FS21/06 Coronavirus: Tailored Support Guidance (TSG) for firms – feedback on draft guidance on home repossessions & statement of ongoing relevance of TSG

March 2021

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1 Summary

1.1 In January 2021, we announced an extension of our guidance on home repossessions, saying that firms should not, absent exceptional circumstances (such as a customer requesting that the proceedings continue), enforce repossession before 1 April 2021. On 5 March 2021, we published draft guidance which set out our proposed approach to home repossessions from 1 April 2021.

1.2 We proposed to build on the existing repossessions guidance in Section 7 of the Mortgages Tailored Support Guidance (TSG) to set out our expectations of firms taking repossession action, including those seeking to enforce home repossessions, from 1 April. Our Tailored Support Guidance already emphasises our handbook requirements that a firm must not repossess a property unless all other reasonable attempts to resolve the position have failed. A firm must also establish and implement clear, effective and appropriate policies and procedures for the fair and appropriate treatment of customers whom the firm understands, or reasonably suspects, to be particularly vulnerable. The guidance also already confirms our expectation that action to seek possession should be a last resort.

1.3 In addition, we proposed that firms considering or resuming possession proceedings, should support and enable customers to disclose circumstances that might make them particularly vulnerable to repossession action at this time - and to consider whether additional care may be required as a result. We also proposed that where a firm is aware that a customer, or a member of their household, would be at greater risk of harm from coronavirus if they are required to vacate the property, they should not enforce repossession until those risks have passed or can be appropriately managed.

1.4 In making our proposals we were mindful that home repossessions have been stayed in most cases for the last 12 months. We considered that the potential public health risks of repossessing homes during the coronavirus pandemic were more likely to be capable of effective management as infection rates come down and vaccines are being rolled out. In addition, the risk of poor financial outcomes for consumers caused by increased balances and equity erosion has increased and is increasing the longer repossessions are delayed.

1.5 We also noted that the Government, and the governments in Scotland and Wales had introduced legislation which prevented firms from enforcing repossession in most parts of the UK, until 31 March 2021, and that these bans might be extended if considered necessary on public health grounds. We recognised that our guidance on enforcing repossession would only have effect where government restrictions on home repossessions do not apply.

1.6 We wanted to act quickly to protect consumers in these difficult times and provide clarity to firms about our expectations of how to treat customers facing repossession of their home. For that reason, we did not formally consult on the proposals or produce a cost benefit analysis. We considered that to do this would have caused a delay that would have been prejudicial to the interests of consumers. However, we invited comments on our proposals and received 13 responses from a range of consumer organisations, and trade bodies as well as one firm and one individual.

This feedback statement summarises the feedback we received on our proposals and our response.

1.7 The updated guidance, which is unchanged from that proposed, advances our consumer protection objective and is designed to protect consumers, where they may be subject to repossession action, by providing them with ongoing support in the light of the current exceptional circumstances of the coronavirus pandemic. In developing our approach and considering responses, we have had regard to our consumer protection objective, and our market integrity and competition objectives, in particular considering the different impacts on firms and consumers of the proposals. We do not consider our guidance will adversely affect consumers with protected characteristics under the Equality Act 2010.

Next steps

1.8 This document summarises the comments received, and our response, to the proposed guidance for home repossessions from 1 April 2021. Section 7 of the Mortgages Tailored Support Guidance comes into force on 29 March 2021. It remains in force until varied or revoked and is subject to ongoing review.

Other related information

1.9 On 5 March, we also confirmed the deadline of 31 March 2021 for credit and mortgage customers to ask for a new payment deferral under the terms of our Payment Deferral Guidance (PDG). Customers with an existing payment deferral ending on or after 1 April will still be able to extend their payment deferral unless they have already deferred 6 months' payments, and all payment deferrals under the PDG will end by 31 July 2021. Firms will continue to provide appropriate support to consumers facing payment difficulties as a result of the coronavirus pandemic under our Tailored Support Guidance (TSG).

1.10 We separately confirm that we have reviewed the ongoing relevance of our Credit and Mortgages Tailored Support Guidance, as well as our additional overdrafts guidance. See chapter 3. We consider that these pieces of guidance continue to provide the appropriate framework for firms to deliver support to customers who are struggling financially as a result of coronavirus and should continue to apply. We will keep the guidance under review and will make changes if we consider them necessary – for instance, in response to our ongoing supervisory work.

