

# Press release: PPI company director gets 10-year ban

Mr Spencer gave an undertaking to the Secretary of State for Business, Energy and Industrial Strategy, effective from 4 April 2017, preventing him from directly or indirectly becoming involved in the promotion, formation or management of a company for the duration of the term.

Claim & Gain, with Mr Spencer as director, misled the public in sales calls regarding claims services offered, fees charged, outsourcing to third parties and cancellations. Services paid for by customers were not provided and fees were deducted from customers without their authorisation.

Claim & Gain engaged in unfair trading practices contrary to Regulation 22 of the Compensation (Claims Management Services) Regulations 2006 as authorised and regulated by the Ministry of Justice. Following an investigation and subsequent warnings from the Ministry of Justice, Mr Spencer failed to rectify the breaches and continued to mislead customers by taking 'upfront' fees from a further 149 customers.

Commenting on the disqualification, Robert Clarke, Investigations Group Leader at the Insolvency Service said:

The compensation regulations provide protection to the general public from unfair sales techniques by agents for companies operating within the claims management sector.

When company directors do not comply with legislation that is designed to protect customers and avoidable losses result, The Insolvency Service will seek lengthy periods of disqualification. This should serve as a warning to other directors who may feel tempted to breach customer protection legislation. The Insolvency Service will rigorously pursue directors who deliberately mislead and breach the trust of customers.

The Insolvency Service is grateful for the assistance provided by the Ministry of Justice, Trading Standards and the Legal Ombudsman.

## **Notes to editors**

Claim & Gain (CRN 07799165) was placed into Creditors' Voluntary Liquidation (CVL) on 19 March 2015 with a deficiency of £650,876. The company, which was incorporated on 5 October 2011, traded in claims management: cold calling members of the public and offering claims management services including mis-

sold payment protection insurance, mortgages and packaged bank accounts. Claim & Gain traded from 3rd Floor, Princess House, Princess Way, Swansea, SA1 3LW.

The Secretary of State accepted an undertaking from Mr Spencer that he would not act as director for a period of 10 years on 14 March 2017. The disqualification came into effect on 4 April 2017.

Mr Spencer's date of birth is August 1988.

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](#).

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