



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 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 and/or Professional Behaviour of the Insolvency Code of Ethics when in her role as Trustee of a Protected Trust Deed ('PTD') she failed to respond, in a timely manner, or at all, to numerous requests (from the Complainant and their Solicitor) for information relating to the terms of and information contained in the debtor's PTD.</p>
Summary of sanctions:	<p>The Common Sanctions Guidance ('CSG') provides for a reprimand and a fine of between £1,500 and £2,000 as the starting point for a less serious failure to comply with the fundamental principle of Professional Competence and Due Care and Professional Behaviour.</p> <p>When considering the appropriate sanction, the Committee agreed that whilst Ms Warburton's failure to respond to a formal complaint could undermine the profession's reputation the delays due to Covid lockdowns, Ms Warburton's acceptance of the conduct and apology to the Complainant were mitigating factors.</p> <p>The Committee imposed a disciplinary order that Ms Warburton be reprimanded and fined £1,500.</p>