1.11 We have also published Coronavirus linked forbearance: key findings about how firms have implemented the mortgages and credit TSG and their operational readiness to support customers in financial difficulty.

2 Key issues and our response

Summary – approach to repossessions

2.1 We published the draft updated guidance on home repossessions on 5 March for comment. The deadline for responses was 10 March and we received 13 responses from a range of consumer organisations, trade associations, one firm and one individual consumer.

2.2 6 respondents agreed with our proposed approach. One respondent did not express a view on the date for home repossessions to recommence. 6 respondents disagreed and wanted the current guidance extended. Respondents disagreeing argued that it was too soon for firms to restart repossessions. 2 of these respondents cited public health grounds for an extension, while others referred to the continued government coronavirus restrictions and support, such as furlough, and suggested that the ongoing impact of the pandemic warranted a further extension. One respondent who disagreed with the proposed approach felt that we had not sufficiently justified our proposed position.

2.3 On 10 March, the Government announced an extension of the ban on enforced residential evictions, which prevents home repossessions in England, until 31 May 2021, and in Wales until 30 June 2021. The Scottish Government has also committed to regularly reviewing its existing ban on repossessions, which we understand currently applies in areas subject to coronavirus protection level 3 and level 4 restrictions until 31 March 2021.

2.4 We have considered the responses we received and also the impact of the Government extension of a ban on enforced evictions (and that government restrictions are different across the devolved nations). Government legislation will, in certain parts of the UK, prevent enforced repossessions in the near-term. Our guidance provides protections once government restrictions are lifted or where they do not apply. In light of this, the improving outlook in the face of the pandemic, and the increased risk of poor customer outcomes arising from further equity erosion, we are confirming the guidance with no changes.

2.5 We expect firms to carefully consider the appropriateness of repossession action in each case and to the extent that government restrictions allow repossession, firms should enforce repossession only as a last resort when all other reasonable attempts to resolve the position have failed. Therefore, we do not expect firms to take repossession action where customers have been impacted by circumstances relating to coronavirus and have the ability to recover, or where there is uncertainty about their ability to get back on track. We will continue to monitor firms' implementation of our guidance including their approach to repossessions.

Summary – payment deferrals

2.6 Although we didn't ask for comments on payment deferrals, several respondents expressed their support for not extending the existing 31 March 2021 deadline for applications for new payment deferrals under the consumer credit and mortgages Payment Deferral Guidance, and the 31 July 2021 end date for all payment deferrals under that guidance.

2.7 One respondent did question the 31 July end date for all payment deferrals to end when furlough has been extended to September 2021 and grants for the self-employed have also been widened. They suggested extending the end date to September. Another respondent, while supporting our approach, asked that we continue to monitor firms' ability to meet the scale of the need among customers on a more tailored basis and intervene swiftly to address any shortfalls in the support required.

2.8 In light of the changing nature of the current pandemic, and increased capacity of firms to provide tailored forbearance, we believe that it is right to maintain the end dates for the credit and mortgages PDG so that from 1 April consumers who are newly impacted (or find themselves impacted again) should receive tailored forbearance which reflects their individual circumstances in line with the TSG. In our view, the TSG provides the appropriate framework for both short term and longer-term support going forward.

2.9 The report published separately today, focusing on firms' capabilities to support consumers financially impacted by coronavirus, found that firms have progressed well in implementing the TSG and have acted quickly to build their capacity. Customers have generally been able to get the support they need. We will continue to monitor firms' implementation of the guidance closely and take action if needed. We will also continue to monitor the wider situation to ensure that our measures remain appropriate.

Detailed comments – Approach to home repossessions

2.10 This rest of this paper summaries the comments received to our approach to home repossessions, and the Mortgages Tailored Support Guidance, and our response.

Expectations that firms take account of customer vulnerabilities

2.11 Paragraph 7.4 of the Tailored Support Guidance says that firms should be mindful of the need for the fair and appropriate treatment of customers who may be particularly vulnerable, including as a result of circumstances related to coronavirus. Firms should consider carefully the potential impacts on customers of possession proceedings and consider whether it is appropriate to commence or pursue repossession proceedings, including taking possession, in a particular case at this time. Firms should support and enable customers to disclose their circumstances and consider whether additional care may be required as a result.

