



Institute
and Faculty
of Actuaries

Timeframes

Guidance

by the Disciplinary Committee of
the Institute and Faculty of Actuaries

Timeframes

1. Introduction

- 1.1 This Guidance has been issued by the Disciplinary Committee of the IFoA.
- 1.2 It is for use by:
 - (a) Panels, to provide further detail on their powers and procedures to be followed;
 - (b) any other party, so they are aware of the powers of the Panel and procedures to be followed; and
 - (c) IFoA staff.
- 1.3 This Guidance aims to promote transparency and consistency in the approach of Panels and the IFoA staff.
- 1.4 This Guidance applies to all Complaints and applications being considered under the Disciplinary Scheme of the IFoA (effective 1 August 2023) (the Scheme). For Complaints that are being considered under a former version of the IFoA's Disciplinary Scheme, the version of the Guidance applicable to the former version of the Disciplinary Scheme should be applied to the extent that it is possible to do so, otherwise this Guidance will apply.
- 1.5 This Guidance should be read alongside:
 - (a) the Scheme; and
 - (b) any Regulations issued by the Disciplinary Committee; and
 - (c) any other relevant Guidance published by the Disciplinary Committee.
- 1.6 Where there is any conflict or inconsistency between the Scheme and this Guidance, the Scheme shall be followed. Where there is any conflict or inconsistency between Regulations and this Guidance, the Regulations shall be followed.
- 1.7 Definitions of defined terms used in this Guidance are set out in the Scheme and Regulations.
- 1.8 This Guidance should not be treated as legal advice. When appropriate, the Legal Adviser will advise the Panel on questions of law and/or procedure, which may include advice on the use of this Guidance.
- 1.9 The Disciplinary Committee will review this Guidance every three years or earlier if needed.

2. Aim

- 2.1 This Guidance:
 - (a) provides information about the usual timescales for processes under the Scheme. There may be circumstances in which the usual timescales cannot be met;
 - (b) aims to manage the expectations of parties about the timescales of disciplinary processes;

- (c) assists the Disciplinary Committee with monitoring timeframes for investigations and proceedings under the Scheme. Where timescales are not met, explanations will be provided to the Disciplinary Committee; and
- (d) encourages disciplinary processes to be carried out as efficiently as possible whilst ensuring that the process is fair and thorough.

3. Assessment of complaints

- 3.1 The Head of Disciplinary Investigations should normally assess a complaint within seven days of receipt.
- 3.2 If a complaint is referred to an Assessment Panel, the Assessment Panel should provide their written decision to the Head of Disciplinary Investigations within seven days of the Assessment Panel receiving the papers. The Head of Disciplinary Investigations should advise the referrer and the subject of the complaint of the decision within two working days of receiving the Assessment Panel's written decision.

4. Investigations

- 4.1 Case Reports should be served on the Respondent and the Judicial Committees Secretary within the following timeframes:
 - (a) Simple cases: six months from receipt of allegation;
 - (b) Intermediate cases: nine months from receipt of allegation;
 - (c) Complex cases: 18 months from receipt of allegation.
- 4.2 An example of a case that would be considered to fall within the 'simple' category is a case relating to a criminal conviction. Examples of cases that would fall within the "intermediate" category are cases involving several allegations or where evidence or statements will need to be obtained from several parties. Examples of cases that would fall within the "complex" category are cases where the allegations are more complicated and may require external legal advice or an expert opinion.
- 4.3 At the beginning of an investigation of an Allegation, the Case Manager should notify the Respondent of the classification and indicative timeframes for their case.
- 4.4 The indicative timeframe provided will not include any periods when 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.

5. Interim Orders

- 5.1 An Interim Order application should be heard by an Interim Orders Panel within 21 days of an application for an Interim Order.
- 5.2 The Respondent and the IFoA should be given a minimum of 14 days written notice of the hearing date, unless the chair of the Interim Orders Panel decides that exceptional circumstances exist.
- 5.3 The written determination of an Interim Order Panel should be issued within seven days of the hearing.

6. Disciplinary Orders

- 6.1 A Case Manager can propose that an Allegation is resolved by way of a Disciplinary Order at any time during an investigation.
- 6.2 Disciplinary Orders should be served on the Judicial Committees Secretary within 10 weeks from the time a Case Manager first asks the Respondent whether they agree, in principle, to a Disciplinary Order.
- 6.3 Disciplinary Orders should be passed to a Disciplinary Order Panel for consideration within 14 days of the Judicial Committees Secretary receiving the Disciplinary Order.
- 6.4 Disciplinary Orders Panel written determinations should normally be issued within 14 days of the Panel receiving the proposed Disciplinary Order.

