

Briefing Note

2 June 2009

Business Helpline

How does the service work?

The business helpline is only available to ACE members however we sometimes take queries regarding ACE agreements from members of the public and public sector clients. The helpline can be accessed either by the special helpline number or by emailing me. ACE only provides preliminary commercial risk management advice and all callers are encouraged to get independent professional advice before pursuing any course of action. The legal team is prepared to give broad legal guidance but if specific legal advice is needed then we refer members to the 20 minute free legal advice line set up with our legal affiliates. ACE also has a deal with a company called 'Citation' which offers free HR/employment law advice and briefing notes to members and they can be accessed through Wendy.

The call volume

From late October to December 2008 – the volume of calls increased slightly with more members asking for information on how to recover debt owed to them, suspending work on site and whether ACE could help with assisting members in finding credit and redundancy/HR advice. We had a few calls that was handled by the memberships and regions team which concerned SME firms wanting to sell up looking for other firms who would be prepared to buy them out. Since the beginning of this year the calls have mainly been in relation to the ACE agreements and the recovery of debt.

Advice offered

ACE provides general legal advice, general contractual advice, human resources advice and general insurance and business advice. If we cannot provide the type advice the client is looking for we put them in touch with professionals who are able to best deal with their enquiry. Occasionally we have some members calling up for website advice, procurement or marketing advice. Those members are passed over to staff in the office who can deal with their enquiries.

Example of advice

When providing advice on recovery of debt, members are told that they have the option of suspending work until they have been paid however many engineers are not comfortable with doing this and would rather keep working even when they haven't been paid for months. We also tell members that they can go through the courts to recover the debt. One quick way is recovering online through a fast track service provided by Northampton County Court which allows the claimant to make any application online via the website www.moneyclaim.gov.uk.



Members are also encouraged to use alternative dispute resolution methods such as mediation and adjudication. The Construction Act 1996 makes adjudication a statutory provision allowing any party at any time during and after the project to go to adjudication in regards to a dispute even if the contract has no adjudication provision. Members are also encouraged to ensure that that make credit worthiness checks against employer and/or the contractor before entering into a contract. One simple way of doing this is for a small fee one can search the Register of Judgments to see if a business or an individual has been entered onto the register for failing to pay a fine or a debt they were ordered to pay by a court judgment/ruling.

If you require any further information on ACE's Business Helpline please contact Sharon Akumiah, ACE's Legal Assistant on 020 7227 1895 or sakumiah@acenet.co.uk