

FSPDC02 – SQA Unit Code H5HN 04

Agree a way forward on repayments with the debtor



Overview

This unit is about establishing whether the debtor is in a position to make full and immediate repayment, including resolving any issues the debtor has in acknowledging the debt. This is achieved through establishing the debtor profile. You must be able to refer the debtor to other departments/external agencies when appropriate. In the event that the debtor disputes the amount owed, you must be able to take appropriate action to either validate or counter this position. You must take care at all times not to prejudice the legal position. You will need to show consistency at decision-making and will act with integrity at all times.

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Performance criteria

- You must be able to:*
- P1 Use a method to make contact with the debtor appropriate to their individual situation and your organisation's procedures
 - P2 Ensure the debtor is able to authenticate your relationship with the organisation with which the debt is linked
 - P3 Provide the debtor with information that clearly explains their debt obligations, their legal position and addresses queries they raise
 - P4 Establish the debtor profile
 - P5 Record details of the debtor's agreement to a way forward on making repayment of the amount owed
 - P6 Refer the debtor to other departments/external agencies where appropriate
 - P7 Where there is a dispute for all or part of the debt, clarify and record details of the reasons for the dispute
 - P8 Carry out a full investigation of disputes including acquiring corroborative or countering evidence from appropriate parties
 - P9 Take action appropriate to the outcome of the investigation
 - P10 Ensure all non-standard written communications are clear, accurate and do not prejudice the legal position of the organisation you represent
 - P11 Ensure accurate and up-to-date records are kept in line with your organisation's requirements
 - P12 Comply with legal requirements, industry regulations, ethical standards, organisational policies and professional codes
 - P13 Identify potential risks, including fraudulent activity

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Knowledge and understanding

You need to know and understand:

- K1 Factors influencing the choice of contact methods
- K2 The information that you are required to disclose to the debtor to meet your organisation's regulatory obligations
- K3 The obligations that the debtor is bound by, and the possible consequences to the debtor of not meeting these obligations
- K4 The legal rights and jurisdictions applicable to different types of creditors and debtors
- K5 What is meant by the 'debtor profile' and how it is established
- K6 The different departments/external advice agencies to which the debtor can be referred for advice and help
- K7 How to source, gather and evaluate evidence as part of a dispute investigation
- K8 Actions available to undertake following a dispute investigation
- K9 Appropriate methods of communication, including non- standard forms, which are effective and non- prejudicial to the creditor organisation's legal position
- K10 Your organisation's procedures for recording and storing information
- K11 Your organisation's requirements relating to the application of laws, licences, regulations, health and safety and codes as they impact on your activities
- K12 Your organisation's practice and procedures relating to the recognition, promotion and application of ethical standards

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Additional Information

Behaviours

1. You articulate complex information in a clear way
2. You show assertiveness and confidence in your actions
3. You are organised in the approach to your work
4. You remain diplomatic and composed when dealing with challenging situations
5. You are sensitive to cultural differences, health and well-being issues
6. You conduct yourself professionally and courteously when dealing with others

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