

Type of Order:	DISCIPLINARY CONSENT ORDER
Date of Order:	15 April 2021
Committee name:	REGULATION AND CONDUCT COMMITTEE
Details of IP:	Guy Withey of Freeman Jones Limited an IPA member and Licensed Insolvency Practitioner (IP).
Summary of complaint:	<p>This Order is made in relation to a complaint that, in his role as Supervisor of an Individual Voluntary Arrangement, Mr Withey breached Statement of Insolvency Practice 3.1 paragraphs 16(c) (monitoring progress) and/or 16(g) (dealing promptly with debtor enquiries) when he failed:</p> <ul style="list-style-type: none"> • within a reasonable time to identify and advise the debtor that a single contribution was outstanding which was preventing the completion of her IVA. • to respond, or respond properly and promptly, to a series of attempts by the debtor to obtain information about the completion of her IVA and obtain her completion certificate. <p>Accordingly, Mr Withey was found liable to disciplinary action under the IPA's Articles of Association.</p>
Summary of sanctions:	<p>The Committee considered the conduct was 'inadvertent' and therefore 'less serious' with reference to the Common Sanctions Guidance (CSG). The CSG provides for a reprimand and a fine of £1,500, as a starting point, where there had been a failure to comply with the principles of a SIP.</p> <p>The Regulation and Conduct Committee imposed a disciplinary order that Mr Withey be reprimanded, fined £1,500 and pay £1,512.50 towards the costs.</p>