

Press release: Swansea director disqualified for sending thousands of spam text messages

Help Direct UK Limited was a call centre-based business in Swansea, generating and selling marketing leads. The company entered creditor's voluntary liquidation on 7 December 2015 owing its creditors an estimated £342,447.

Between and 7 April 2015 and 30 April 2015, Help Direct UK Limited sent thousands of unsolicited ('spam') text messages to private individuals without their consent, which led to 6,757 complaints being made.

The Information Commissioner (ICO) [issued a monetary penalty of £200,000](#) on 21 October 2015. The company failed to pay the penalty prior to entering creditors voluntary liquidation on 7 December 2015, at which point the company had total assets of £1,287 and total debts of £343,734.

Commenting on the disqualification, Susan MacLeod, Chief Investigator at The Insolvency Service, said:

In this particular case, the company had been warned by the Information Commissioner's Office about sending unsolicited messages, and had been served with a notice requiring the company to comply with the law. Despite this, the company continued sending thousands of spam text messages which led to over 6,000 complaints from the recipients.

Individuals who demonstrate such disregard for the law are clearly not fit to be a director of a company. Company directors should note that the Insolvency Service will take action to protect the public where directors have failed to adhere to the law.

Andy Curry, enforcement manager at the ICO, said:

This shows that company directors can not leave by the back door as my team is coming through the front door.

It sends a clear message that the companies behind nuisance calls and texts will be held to account.

Notes to editors

Help Direct UK Limited (CR0 No. 07904408) was incorporated on 10 January 2012 and traded from Unit 2 Century Works, Peniel Green Road, Llansamlet, Swansea, SA7 9BZ until May 2015, and thereafter from First Floor, Unit 2, Villiers House, Charter Court, Swansea Enterprise Park, Swansea, SA7 9FS.

The Information Commissioner's Office is the UK's independent body set up to uphold information rights in the public interest. The ICO is responsible for the enforcement of the Data Protection Act 1998 and the Privacy and Electronic Communications Regulations.

Leighton John Power's date of birth is 19 May 1979 and he resides in Brynhyfryd, Swansea. He was a director of the company between 22 April 2013 and its insolvency on 7 December 2015. He was also previously a director of Cryton Limited, which entered Creditors Voluntary Liquidation on 27 September 2013.

On 12 January 2017, the Secretary of State accepted a disqualification undertaking from Mr Power, effective from 2 February 2017, for a period of 6 years. The matters of unfitness, which Mr Power did not dispute in the disqualification undertaking, were that Leighton John Power caused Help Direct UK Ltd to contravene regulation 22 of the Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR), which caused the Information Commissioner to issue a monetary penalty of £200,000 on 21 October 2015 which remained outstanding upon the company's liquidation. In that:

- the Information Commissioner identified 659 complaints regarding unsolicited direct marketing text messages sent by Help Direct between 15 December 2013 and 3 April 2014
- on 24 February 2015 the Information Commissioner served Help Direct with an Enforcement Notice under section 40 of the Data Protection Act 1998, requiring the company to comply with regulation 22 of PECR by 31 March 2015
- between 7 April 2015 and 30 April 2015, Help Direct sent further unsolicited text messages to individuals for the purposes of direct marketing contrary to regulation 22 of PECR, which resulted in 6,757 complaints to Groupe Spéciale Mobile Association's Spam Reporting Service
- on 21 October 2015 the Information Commissioner issued a penalty of £200,000 in respect of Help Direct's contraventions of regulation 22 of PECR. Help Direct made no payments towards the penalty
- Help Direct entered creditors voluntary liquidation on 7 December 2015. The Information Commissioner was the largest creditor in the liquidation, and the penalty materially contributed to the Help Direct's insolvency

A disqualification order has the effect that without specific permission of a court, a person with a disqualification cannot:

- act as a director of a company

- take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership
- be a receiver of a company's property

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings.

Persons subject to a disqualification order are bound by a [range of other restrictions](#).

The Insolvency Service, an executive agency sponsored by the Department for Business, Energy and Industrial Strategy (BEIS), administers the insolvency regime, and aims to deliver and promote a range of investigation and enforcement activities both civil and criminal in nature, to support fair and open markets. We do this by effectively enforcing the statutory company and insolvency regimes, maintaining public confidence in those regimes and reducing the harm caused to victims of fraudulent activity and to the business community, including dealing with the disqualification of directors in corporate failures.