Issue raised

2.12 Two respondents raised concerns about our expectations on firms to take account of particular customer vulnerabilities, including those arising from coronavirus. They felt that our expectations were too broad. They said that while firms will endeavour to consider the impact of the pandemic on a customer's circumstances where relevant information is disclosed, it is not feasible for firms to adapt to customer circumstances where information is not disclosed, or not disclosed fully - or where the customer is not engaging with their lender. They asked whether firms could proceed based on the information they already hold about the customer and noted the requirements on firms under Practice Direction 55C[1] to outline what they know about the effect of the coronavirus pandemic on the customer and their dependants.

Our response

[1] Practice Direction 55c Coronavirus temporary provision in relation to possession proceedings

2.13 In our view the guidance would not prevent a firm from enforcing repossession in the absence of information about a particular customer's vulnerabilities, including where a customer fails to engage with the firm, provided the firm:

- has taken reasonable steps to engage the customer and to identify any relevant issues or circumstances
- has processes that support and enable customers to easily disclose their circumstances
- takes account of information of which it is already aware

Firms should note that our guidance applies to all stages of repossession proceedings including the stage at which a firm might seek a warrant to enforce repossession.

Expectations that firms do not enforce repossession until risks relating to coronavirus pass or can be appropriately managed

2.14 Paragraph 7.5 of the Tailored Support Guidance says that when a firm is considering whether it is fair and reasonable to enforce repossession in a particular case, it should consider, and take account of, whether there are any circumstances that may mean a customer, or a member of their household, is at greater risk of harm from coronavirus if they are required to vacate the property. Where the firm is aware of such risks, repossession should not be enforced until those risks have passed or can be appropriately managed.

Issue raised

2.15 Two respondents sought clarity on our expectations that firms delay enforcement of possession until the risks arising from coronavirus have passed or can be appropriately managed. One respondent sought confirmation that firms could proceed with enforcement based on a reasonable assessment, including an assessment of the history of the account. Another was concerned that it may be subjective as to when "risks have passed or can be appropriately managed" and that there could be complicated scenarios which could lead to "a stalemate" between lender and customer.

Our response

2.16 Firms will necessarily need to make a judgement when assessing whether coronavirus risks to customers arising from repossession have passed or can be managed. This is necessarily subjective, and in our view, firms should be able to demonstrate that they have taken reasonable steps to establish how and why it is fair and reasonable to proceed in an individual case. Firms are not required to get the agreement of the customer to proceed, provided they are acting in accordance with our guidance, MCOB 13 and relevant regulatory and legislative requirements.

Customer information on the potential consequences of suspending repossession action

2.17 Paragraph 7.6 of the Tailored Support Guidance says that firms should ensure that they keep their customers fully informed and discuss with them the potential consequences of their suspending any steps to enforce repossession. For example, they should explain the effect of remaining in the property on the customer's remaining equity if the amount owed is increasing or the value of the property subsequently falls.

Issue raised

2.18 One respondent sought clarity on our expectations in the Tailored Support Guidance relating to the existing requirement to inform customers about the potential consequences of delaying repossession. They were concerned that the expectation was too broad. They noted that firms typically make a one-off disclosure explaining the risk of equity erosion should the customer remain in the property without making payment. They asked us to make it clear that a one-off communication would satisfy the expectations in our guidance. They also noted that it was not feasible for firms to provide individual valuations or revised communications based on fluctuations in property value over time and asked for clarification that the requirement was only to set out the potential consequences in general terms.

2.19 They also sought clarification that the expectation that the firm has a discussion with the customer recognises that in some cases customers may not respond to any efforts to engage. Further they asked whether firms only needed to meet this expectation where the firm decides to pause or suspend proceedings and not if the court decides to adjourn proceedings without a clear re-commencement date.

Our response

2.20 This is not a new expectation. Our guidance applies where a firm suspends action, including for example, where it does so because of government restrictions on enforced evictions or home repossessions. In these circumstances, the firm should keep customers fully informed and discuss with them the potential consequences of suspending steps to repossession:

- We expect information to be provided in general terms and do not expect firms to provide individual property valuations tailored to the customer's specific circumstances.
- The frequency of provision of such information and discussions will likely depend on the circumstances of the case, but in our view, a one-off communication is unlikely to meet our expectations in all cases, such as where there has been a long gap since information was provided or discussions took place.
- We would not consider a firm to be acting inconsistently with our guidance where the customer does not engage provided they can demonstrate that they have made reasonable attempts to engage with the customer, for example via the firms' usual outbound contact strategies (including writing to the customer).

