

Our Commitment to You

- to carry out a fair and balanced enquiry
- to reach a decision as quickly as resources allow
- to explain our decision to you

What We Require of You

- to explain your concerns clearly
- supply all evidence to prove your concern
- to respond within the time limits

The Usual Procedure

An important part of the IPA's responsibilities is to consider information provided by dissatisfied parties affected by Insolvency Practitioner's (IP) services. This is a general overview intended to assist you in understanding the usual procedure normally adopted but it may be varied according to circumstances. The principal rules for the processing these matters are contained in the [IPA Conduct Rules](#) which may be found on the IPA website.

As a first step, the Regulation Officer will assess the information received and send details to the IP who may be required to provide information or documents to assist an investigation. At the same time you will be asked to confirm that we have properly understood your concerns and you may be asked for further information or evidence.

Enquiries will continue until the Regulation Officer is in a position to make a decision. The test applied is whether a prima facie case has been made out that the IP may have become liable to disciplinary action. If no case to answer is decided, the you may within 15 business days refer the matter to the Regulation & Conduct Committee (R&CC) which will apply the same test. If the Regulation Officer finds a prima facie case is made out, the matter passes to that committee on the same basis. He or she will prepare a report to the committee including a formal allegation(s) of misconduct. You will be notified once the committee has made its decision.

Communication

All correspondence must be by email, addressed to the Regulation Officer and to regulation@ipa.uk.com, quoting our case reference number.

It is essential that you respond to IPA within the required time limit. If you require more time, you should seek an extension before the time limit is reached. Failure to reply promptly may result in the case being closed.

Sanctions

A substantive decision of R&CC may be referred to the Disciplinary & Appeals Committee (DAC) which operates on more legalistic procedures to a the civil standard of proof.

Sanctions are governed by the [Insolvency Service's Common Sanctions Guidance](#).

Important points to note

By reporting information to the IPA, you are assisting us in performing our statutory duty of regulating IPs. For this, we rely on assistance from members of the public who are affected by the actions of IPs.

It is an investigatory and disciplinary procedure and IPA has no power to compensate, to intervene in matters which are or should be before a court or intervene in insolvency processes.

Not all errors constitute misconduct and Regulation Officers and committee members are experienced in deciding what behaviour merits a disciplinary sanction.

The IPA's committees are made up not only of experienced IPs but also of lawyers, senior professionals and lay people who strive to ensure that a fair and balanced outcome is achieved.

The various stages of the procedure will not be explained to you in detail as the investigation continues so you may wish to ensure that this guidance is kept at hand for future reference.