BEIS' mission is to build a dynamic and competitive UK economy that works for all, in particular by creating the conditions for business success and promoting an open global economy. The Criminal Investigations and Prosecutions team contributes to this aim by taking action to deter fraud and to regulate the market. They investigate and prosecute a range of offences, primarily relating to personal or company insolvencies.

The agency also authorises and regulates the insolvency profession, assesses and pays statutory entitlement to redundancy payments when an employer cannot or will not pay employees, provides banking and investment services for bankruptcy and liquidation estate funds and advises ministers and other government departments on insolvency law and practice.

Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

Media enquiries for this press release – 020 7674 6910 or 020 7596 6187

You can also follow the Insolvency Service on:

Green Party: Government decision to take only 350 child refugees is an 'absolute disgrace'



8 February 2017

The Green Party has responded to the Government's announcement it will take only 350 lone child refugees instead of a proposed 3000 [1].

Jonathan Bartley, Green Party co-leader, said:

"This announcement, which the Tories have tried to sneak out just before recess, is an absolute disgrace. This is nowhere near the 3000 originally proposed by Lord Dubs and it equates to less than one per local authority in the UK. Any claim by the Prime Minister to be a compassionate Conservative is utterly undermined by the dereliction of duty to some of the most vulnerable people in the world. The Government should have been doing far more to support local authorities. I have visited Calais and seen firsthand the horrifying daily risks the children there faced and how desperate for safety they were. This is a national scandal, which disgraces us all. The Government should hang its head in shame."

Notes:

1. <https://www.theguardian.com/world/2017/feb/08/dubs-scheme-lone-child-refugees-uk-closed-down>

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[News story: Update on biosecurity measures to protect against Avian Flu](#)

The government has today set out initial plans to update temporary measures in place to reduce the risk of avian flu in England, after the current Prevention Zone expires on 28 February 2017.

Based on the latest situation and current scientific advice from the Chief Veterinary Officer, from 28 February the government anticipates [adopting a more targeted approach with mandatory biosecurity measures](#) across the country and continued housing or range netting in higher risk areas. These measures would be reviewed at the end of April.

Currently, anyone who keeps poultry or captive birds is required by law to house them, or otherwise keep them separate from wild birds, to reduce the risk of disease spreading. This requirement remains in place until 28 February and guidance on how to comply is [available online](#).

The proposed temporary measures are designed so keepers can allow birds outside from 28 February, whilst still taking reasonable precautions against avian flu during the current outbreak. A final decision will be confirmed at the end of February.

Public Health England advises that the risk to public health from avian flu is very low and the Food Standards Agency has said there is no food safety risk for UK consumers.

Chief Veterinary Officer Nigel Gibbens said:

Effective disease control will always be our priority. Based on the current situation, we believe mandatory biosecurity across England, combined with targeted housing or range netting in higher risk areas, is the best option to control disease, protect birds' welfare and ensure consumers can buy free range products.

We have acted swiftly to limit the spread of H5N8, including requiring all birds to be housed or kept separate from wild birds. The twelve week housing requirement has allowed keepers time to introduce stricter biosecurity measures and our intention now is to lift this from 28 February. Current rules on housing still remain in place until then, but we are setting out plans now to give people time to prepare. We will keep this decision under review.

H5N8 continues to circulate in wild birds and poultry keepers must remain vigilant. This proposal does not mean a return to business as usual and we will continue to do everything we can to reduce the risk from this disease.

Updated measures from 28 February 2017

From 28 February all keepers of poultry and other captive birds must [continue to follow Defra's guidance on maintaining good biosecurity](#) and keep a close watch on the health of their birds.

All keepers of poultry and captive birds must also continue to keep their birds separate from wild birds. They will be able to do so in one of the following ways:

- Housing – keepers in all areas of England may choose to keep their birds housed. Eggs and some poultry from these birds will no longer be free range.
- Total netting / aviaries / covered runs – keepers in all areas of England may construct covered runs or use netting to keep birds separate from wild birds. Eggs and poultry from these birds will be free range provided they meet all other criteria.