Issue raised – forbearance may not be in a customer's best interest

2.21 One respondent noted that the FCA had, in the 2017/18 Business Plan, reflected that firms were offering more forbearance to customers in financial difficulties, and indicated that in some cases providing forbearance over a long term may not always be in the customer's best interests. This could be the case, for example, where forbearance does not ultimately enable customers to pay their arrears, but only increases their debts. Given the delays to firms' ability to repossess, they suggested the guidance should make clear that firms will not be penalised for providing forbearance over a long term, particularly for cases which are pending resolution through the courts.

Our response

2.22 We recognise that firms have been expected, absent exceptional circumstances, not to repossess customers' homes for 12 months and in most cases continue to be prevented from doing so by Government legislation. We acknowledge that delays in the resolution of cases could result in consequences for customers including through increased balances and erosion of remaining equity. It is important therefore that firms continue to keep customers informed of the consequences of delaying repossession. Firms may want to consider alternative solutions that could assist customers, such as an assisted voluntary sale.

Issue raised – outsourcing aspects of the possession process

2.23 One respondent noted that it is common for lenders to use third-party solicitors and legal panels to complete the possession process. They asked whether firms should be implementing specific reviews or quality assurance over and above compliance with the outsourcing requirements in SYSC 8 and MCOB 13.3.8G.

Our response

2.24 We remind firms that they are responsible for delivering against the expectations in our rules and guidance, including our expectations that firms carry out end to end quality assurance rather than focusing on individual interactions in isolation. Firms cannot contract out regulatory obligations and we will continue to hold firms responsible for the way relevant work outsourced to third-parties is carried out. While section 7 of the Mortgages Tailored Support Guidance relating to home repossessions does not contain specific requirements to conduct additional reviews, firms should ensure that they are aware of, and monitor, outcomes so that they are able to demonstrate their compliance with our rules and guidance as a whole.

Comments received on other parts of the Guidance

2.25 We received some suggestions and questions indirectly related to the proposed changes to section 7 of the Mortgages Tailored Support Guidance. We set out the points and our response below.

Issue raised – sustainability of payment deferrals under tailored support

2.26 One respondent queried whether the provision of short-term payment deferrals is consistent with paragraph 5.14 of the Tailored Support Guidance, which states that firms need to ensure that they agree arrangements with their customers on sustainable terms, taking account of their individual circumstances. They noted that "sustainable terms" has been referred to in previous FCA publications, for example the prudentially-focused 2011 guidance on Forbearance and Impairment Provisions, as meaning "revised contractual terms where the mortgage can be fully serviced over its full life".

Our response

2.27 We confirm that short-term payment deferrals offered in accordance with this guidance are consistent with the general expectation, reflected in this guidance and elsewhere, that forbearance arrangements provided to customers are sustainable. Section 5 of the Tailored Support guidance sets out our expectations for tailored support in the current environment, namely the exceptional circumstances presented by coronavirus and the unique uncertainties it can create, and the reference to "sustainable terms" in this guidance should be read in this context – much will depend on the customer's specific circumstances, i.e. the position they are in now and how much is known about their longer-term ability to service the mortgage.

2.28 The guidance acknowledges that, where a customer's short and medium-term position is still unclear, or an imminent improvement in their financial position is expected as lockdown restrictions ease, it may be appropriate to delay the use of longer-term solutions. Short-term payment deferrals are therefore a means by which firms can assist customers whose finances have been affected by coronavirus, where there is not yet enough information about that customer's position to know what that full effect will be, whether a longer-term solution is required, or what form it should take (for example, whether revised contractual terms are necessary or appropriate). We therefore consider that short-term payment deferrals can, where used appropriately, form part of a sustainable forbearance package, even though they are clearly not a long-term solution in themselves.

Issue raised – allocation of payments

2.29 One respondent suggested the guidance make it clear how repayments towards arrears should be allocated where there is a combination of arrears and payment shortfall resulting from a payment deferral because this is relevant to the mortgage pre-action protocol when repossession action is taken. They also raised concerns that it is unclear what constitutes "unreasonably refusing to engage with the firm" as mentioned in paragraph 3.11 of the Tailored Support Guidance, which says that a firm should not repossess without the customer's consent solely because of a deferral shortfall.