7. Adjudication Panels

- 7.1 Adjudication Panels should be held within eight weeks of the Judicial Committees Secretary receiving the Case Report.
- 7.2 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.
- 7.3 Adjudication Panel written determinations should be issued within 21 days of the conclusion of the hearing.

8. Independent Reviewer

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

9. Disciplinary Tribunal Panels

- 9.1 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.
- 9.2 The Respondent should be given 28 days after service of the Charge to return a Case Management Form.
- 9.3 A Case Management Meeting may be held to agree arrangements for the hearing and timeframes for service of documents.
- 9.4 Hearing dates should be fixed within 28 days of the Case Management Form being returned or a Case Management Meeting being held.
- 9.5 The Disciplinary Tribunal Panel hearing should take place within four months of the Charge being served, but for more complex cases the period between service of the Charge and the hearing may be longer.
- 9.6 The Respondent and the IFoA should be given a minimum of 28 days written notice of the hearing date.

- 9.7 The outcome of a Disciplinary Tribunal Panel hearing will normally be announced at the conclusion of the hearing. The Judicial Committees Secretary should advise the Respondent and the Case Manager of the outcome of the Disciplinary Tribunal Panel hearing within two working days of the conclusion of the hearing.
- 9.8 The written determination of the Disciplinary Tribunal Panel should be issued within six weeks of the hearing.

10. Appeal Tribunal Panels

- 10.1 Appeals Assessors should provide written reasons for their determination to grant, or not to grant, leave to appeal, within six weeks of receiving the Notice of Appeal. This may take longer where the Appeals Assessor requires written submissions or other material from the parties in order to make their determination.
- 10.2 The parties should serve the documentation they intend to rely upon at an Appeals Tribunal Panel within three months of leave to appeal being granted. Additional time may be required in more complex cases.
- 10.3 Appeal Tribunal Panels should usually be held within six months of leave to appeal being granted.
- 10.4 The parties should be given 28 days written notice of the date of the hearing.
- 10.5 The Judicial Committees Secretary should advise the Respondent and the Case Manager of the outcome of the Appeals Tribunal Panel hearing within two working days of the conclusion of the hearing.
- 10.6 The written determination of the Appeals Tribunal Panel should be issued within six weeks of the hearing.

11. Capacity for Membership Panels

- 11.1 The Allegation 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 Allegation on the Respondent.
- 11.2 The Respondent should be given 28 days after service of the Allegation and accompanying documentation to return a Case Management Form.
- 11.3 A Case Management Meeting may be held to agree arrangements for the hearing and timeframes for service of documents.
- 11.4 Hearing dates should be fixed within 28 days of the Case Management Form being returned or a Case Management Meeting being held.
- 11.5 The Capacity for Membership Panel hearing should take place within four months of the Allegation being served, but for more complex cases this may be longer.
- 11.6 The Respondent and the IFoA should be given a minimum of 28 days written notice of the hearing date.

11.7 The outcome of a Capacity for Membership Panel hearing will normally be announced at the conclusion of the hearing. The Judicial Committees Secretary should advise the Respondent and the Case Manager of the outcome of the Capacity for Membership Panel hearing within two working days of the conclusion of the hearing.

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

12. Capacity for Membership Review Hearings

12.1 The Respondent and the IFoA should be given a minimum of 28 days written notice of the date of any Capacity for Membership Review hearing.

12.2 The Respondent and the IFoA should serve any documentation they intend to rely on at the review hearing at least seven days before the date of the review hearing.

12.3 The written Order of the Capacity for Membership Panel should be issued within three weeks of the hearing.

13. Readmission to Membership Applications

13.1 The Readmission Application 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.

13.2 The Applicant should be given 21 days after service of the Readmission Application Report to return a Case Management Form.

13.3 Hearing dates should be fixed within 28 days of the Case Management Form being returned.

13.4 The Readmission Panel hearing should take place within four months of the Readmission Application Report being served on the Applicant and the Judicial Committees Secretary.

13.5 The Applicant should be given a minimum of 28 days written notice of the hearing date.

13.6 The written determination of the Readmission Panel should be issued within three weeks of the hearing.

Document control

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Institute and Faculty of Actuaries

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