



Institute
and Faculty
of Actuaries

Timeframes

Guidance policy

by the Disciplinary Committee of
the Institute and Faculty of Actuaries

17 October 2022

Monitoring timeframes for investigations and proceedings under the Disciplinary Scheme

The purpose of these guidelines is to provide information for users of the [Disciplinary and Capacity for Membership Schemes](#) (“the Scheme”) in understanding the anticipated timescales for processes under the Scheme.

There are a number of notes like this available on our [website](#), dealing with different stages of the Scheme. If you cannot find a note that deals with your query, please contact us for assistance.

The Disciplinary Committee’s (“the Committee”) objective in producing these guidelines is to achieve and demonstrate consistency and fairness in the operation of the Scheme. The guidelines will be published on the IFoA website, to assist the transparency of the procedures.

These guidelines are not directives, nor do they limit the discretion, under the Scheme, of the relevant Panel or Chair. They will be developed in the light of experience of cases under the Scheme. Panels should ensure that if they anticipate a delay in the issuing of determinations, Respondents should be kept informed.

As set out in its terms of reference, the Committee is responsible for setting and monitoring timeframes for investigations and proceedings under the Scheme. These arrangements are set out below. The Committee monitors the timeframes for investigations and proceedings at each meeting.

The Committee is keen to ensure that allegations under the Scheme are dealt with as efficiently as possible whilst also ensuring that the process is fair and thorough. The Committee will make enquiries into causes of delay when target times are exceeded.

Indicative timeframes

1. Investigations

1.1 The Committee has provided timeframes for the variety of allegations that are investigated under the Scheme from receipt of the allegation. Case Reports should be served within the following timeframes:

- Simple cases: six months from receipt of allegation
- Intermediate cases: nine months from receipt of allegation
- Complex cases: 18 months from receipt of allegation

1.2 An example of a case that would be considered to fall within the ‘simple’ category would be a case relating to a criminal conviction.

1.3 Respondents should be notified of the classification and indicative timeframes for their case at the beginning of an investigation.

1.4 The indicative timeframe provided will not include any periods that an investigation is suspended, for example to allow criminal proceedings to conclude or to allow a referral to be made to the Financial Reporting Council in accordance with section 13 of the Disciplinary Scheme.

2. Interim Orders

- 2.1 An Interim Order application should be heard by an Interim Orders Panel within three weeks of an application for an Interim Order.
- 2.2 The written determination of an Interim Order Panel should be issued within one week of the hearing.

3. Adjudication Panels

- 3.1 Adjudication Panels should be held within eight weeks of the Judicial Committees Secretary receiving the Case Report.
- 3.2 Adjudication Panel written determinations should be issued within three weeks of the conclusion of the hearing.
- 3.3 The Judicial Committees Secretary should inform the Respondent and the Case Manager of the outcome of the Adjudication Panel within two working days of the conclusion of the hearing.

4. Independent Examiner

- 4.1 Independent Examiners should provide their written report to the Judicial Committees Secretary within four months of receiving a referral.

5. Disciplinary Tribunal Panels

- 5.1 The Charge and accompanying documentation should be served on the Respondent and Judicial Committees Secretary within six months from the date of referral to Disciplinary Tribunal Panel. More complex cases may take longer. Depending on the nature of the case, the IFoA may obtain witness statements, additional documentation and/or expert reports during this period and may, where appropriate, serve a draft Charge on the Respondent.
- 5.2 The Respondent should be given three weeks after service of the Charge to return a Case Management Form.
- 5.3 A Case Management Meeting may subsequently be held to agree arrangements for the hearing and timeframes for service of documents.
- 5.4 Hearing dates should be fixed within four weeks of the Case Management Form being returned or a Case Management Meeting being held.
- 5.5 The Disciplinary Tribunal Panel hearing should take place within four months of the Charge being served, but for more complex cases this may be longer.
- 5.6 The Respondent and the IFoA should be given a minimum of four weeks' written notice of the hearing date.
- 5.7 The written determination of the Disciplinary Tribunal Panel should be issued within six weeks of the hearing.

6. Appeal Tribunal Panels

- 6.1 An application for leave to appeal must be made
- within 14 days of an Interim Order being made
 - within 28 days of service of the Disciplinary Tribunal Panel, Capacity for Membership Panel or Readmission for Membership determination.
- 6.2 The Appellant and the IFoA should serve the documentation they intend to rely upon within three months of leave to appeal being granted. Additional time may be required in more complex cases.
- 6.3 Appeal Tribunal Panels should usually be heard within six months of leave to appeal being granted.
- 6.4 The Appellant and the IFoA should be given four weeks' written notice of the date of the hearing.

7. Capacity for Membership Panels

- 7.1 The Charge and accompanying documentation should be served on the Respondent and Judicial Committees Secretary within six months from the date of referral to the Capacity for Membership Process. More complex cases may take longer. Depending on the nature of the case, the IFoA may obtain witness statements, additional documentation, medical information and/or expert reports during this period and may, where appropriate, serve a draft Charge on the Respondent.
- 7.2 The Respondent should be given three weeks after service of the Charge to return a Case Management Form.
- 7.3 A Case Management Meeting may subsequently be held to agree arrangements for the hearing and timeframes for service of documents.
- 7.4 Hearing dates should be fixed within four weeks of the Case Management Form being returned or a Case Management Meeting being held.
- 7.5 The Capacity for Membership Panel hearing should take place within four months of the Charge being served. Additional time may be required in more complex cases.
- 7.6 The Respondent and the IFoA should be given a minimum of three weeks' written notice of the hearing date.
- 7.7 The written determination of the Capacity for Membership Panel should be issued within six weeks of the hearing.

8. Capacity for Membership Review Hearings

- 8.1 Where a Capacity for Membership Review hearing is directed, the Respondent and the IFoA should serve any documentation they intend to rely on at the review at least six weeks prior to the Order expiring.
- 8.2 The Respondent and the IFoA should be given a minimum of three weeks' notice in writing of the date of any Capacity for Membership Review hearing. A review hearing may take place after the expiry of the Order, provided that the Respondent has been notified of the date of the review hearing prior to the expiry of the Order. This must be served before the expiry.

8.3 The written determination of the Capacity for Membership Panel should be issued within six weeks of the hearing.

9. Readmission to Membership Applications

9.1 The Case Report and accompanying documentation should be served on the Applicant and Judicial Committees Secretary within three months from the date the application for readmission is received.

9.2 The Applicant should be given three weeks after service of the Case Report to return a Case Management Form.

9.3 Hearing dates should be fixed within four weeks of the Case Management Form being returned.

9.4 The Disciplinary Tribunal Panel hearing should take place within four months of the Case Report being served.

9.5 The Applicant should be given a minimum of four weeks' written notice of the hearing date.

9.6 The written determination of the Disciplinary Tribunal Panel should be issued within six weeks of the hearing.

Further information

If you have any further questions, please contact the secretary to the Panels: clerk@actuaries.org.uk