the customer to record their name and signature to show that they agree with the declaration.

The TVL 555 form is a two part form,

- The top copy is to be returned with any additional notes forms
- The bottom copy is to be left with the customer

The Officer must not retain a copy of the TVL 555 form or any customer details that are recorded on it.

The Officer must draw the customer's attention to the notes on the back of the form.

If on completion of the interview the Officer has additional information that could support the follow-up activities, this should be noted on an additional notes form.

Sales interview terminated

If the customer terminates the sales interview early, the Officer must note the details i.e. *door slammed* along with the time that the interview ended.

Accuracy of information

The TVL 555 form must accurately reflect the circumstances and outcome of the sales interview. Any Officer found to have deliberately falsified information will be subject to the disciplinary procedure.

Chapter 16: Chip & Pin Inspection Procedure

Introduction

A requirement of the Payment Card Industry Data Security Standard (PCI DSS) is to protect devices that capture payment card data from tampering and substitution. At Capita TV Licensing this requirement shall be implemented by periodically inspecting card reading device surfaces to detect tampering (for example, addition of card skimmers to devices), or substitution (for example, by checking the serial number or other device characteristics to verify it has not been swapped with a fraudulent device).

The purpose of this short procedure is to set out how these checks shall be performed.

Inspection Procedure



Tampering

The device should be checked by the TVL Field Officer for any signs of tampering and for any signs of broken seals that may be in place on the device.

Substitution

To confirm that the payment card reading device has not been substituted by a rogue device TVL Field Officers should validate the asset details:

Make

Model

Serial Number

Exception Reporting

It is the responsibility of the TVL Field Officers to report any anomalies identified during the above checks to their immediate Manager. It is the responsibility of the Area Manager to report the anomalies to the TVL Information Security Manager via the TVL Security Incident Response procedure and completion of the T510 form.

Frequency of Checks



Recording Evidence of Checks

Recording of evidence checks shall be performed by the Area Manager who shall record against each issued asset that the checks described above have been completed.

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