

Type of Order:	DISCIPLINARY CONSENT ORDER
Date of Order:	19 October 2022
Committee name:	REGULATION AND CONDUCT COMMITTEE ('the Committee')
Details of IP:	Messrs <b>Ian Millington</b> and <b>Dylan Quail</b> of Hanover Insolvency, both IPA members and Licensed Insolvency Practitioners (IPs).
Summary of complaint:	<p>This Order is made in relation to a complaint that <b>Mr Millington</b> and <b>Mr Quail</b> in their role as joint supervisors of an Individual Voluntary Arrangement ('IVA') <b>breached paragraph 13 of Statement of Insolvency Practice 3.1</b> when they:</p> <ul style="list-style-type: none"> <li>• Failed to provide the Debtor with appropriate advice.</li> <li>• Failed to ensure that the Debtor had sufficient understanding of the IVA process.</li> <li>• Failed to obtain sufficient information to make an assessment of an IVA as a solution.</li> <li>• Failed to undertake proportionate investigations into, and verification of, the Debtor's liabilities.</li> </ul> <p>Accordingly, Mr Millington and Mr Quail were found liable to disciplinary action under the IPA's Articles of Association.</p>
Summary of sanctions:	<p>The Common Sanctions Guidance provides for a Severe Reprimand and a fine of £5,000 as a starting point. When deciding the appropriate financial sanction, the Committee identified the following aggravating factors; insufficient consideration given to the debtor's personal liability for some of the debts, another option may have been more appropriate in the circumstances and the IPs' lack of understanding/acceptance of the charge against them. As such, the overall fine was increased to £6,000.</p> <p>The Committee also considered the IPs' regulatory history and adjusted the financial sanction to reflect the fact that Mr Quail had previous findings against him.</p> <p>The Committee imposed a disciplinary order that Messrs Millington and Quail be severely reprimanded, and Mr Millington fined £2,750 and Mr Quail fined £3,250.</p>