



Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 12 December 2017

Committee name: INVESTIGATION COMMITTEE

Details of IP: **Mr Andrew Wilkinson**, of **Stockport**, an IPA member and Licensed Insolvency Practitioner.

Summary of complaint: This Order is made in relation to a complaint that Mr Wilkinson, in his role as Supervisor of an IVA breached the fundamental principle of Professional Competence and Due Care of the Insolvency Code of Ethics and Statement of Insolvency Practice 3 ('SIP3') when he;

- Failed to carry out a review of the Debtor's income and expenditure in a timely manner (following receipt of the required information) and then failed to request increased contributions due from the Debtor;
- Failed to include the reduction of Disability Living Allowance in the Debtor's income after being advised that this amount had ceased to be paid 6 months earlier;
- Failed to progress breach notices that applied to the Debtor's IVA and failed to update creditors in three annual reports about the actions taken under the breach.

Summary of sanctions: Accordingly, Mr Wilkinson was found liable to disciplinary action under the IPA's Articles of Association.

The Common Sanctions Guidance provides for a reprimand and a fine of £2,000 where there has been a failure to comply with the fundamental principle of Professional Competence and Due Care.

The sanction imposed takes into account the fact that Mr Wilkinson had acknowledged the failings and had paid compensation to the complainant.

The Investigation Committee decided to impose a disciplinary order that Mr Wilkinson receive a Reprimand, a fine of £1,000 and pay the associated costs incurred by the IPA.