

Type of Order:	DISCIPLINARY CONSENT ORDER
Date of Order:	15 April 2021
Committee name:	REGULATION AND CONDUCT COMMITTEE
Details of IP:	<b>Samantha Warburton</b> of <b>Creditfix Limited</b> an IPA member and Licensed Insolvency Practitioner (IP).
Summary of complaint:	<p>This Order is made in relation to a complaint that Samantha Warburton, as Joint Supervisor of interlocking IVAs, drew unauthorised remuneration totalling £1,740.06.</p> <p>Accordingly, Ms Warburton 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) because it was an isolated error. The CSG provided for a reprimand and a fine of £2,000, as a starting point, where there had been an unintentional drawing of unauthorised remuneration.</p> <p>The Committee considered that Ms Warburton's failure to identify the error prior to final sign off was an aggravating factor. In mitigation the Committee noted that once identified, the issue was rectified, the overdrawn amount returned to the debtor and additional procedures and checks put in place to prevent a recurrence in the future. In view of this mitigation, the Committee agreed to lower the financial penalty than the suggested starting point.</p> <p>The Committee imposed a disciplinary order that Ms Warburton be reprimanded, fined £1,000 and pay £1,050 towards the costs.</p>