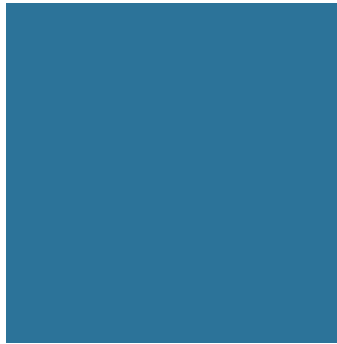
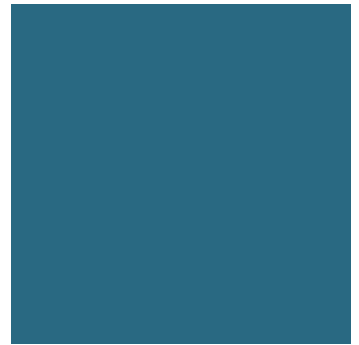




**Insolvency
Practitioners
Association**



How it works: The insolvency complaints process

While the majority of insolvencies proceed correctly, it is important to know how to make a complaint if you are not satisfied with the work of an Insolvency Practitioner. We recommend that you first make the complaint directly to the Insolvency Practitioner.

Insolvency Practitioners are regulated

In the UK, there are four insolvency regulators that are responsible for licensing Insolvency Practitioners, as well as dealing with complaints. Two of these regulators cover the UK insolvency market, while the other two mainly regulate those in Scotland and Northern Ireland. The Insolvency Practitioners Association (IPA) is the UK's only dedicated insolvency regulator and the largest in terms of insolvencies covered.

The law

Insolvency Practitioners operating in the UK must adhere to the country's insolvency laws, as well as the Insolvency Code of Ethics and Statements of Insolvency Practice. If they are licensed by the IPA, they must also comply with our specific requirements, such as our Articles of Association and insolvency guidance papers.

How do I make my complaint?

There is a Complaints Gateway dedicated to insolvency complaints, which can be accessed at: www.gov.uk/complain-about-insolvency-practitioner. The Gateway was established by the **Insolvency Service**, a Government agency that supervises the insolvency regulators, to provide a single point of access for registering a complaint. Once a complaint is made, it is processed by the Insolvency Service. If the Insolvency Service determines that there are grounds for the matter to proceed, it will refer the complaint to the regulator responsible for licensing the Insolvency Practitioner.

What can I make a complaint about?

You can file a complaint about an Insolvency Practitioner's conduct within the last three years. However, if it's a commercial or legal dispute, it should be addressed in court.

When we receive a complaint

- When a complaint is received, it is referred to our complaints team. The team will then investigate the complaint by speaking to the Insolvency Practitioner and the informant (complainant). Based on their findings, the team will determine whether there are grounds for considering disciplinary action against the Insolvency Practitioner. It is important to note that not all upheld complaints will result in disciplinary action.
- If there are no grounds for the complaint to proceed, we will explain this to the informant.
- **If the Informant disagrees with this assessment, they can request a review by our Regulation and Conduct Committee.**

If there are grounds for considering disciplinary action:

- We will conduct further inquiries and present formal allegations to the Insolvency Practitioner.
- The matter can then be presented to our Regulation and Conduct Committee for a decision.
- If the Committee finds that there has been misconduct, it will take one of the following actions:
 1. Ask the Insolvency Practitioner to agree to a sanction through a process known as a consent order.
 2. Issue warnings for less serious matters.

If the Committee deems a complaint to be more serious or if the Insolvency Practitioner fails to respond to or accept the offer of settlement from the Committee, the matter may be referred to a tribunal. The Disciplinary and Appeals Committee is responsible for carrying out these tribunals.

If you have any queries on how we handle complaints, you can email regulation@ipa.uk.com or telephone us on 020 8152 4980.

The two committees explained

The IPA's regulatory committees consist of the Regulation and Conduct Committee and the Disciplinary and Appeals Committee. These committees are responsible for making decisions regarding the conduct of Insolvency Practitioners, which includes disciplinary action.

Both committees consist of members of the IPA as well as external members who are referred to as lay members. The Regulation and Conduct Committee conducts its meetings with a lay majority, and tribunals are conducted by two IPA members and one lay member. An independent legal assessor is also present at the tribunal, but they do not participate in the decision-making process.

How long does it take to resolve a complaint?

Once a complaint is received by our complaints department, we make sure to acknowledge it within 10 working days. From there, we keep in regular correspondence with the informant until the issue is resolved. Typically, most complaints are resolved within 3-6 months. However, occasionally some complaints may take longer to conclude.

The length of time required to resolve a complaint depends on various factors, such as the complexity of the issue and the level of communication needed with the parties involved. Additionally, we rely on timely communication from all parties. We also ensure that disciplinary processes are carried out correctly, and this means that matters that escalate to a tribunal level may take longer to resolve than usual.





Contacts

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