

Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 23 August 2023

Committee name: REGULATION AND CONDUCT COMMITTEE ('the Committee')

Details of IP: **Mark Tailby** formerly of MT Insolvency Limited, an IPA member and Licensed Insolvency Practitioner (IP).

Summary of complaint: This Order is made in relation to an allegation that Mr Tailby, in his capacity as office holder, in no less than 39 cases, breached the fundamental principle of professional competence and due care of the Insolvency Code of Ethics, when between 10 September 2015 and 1 March 2021 he failed to file Annual Progress Reports as required by Rule 18.7 (6) of the Insolvency Rules 2016.

Accordingly, Mr Tailby was found liable to disciplinary action under the IPA's Articles of Association.

Summary of sanctions: The Common Sanctions Guidance provides for a Severe Reprimand and a fine of £5,000 as a starting point for a serious breach of the fundamental principle of professional competence and due care.

When considering the sanction, the Committee agreed that the repeated conduct i.e., the number of cases affected over an extended period was an aggravating factor and that no remedial action had been taken to bring the reports up to date at Companies House.

The Committee determined ordered that Mr Tailby be severely reprimanded and pay a fine of £7,000.