



DISCIPLINARY CONSENT ORDER

04 October 2016

PURSUANT TO RULE 5 OF THE IPA INVESTIGATION COMMITTEE RULES

Janette Elliott of Manchester, an IPA member and Licensed Insolvency Practitioner.

This Order is made in relation to a complaint from a debtor that Mrs Elliott in her role as Supervisor of an Individual Voluntary Arrangement (IVA) breached the fundamental principle of Professional Competence and Due Care when she repeatedly provided incorrect information to the debtor as to the amount of a tax rebate required to be paid into the IVA.

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

The Common Sanctions Guidance provides for a severe reprimand and a fine commensurate with the breach when there is a material breach of the fundamental principles of the Insolvency Code of Ethics. The sanction takes into account that in mitigation, Mrs Elliott admitted her error, there was no question that the monies were owed to the Arrangement, there was no loss to any person and compensation of £100 has been paid. It was noted that Mrs Elliott has been disciplined for similar findings previously, and as this was a repeat incident the sanction was more severe than if it were an isolated occurrence.

The Investigation Committee has decided to impose a disciplinary order that Ms Elliott be reprimanded and receive a fine of £1,000.