- Supervised access to enclosed outdoor areas – keepers outside the ‘higher risk areas’ will be able to allow birds outside, provided certain strict biosecurity conditions are met. Eggs and poultry from these birds will be free range provided they meet all other criteria.

Poultry keepers with more than 1,000 birds will have to meet additional biosecurity measures including identifying clearly defined areas where access is limited and vehicles, equipment and footwear must be disinfected.

Anyone planning to allow their birds outdoors from 28 February must take action now to reduce the risk of infection from birds being let outside by [following guidance published today](#).

We are working with industry on ways to robustly enforce these measures. Outbreaks cause birds to suffer, damage businesses and cost the UK taxpayer millions. Due to the significant potential impact of disease spread, we expect a high level of compliance from all poultry and captive bird keepers.

Higher Risk Areas

While the risk of H5N8 remains high across the country, areas close to substantial inland or coastal bodies of water, where significant numbers of wild birds collect, are at an even higher risk. In these areas, the risk is considered too great to move to the alternative biosecurity package and compulsory housing or total netting will continue to be mandatory.

We have published guidance to indicate where these areas are likely to be, based on current risk levels, to allow keepers time to prepare. We expect around 75 per cent of poultry keepers to be unaffected. An interactive map will be available from tomorrow which will show, in detail, locations likely to be designated as higher risk.

In these higher risk areas, where keepers choose to house birds rather than net them, eggs and some poultry from these birds will no longer be classed as free range.

Background information

- [H5N8 Avian Flu has been confirmed](#) at three linked premises on a commercial game farm in Lancashire, at three separate poultry farms in Lincolnshire and in backyard flocks in North Yorkshire and Carmarthenshire.
- The [current housing restrictions under the Avian Influenza Prevention Zone \(AIPZ\)](#) will expire on 28 February 2017 twelve weeks after their introduction on 6 December 2016. Under EU regulations, birds can be housed for up to twelve weeks and their produce be called free range. Above twelve weeks, products from these birds can no longer be called free range if they are still housed.

- The [measures set out today](#) are proposed based on current levels of disease risk and scientific advice. Measures may change between now and 28 February, but keepers should use the measures set out now for planning purposes.

News story: Civil news: faster answers to questions on means assessments

From:

First published:

8 February 2017

Spotlight on means assessments in the second of a series of articles highlighting quicker ways to give you answers and save time.

Nearly a quarter of all calls to our customer services helpline were about means assessments in January 2017.

Many of the questions asked could have been answered more quickly by referring to CCMS training website.

For example, a recent news article on the training website with the most common questions received about means assessments covers these topics:

- requesting a review following reassessment
- rejected applications or amendments because of means assessment discrepancies
- entering wage slip information in CCMS
- using the DWP checker

A link to the article is below.

Quick guides

The 'quick guides' have a wealth of information to help you. For example, these ones on the training website are of particular interest for issues highlighted above:

[Provider Quick Guides: Managing Live Cases](#) – see 'Submit a Case Enquiry'

[Provider Quick Guides: Making an Initial Assessment](#) – see 'Resubmit a rejected application' and 'Means assessment: Entering wage slips'

Further information

[Common Queries – Means Assessment](#) – news article

[CCMS training website](#)

Carl Sargeant announces £4.4 million for advice services

£2.2 million will support the delivery of services which can offer direct advice relating to welfare benefits, housing, debt, money management and discrimination.

A further £2.2 million will be awarded to Citizens Advice Cymru to deliver the Better Advice, Better Lives Scheme. The scheme encourages benefit take-up for families with disabled children, for those living in deprived areas whose health is likely to be affected by poverty, and for council tax and housing benefits.

Carl Sargeant said:

“Advice services are an important part of our efforts to tackle poverty. They provide practical support to people who are struggling financially or need help regarding their benefits or housing. I am pleased to guarantee this funding for the next financial year. During the first half of 2016-17 advice organisations responded to over 33,150 requests for information and advice which illustrates how beneficial these services are.

“I am also pleased to secure funding for Citizens Advice Cymru to deliver the Better Advice, Better Lives Scheme for 2017-18. A key feature of the project is that it is referral based and delivered in community settings which means it reaches disadvantaged groups and people who are less likely to seek advice themselves. Since the start of this project in 2012, the scheme has helped over 171,000 people.”