



Type of Order:	DISCIPLINARY CONSENT ORDER
Date of Order:	29 January 2024
Committee name:	REGULATION AND CONDUCT COMMITTEE ('the Committee')
Details of IP:	Samantha Warburton of Creditfix Limited, an Insolvency Practitioners Association ('IPA') member, and Licensed Insolvency Practitioner.
Summary of complaint:	<p>This Order is made in relation to an allegation that Ms Warburton breached the fundamental principle of professional competence and due care of the Insolvency Code of Ethics when in her role as Supervisor of an Individual Voluntary Arrangement ('IVA') she did not have sufficient monitoring and controls in place to identify, at an early stage, that dividends had been paid to a duplicate creditor and she took over 11 months to repay funds into the IVA that had been paid to the duplicate creditor.</p>
Summary of sanctions:	<p>The Common Sanctions Guidance ('CSG') provides for a severe reprimand and a fine of £5,000 as the starting point for a serious failure to comply with the fundamental principle of professional competence and due care.</p> <p>When considering the appropriate sanction, the Committee did not identify any mitigating factors, but did consider that the as the conduct was repeated, the length of time it took to rectify the error and Ms Warburton's lack of acceptance were all aggravating factors.</p> <p>The Committee imposed a disciplinary order that Ms Warburton be severely reprimanded and fined £5,000.</p>