

# Provision of Services Regulations 2009

The following information is given in accordance with the Provision of Services Regulations 2009.

## General

CBW Recovery LLP ("CBWR") is a limited liability partnership registered in England with registered number OC445775 and its registered office at 10 Lower Thames Street, London EC3R 6AF.

## VAT Registration Number

CBWR's VAT number is GB 438 6643 63.

## Data Protection

CBWR is registered with the Information Commissioner as a data controller; details about our registration can be viewed here under registration number ZB548561.

## Registrations and Licences

CBWR is registered to carry on insolvency work in the UK and Ireland and is a member of and registered by the Institute of Chartered Accountants in England and Wales (ICAEW).

Joseph Walter Colley (IP number 21712) is a member of the ICAEW and are licensed by them to act as an Insolvency Practitioner in the United Kingdom.

The rules of the professional body that licences Insolvency Practitioners can be found at <https://www.icaew.com/regulation/insolvency/sips-regulations-and-guidance/>.

In addition, Insolvency Practitioners are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/technical-library/england-wales/sips/>.

## Ethics

All Insolvency Practitioners are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at <https://www.icaew.com/regulation/insolvency/sips-regulations-and-guidance/insolvency-code-of-ethics>

## Bribery Act 2010

CBWR is committed to applying the highest standards of ethical conduct and integrity in its business activities. Every employee and individual acting on CBWR's behalf is responsible for maintaining our reputation and for conducting company business honestly and professionally.

CBWR take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate.

CBWR requires all those who are associated with it to observe the highest standards of impartiality, integrity and objectivity.

CBWR prohibits anyone acting on its behalf from:

- bribing another person. A bribe includes the offering, promising or giving of any financial or other type of advantage;
- accepting a bribe. This includes requesting, agreeing to receive or accepting any financial, or another kind of advantage;
- bribing a foreign public official; and
- condoning the offering or acceptance of bribes.

CBWR will:

- avoid doing business with others who do not accept our values and who may harm our reputation;
- maintain processes, procedures and records that limit the risk of direct or indirect bribery;
- promote awareness of this policy amongst its staff, those acting on its behalf and entities with which it has any commercial dealings;
- investigate all instances of alleged bribery, and will assist the police, and other authorities when appropriate, in any resultant prosecutions. In addition, disciplinary action will be considered against individual members of staff;
- review this policy regularly and update it when necessary.

## Quality of Service

If you are not satisfied with the services, you have received or if you have suggestions for improvement of our services, please contact the firm's client care partner, who is located at the registered office. CBWR will look carefully and promptly at any issues or complaints raised. CBWR have a procedure in place which details how we handle complaints which is available on request.

If you are not satisfied with our handling of your complaint, you may be able to ask the Legal Ombudsman at Tel. 0300 555 0333; e-mail: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk) or PO Box 6806, Wolverhampton WV1 9WJ to consider the complaint. Normally, you will need to bring a complaint to the Legal Ombudsman within six months of receiving a final written response from us about your complaint and within six years of the act or omission about which you are complaining occurring or within three years from when you should have known there were grounds for a complaint. Please note, the Legal Ombudsman will only deal with complaints from members of the public, very small businesses, charities, clubs and trusts. You may also have the right to apply to the court for an assessment of a bill under Part III of the Solicitors Act 1974. You should note that if all or part of a bill remains unpaid CBWR may be entitled to charge interest.

Where the complaint relates to Insolvency Practitioners, you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the Insolvency Practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at [www.gov.uk/complain-about-insolvency-practitioner](http://www.gov.uk/complain-about-insolvency-practitioner) or you can email [insolvency.enquiryline@insolvency.gsi.gov.uk](mailto:insolvency.enquiryline@insolvency.gsi.gov.uk) or you may phone 0300 678 0015 - calls are charged at up to 10p per minute from a land line, or for mobiles, between 3p and 55p per minute if you're calling from the UK.

## Professional Indemnity Insurance

CBWR maintains professional indemnity insurance which covers our practice worldwide. Our insurers are:

- Great Lakes Insurance UK Limited
- Zurich Insurance Company Ltd

## Client Monies

CBWR may, from time to time, hold money on your behalf. Such money will be held in trust in a client bank account, which is segregated from CBWR's funds. The account will be operated, and all funds dealt with, in accordance with the Clients' Money Regulations of the Institute of Chartered Accountants in England and Wales.

To avoid an excessive amount of administration, interest will only be paid to you where the amount of interest that would be earned on the balances held on your behalf in any calendar year exceeds £25. Any such interest would be calculated using the prevailing rate applied by Arbuthnot Latham & Co., Limited for small deposits subject to the minimum period of notice for withdrawals. Subject to any tax legislation, interest will be paid gross.

If the total sum of money held on your behalf exceeds £10,000 for a period of more than 30 days, or such sum is likely to be held for more than 30 days, then the money will be placed in a separate interest-bearing client bank account designated to you. All interest earned on such money will be paid to you. Subject to any tax legislation, interest will be paid gross.

CBWR will return monies held on your behalf promptly as soon as there is no longer any reason to retain those funds. In the unlikely event of us holding any unclaimed monies we reserve the right to pay such monies to a registered charity in line with the guidelines set out in the Clients' Money Regulations referred to above. CBWR will not do this unless we have been unable to contact you for at least five years and we have taken reasonable steps to trace you and return the monies.

## **Client Monies Interest Policy**

As part of carrying out your instructions to us, CBWR may need to hold your money in our client account. In holding a client's money, CBWR has an obligation to pay interest on that money at a fair and reasonable rate and are required to have an interest policy, setting out when interest will be paid.

## **Our Policy**

CBWR aim to account to you for interest at a reasonable rate however, as the holding of your funds is incidental to the carrying out of your instructions, the rate is unlikely to be as high as the rate you may be able to obtain if you were to deposit the money yourself. CBWR must ensure that money held on our client account is immediately available and so the need for instant access is taken into account when setting the rate of interest payable by us.

## **Rates of interest**

CBWR align the interest rates we pay on monies held on both our general client and separate designated deposit account to the Arbuthnot Latham & Co., Limited's Base Rate. This rate is likely to change from time to time. The same rate of interest will be paid on money held in our general client account or our separate deposit account.

Where amounts are held outside a general client account or separate designated deposit account, the rate of interest and date that interest is credited will depend on the terms given by the institution where the funds are held and, as such, fall outside the scope of this policy. The relevant interest information can be obtained at your request.

## **Applicable taxes**

Where your money is held on our general client account, any interest paid to you is paid without any deduction for income tax (unless you are resident overseas – see below). As such it is your responsibility to inform HMRC of amounts of interest received from us and that implications of this will depend upon your own financial circumstances. Where interest is held on a separate designated deposit account interest is usually paid net of tax (unless you have signed a declaration confirming your entitlement to receive bank interest gross). Under the European Savings Directive regulations 2003/48/EC we are required to inform HMRC of payments of interest to relevant payees and residual entities in prescribed territories. Where you reside outside the UK and EC, we are required to deduct income tax at the current basic rate and account for this interest to HMRC directly and pay you the net amount.

February 2025