



Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 4 September 2019

Committee name: REGULATION AND CONDUCT COMMITTEE

Details of IP: **Mrs Samantha Warburton**, of Bolton, an IPA member and Licensed Insolvency Practitioner (IP).

Summary of complaint: This Order is made in relation to a complaint that **Mrs Warburton**, in her role as Supervisor of an IVA, breached the fundamental principle of professional competence and due care when she failed;

- a) to respond to communications from a creditor regarding its claim;
- b) to ensure that the creditor's request for direct contact and payment of dividends was acted upon in a timely manner.

Accordingly, Mrs Warburton was found liable to disciplinary action under the IPA's Articles of Association.

Summary of sanctions: The Common Sanctions Guidance provides for a severe reprimand and fine commensurate with the breach where there has been a serious failure to comply with the fundamental principle of professional competence and due care.

When determining sanction the Committee considered it was an aggravating factor that Mrs Warburton had a finding for a similar matter. In mitigation, there was no evidence of any detriment to the creditors.

The Regulation and Conduct Committee imposed a disciplinary order that Samantha Warburton be severely reprimanded, fined £5,000; and contribute towards the costs.