

Type of Order:	DISCIPLINARY CONSENT ORDER
Date of Order:	8 November 2023
Committee name:	REGULATION AND CONDUCT COMMITTEE ('the Committee')
Details of IP:	Stuart Rathmell of Stuart Rathmell Insolvency, an IPA member, and Licensed Insolvency Practitioner ('IP').
Summary of complaint:	<p>This Order is made in relation to an allegation that Mr Rathmell breached the fundamental principle of professional competence and due care of the Insolvency Code of Ethics when he failed to provide a competent professional service and act diligently in accordance with relevant legislation, applicable technical and professional standards.</p> <p>Accordingly, Mr Rathmell was 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 the starting point for a serious breach of the fundamental principle of professional competence and due care.</p> <p>The Committee decided that the repeated course of conduct and recurrence of the conduct previously raised in advisory notices were aggravating factors.</p> <p>The Committee imposed a disciplinary order that Mr Rathmell be severely reprimanded and subject to a fine of £6,000.</p>