Our response

2.30 Paragraph 3.11 of the Tailored Support Guidance ensures that high standards of consumer protection apply where a customer has not capitalised an amount deferred under our Payment Deferral Guidance. Firms should make reasonable efforts to reach an agreement with the customer to pay back the shortfall. A payment shortfall arising from a payment deferral is not differentiated from any other payment shortfall. Additional payments would therefore pay down the total shortfall amount. For this reason, under paragraph 3.11 we also expect a firm to keep a record of the amount added to the shortfall because of any payment deferrals, to ensure the firm can identify the unique circumstances in which this shortfall arose. It should take this into account in considering whether and when it will take repossession action. In doing so it should not seek to repossess without the customer's consent solely because of a deferral shortfall unless the customer is unreasonably refusing to engage with the firm in relation to addressing the shortfall. What constitutes unreasonable refusal to engage will depend on the circumstances of each case and we don't consider it beneficial to issue further guidance about this.

Issue raised – considering a customer's ability to recover where there is ongoing uncertainty

2.31 One respondent suggested that at 'pre-repossession' stage, firms should be directed to the guidance at paragraph 5.16 of the Tailored Support Guidance that "[some] customers may also be expecting an imminent improvement to their financial situation, for example, where they resume employment after restrictions are lifted". They suggested that any such potential improvements should be probed as part of a firm's process of gathering information about a customer's current and prospective financial situation, to avoid precipitous action that could have been averted by a fuller understanding of a customer's situation.

Our response

2.32 The guidance, and in particular, section 5 of the Tailored Support Guidance, sets out our expectation that firms offer support and provide forbearance to customers temporarily impacted by coronavirus. Firms should offer forbearance where there is uncertainty and while there is potential for the customer to recover. We are also clear that repossession action should be a last resort when all other reasonable attempts to resolve the position have failed. Pre-action protocols further support the fair treatment of customers in this respect. Therefore, we do not expect firms to take repossession action where customers have been impacted by circumstances relating to coronavirus and have the ability to recover, or where there is uncertainty about their ability to get back on track.

Issue raised – repeatedly extending a forbearance measure

2.33 One respondent suggested the guidance should be clear that firms can repeatedly extend a forbearance measure if it remains appropriate.

Our response

2.34 We are content that the guidance is clear that forbearance should be appropriate for a customer's circumstances and does not suggest repeat arrangements are not allowed or problematic (provided the firm considers whether they remain appropriate to a customer's circumstances).

3 Review of our coronavirus-related Tailored Support Guidance (mortgages and credit) and additional overdrafts guidance

3.1 Our Tailored Support Guidance (TSG) aims to ensure firms give appropriate support to consumers facing payment difficulties as a result of the pandemic.

3.2 On 25 March 2021, we published a review of our supervisory work. This looks at how firms have implemented the mortgages and credit TSG and their operational readiness to support customers in financial difficulty.

3.3 We have also taken this opportunity to review whether our Tailored Support Guidance in respect of credit and mortgages, and our September 2020 overdrafts guidance, remains relevant given the coronavirus crisis or whether it needs to be amended, withdrawn or replaced.

Why we reviewed the TSG

3.4 We first published our TSG for credit and mortgages in September 2020 and updated them in November 2020 and January 2021 (with further amendments to the mortgages TSG in March 2021). In September 2020, we also published additional guidance setting out how firms should provide support to customers with arranged overdrafts. We committed to review the credit tailored support guidance after 6 months (FS20/15). We have extended the review to include mortgages and overdrafts and considered whether this guidance is providing appropriate guidance for firms on how to support customers and the impact the guidance is having on firms.

3.5 We believe the guidance, and the emphasis it has places on firms' forbearance approaches, will continue to be relevant over the coming months. Given ongoing uncertainty, many consumers have relied on short-term forbearance. But we expect that more consumers will require, and benefit from, tailored support as the Payment Deferral Guidance comes to an end.

The impact of the pandemic on consumer vulnerability

3.6 The acute pressures many consumers face are likely to continue in the near future. Unemployment is widely expected to rise and with it the number of consumers who have repayment difficulty.

