

Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 21 January 2020

Committee name: REGULATION AND CONDUCT COMMITTEE

Details of IP: Mr Nicholas Wood, of Grant Thornton, an IPA member and Licensed Insolvency Practitioner (IP).

Summary of complaint: This Order is made in relation to a complaint that Mr Wood, in his role as Joint Liquidator of a company had drawn unauthorised remuneration of £10,000 in breach of the fundamental principle of professional competence and due care of the Insolvency Code of Ethics paragraph (c).

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

Summary of sanctions: The Committee agreed that the conduct, which resulted from an error, was 'less serious' with reference to the Common Sanctions Guidance, which provides for a starting point of a reprimand and a fine of £2,000.

When considering the sanction, it was agreed that failure to obtain a resolution authorising remuneration was a fundamental error, aggravated by a failure to check it had been obtained and the fact that Mr Wood had previously received a warning for a similar failing. The Committee also took into account, as mitigation, that this was the only such occurrence identified during the visit. Mr Wood immediately repaid the monies, sought proper approval and there was no loss to the estate.

The Committee imposed a disciplinary order that Mr Wood be reprimanded, fined £1,500 and contribute £450 towards costs.