

DETERMINATIONS REVIEW SUB-COMMITTEE

Terms of Reference

Purpose:

To review determinations and orders made in accordance with the IFoA's Disciplinary Scheme and provide a report to the Disciplinary Committee.

Key responsibilities:

1. To review all determinations and orders by Disciplinary Orders Panels, Adjudication Panels, Disciplinary Tribunal Panels, Interim Orders Panels, Appeals Tribunal Panels, Capacity for Membership Panels, Readmission Panels, Independent Reviewers and Appeals Assessors.
2. When reviewing determinations and orders the Determinations Review Sub-Committee should consider any Guidance issued by the Disciplinary Committee in relation to writing determinations and orders and, in particular:
 - a. Whether the determination/ order complies with the Disciplinary Committee's Diversity, Equity and Inclusion Guidance
 - b. Whether the determination/order is written clearly and is understandable to the reader.
 - c. Whether the reasons for the decision are expressed clearly.
 - d. Whether any legal advice, legal principles and/or case law referred to in the determination have been clearly explained.
 - e. Whether the panel are applying a consistent approach to decision making.
 - f. Whether Disciplinary Committee policies, including Guidance on sanction, costs and publication, have been appropriately applied, and if there has been a departure from any Guidance, whether this has been clearly explained.
3. To provide a report to the Disciplinary Committee setting out any feedback and recommendations.
4. The Determinations Review Sub-Committee has no power over any decision and has no appeal function.

Membership:

The Determinations Review Sub Committee shall comprise at least four members to include at least:

- One member of the Disciplinary Committee who is a lay person
- One member of the Disciplinary Committee who is an actuary member
- One member of the Disciplinary Investigations Team
- One member of the Judicial Committees Secretary Team.

Executive Support: Alison Simpson, Case Manager

Specific Procedural Rules

1. The quorum for meetings shall require at least two members and there must be at least one member of the Disciplinary Committee present.
2. The Determination Review Sub Committee's reports shall not be published on the IFoA's website, but will be provided to the Disciplinary Committee for discussion at their next meeting.

Effective: 27 March 2024