3.7 All customers are at risk of becoming vulnerable and greater risk of harm, but this risk is increased by having characteristics of vulnerability. These could be poor health, such as cognitive impairment, life events such as bereavement or job loss, low resilience to cope with financial or emotional shocks and low capability, such as poor literacy or numeracy skills. Our Financial Lives Survey shows that between March and October 2020, the number of adults with characteristics of vulnerability increased by 3.7 million to 27.7 million. A 15% increase on the February figure, this takes the overall proportion to 53% of all adults.

3.8 A fifth of UK adults had low financial resilience before the pandemic. This rose to 27% by October 2020 where:

- 16% were over-indebted
- 18% had low or erratic incomes or low savings
- 6% were over-indebted and had low/erratic incomes or low savings
- 7% were in financial difficulty because they had failed to pay domestic bills or meet credit commitments in three or more of the previous six months

3.9 The largest proportional increases in low financial resilience have been among adults aged 18-54, particularly those aged 18-34, those in employment in February 2020 and those with a mortgage.

3.10 30% of UK adults said they expected their household income to fall in the next six months, rising to 45% of those who had low financial resilience.

3.11 We know that the pandemic has had a disproportionate effect on consumer groups at most risk of being disadvantaged before the pandemic. For example, while proportions of employees placed on furlough are similar for those who are in poor health and those who are not, someone in poor health when the pandemic began is twice as likely to have had their hours cut by their employer. In addition, the average earnings loss of BAME workers between February and July 2020 was 14.2% compared to 5.1% among White workers. We have also seen lower confidence levels among BAME adults of being able to pay bills. As of July 2020, 43% of BAME respondents were concerned about being able to pay their bills in the next 3 months, compared to 17% of White respondents. Retaining the TSG will ensure that firms are clear about how we expect them to treat consumers facing payment difficulties at this critical time.

Firms' implementation of the TSG

3.12 Based on what we have learned from our supervisory work and broader intelligence from firms and their trade associations, firms have implemented the tailored support guidance by adding to their existing processes. Our guidance includes measures additional to those expressly set out in our Handbook – eg the credit TSG expects credit firms to waive interest to avoid escalating balances. At this early stage of implementation, firms have not cited such additional measures as a significant cost for them.

3.13 More consumers could need support if unemployment rises. Our work to date suggests that firms would be able to manage the anticipated increase in customers requiring tailored support. As many firms have increased the level of new resources, higher levels of oversight may be needed for less experienced staff. We also know that firms have invested in their arrears-management functions in response to the crisis – eg by accelerating plans to automate processes and use digital tools to provide forbearance. We consider this can be useful to support customers requiring tailored support. We have seen examples of this working well, although, as our findings report notes, we did identify some areas for further enhancement. Firms should try to recognise the needs of vulnerable consumers, whatever channel they use.

3.14 Our September overdrafts guidance set out how firms should provide tailored support to customers with arranged overdrafts who face financial difficulties due to coronavirus. This includes those who have been given support under our previous guidance measures and continue to face financial difficulties, as well as those whose difficulties have started more recently. This was substantively similar to the protections already available to consumers under CONC 5D (our repeat use rules). The guidance outlines good practice, as opposed to adding further protections for consumers. We recommended in our September guidance that firms review their repeat use strategies to ensure that they remain effective in the current environment. Our review of firms' repeat use monitoring reports shows that most firms have considered this.

Conclusion and next steps

3.15 In light of this, we consider that the TSG and September overdrafts guidance provide the appropriate framework for firms to deliver support to customers who are struggling financially as a result of coronavirus. Mortgage and credit firms have the capacity to deliver tailored support and have progressed well in putting in place policies and processes. We therefore propose to keep the mortgages and credit TSG, and the additional overdrafts guidance, in force for the time being. We will continue to monitor firms' implementation.

3.16 We will keep the guidance under review and will make changes if we consider them necessary – for instance, in response to our ongoing supervisory work.

3.17 As the more immediate impacts of coronavirus begin to subside, we are now considering whether we will need to make any permanent changes to our forbearance regimes for mortgages and credit in light of the TSG. This will include building on our experience since the start of the pandemic, our supervision work and stakeholder engagement. This could include updating the rules and guidance in CONC and MCOB and incorporating elements of the TSG. We would undertake a formal consultation and cost benefit analysis before making any changes.