



Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 18 October 2019

Committee name: REGULATION AND CONDUCT COMMITTEE

Details of IP: **Mr Andrew Little, of Baldwins, an IPA member and Licensed Insolvency Practitioner (IP).**

Summary of complaint: This Order is made in relation to a complaint that Mr Little in his role as, Supervisor of an IVA breached the fundamental principle of professional competence and due care of the Insolvency Ethics Code when he

- a) Issued an inaccurate notification to the debtor as to the status of the IVA on 18 July 2017;
- b) Failed to progress the IVA in good time by taking more than nine months after receipt of the final monthly contribution to write to the debtor regarding the potential release of equity in a property;
- c) Failed to issue a progress report on the IVA to the debtor and creditors for the 12-month period ending 19 July 2017, in breach of Rule 8.28(4) of the Insolvency Rules 2016.

Accordingly, Mr Little 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 provisions of a SIP or a serious breach of the fundamental principle of professional competence and due care.

When considering sanction, it was agreed that it was more systemic than reckless. The Committee agreed that the matter was 'less serious' with reference to the Common Sanctions Guidance. The Common Sanctions Guidance provides for a reprimand and a fine of £2,000 where there is a failure to comply with the fundamental principles of professional competence and due care. No mitigating or aggravating factors were considered relevant.