



Disciplinary Committee

25 June 2025, 09:15 – 12:15

Via MS Teams

Attending:

Rt Hon David Heath CBE (DH), Chair
Jeremy Hill (JH)
Robert Garvin (RG)
Catherine Boyd (CB)
Rosalynd Hayles (RH)

Executive Staff:

Sarah Borthwick (SB), Disciplinary Policy Manager
Jenny Higgins (JAH), Head of Disciplinary Investigations Team
Julia Wanless (JW), Judicial Committees Secretary
Alison Simpson (AS), Case Manager
Catherine Mouat (CM), Disciplinary Investigation Coordinator (note taker)

Item	Title
1.	Welcome and apologies DH welcomed everyone to his first meeting as Chair. He also introduced the new Lay member, CB.
2.	Declaration of Conflicts of interests No conflicts were declared.
3.	Chair's update DH advised that since his appointment he had attended several introductory meetings, including a meeting with the Chair of the Regulatory Board and a visit to the Edinburgh office where he met Executive staff. DH also advised that he had attended his first Regulatory Board meeting on 14 May, had attended an introductory meeting with the FRC and more recently had met with the Conveners to the Adjudication and Disciplinary Tribunal Panels where he learned more about their roles.
4.	Executive's Update The Committee noted the Executive Update which included information on executive resourcing and updates from the Regulatory Board, Convener drop-in sessions and the Regulatory Appointments Committee.
5.	Minutes and Actions The minutes of the March 2025 meeting were approved, with no redactions required. The action sheet was noted. Action: Executive to publish minutes of March 2025 meeting.



Item	Title
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6.	Objectives update
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The Committee discussed the paper which provided an end of year review of the Committee's objectives for 2024/2025 and set out proposed objectives for 2025/2026.

The Committee noted the good progress made on the 2024/25 objectives and that this would be reported to the Regulatory Board as part of the Committee's annual report.

The Committee discussed and approved the five proposed objectives for 2025/2026:

- Post implementation review of the Disciplinary Scheme –also one of the Regulatory Board priorities for 2025/2026.
- Ensure the Disciplinary Scheme and processes are updated to align with the transition to ARGAs – this objective will be entirely reactive, but of high importance.
- Review the DEI guidance and monitor the impact of the proposed DEI changes to the Actuaries' Code and ensure appropriate guidance and training is provided for Panels.
- Consideration of how the IFoA's aim of being a global body may impact on the disciplinary process.
- Improve awareness and understanding of the disciplinary processes.

It was noted that the Executive would populate the Committee's workplan accordingly.

Action: Executive to update Committee's workplan

7.	Impact of being a global body
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JAH introduced the paper which provided information requested by the Committee following the discussion of this topic at the last meeting. This Committee had requested information on the location of IFoA members and the approach of other Regulators to regulating globally.

The Committee was asked to consider if more could be done to raise awareness and, if so, how this might be achieved. For example working with executive colleagues who work internationally.

During discussions it was agreed that;

- The issue of global membership was a wider issue for the IFoA and it was important that regulation and discipline is considered when the global strategy is being developed.
- Panels should be provided with guidance around the recent communication from the Foreign Office confirming that the IFoA does not need to seek permission when a witness is giving evidence from abroad.

Actions:

- **Executive to issue guidance to Panels on witnesses giving evidence from abroad.**



Item	Title
8.	<p>Writing Determinations</p> <p>SB introduced the paper, inviting the Committee to review the approach to drafting determinations, in particular who should draft them and when the determination of a Disciplinary Tribunal Panel should be issued.</p> <p>The paper included information on the approach of other Regulators to drafting determinations, plus the results of a recent survey which sought the views of Panel members and Legal Advisers. It was noted that there was a varied approach amongst other Regulators as to who drafted the determination. The Committee also noted that 60% of Panel members and Legal Advisers who responded favoured the current approach, where the Chair completes the first draft of the determination. Following discussion, the Committee agreed there was no persuasive argument to change the current approach where the Chair normally prepares the first draft of a determination, noting that the feedback on the quality of the determinations is generally positive.</p> <p>Consideration was given to the timing of issuing the written determination at a Disciplinary Tribunal Panel. The Committee noted that although most written determinations at a Disciplinary Tribunal Panel are issued after the conclusion of the hearing, the Committee appreciated that there may be benefit in some cases to the findings of fact and misconduct being issued part way through a hearing. Although this was allowed under the current Writing Determinations and Orders Guidance, it was agreed that it would be helpful to expand the guidance to provide further information to Panels on this.</p> <p>Action: Executive to amend Writing determinations Guidance.</p>
9.	<p>Training Plan</p> <p>JAH presented the paper which invited the Committee to discuss and approve the training plan for 2025/2026.</p> <p>The Committee asked about whether Pool members' understanding of training was assessed. JAH explained that while no formal assessments take place it was felt that the feedback requested of all panel members and legal advisers after every hearing would help to identify competency issues.</p> <p>In reviewing the training plan, it was noted that Case Law updates will continue to be included in the Disciplinary Newsletter which is issued to all Panel members and Legal Advisers. The Committee also agreed that a reminder regarding public interest principle should be added to the session on 'good practice in decision making and reasoning'. The Committee further agreed that, based on earlier discussions, there was nothing arising from the global body discussions that needed to be added to the training plan.</p> <p>The training plan was approved by the Committee subject to the amendments discussed.</p> <p>Action: Executive to update training plan.</p>
10.	<p>Case Update report</p> <p>JAH summarised progress made on the investigation of cases since the June 2025 meeting, as outlined in the report, and advised that, following preparation of the report one investigation had been completed with the Case Report issued within the indicative timescales.</p> <p>JW summarised the Panels which have taken place since the last meeting and confirmed the dates of the upcoming hearings.</p> <p>The Committee noted the contents of the report and the updates provided.</p>



Item	Title
11.	Determinations Review Sub Committee (DRSC) <p>AS introduced the report and the Committee were invited to note the contents and to approve the action list.</p> <p>The Committee noted that, with effect from 1 May 2025, following the completion of her time on the Committee, Velia Soames was no longer Chair of the DRSC. DH had agreed to Chair the DRSC in the short term, with the intention that this should be reviewed in late 2026.</p> <p>The Committee noted the report and approved the action list.</p>
12.	Feedback <p>SB introduced the papers which summarised feedback received from Panel members, Referrers of complaints and Committee members who observed Tribunals.</p> <p>The Committee noted the feedback and discussed a point raised by a Panel member regarding the Costs Guidance and setting a payment deadline. The Committee agreed with the proposal to update paragraph 8.1 of the Costs Guidance to refer to payment of costs within 28 days. CB advised she had some comments on the Costs Guidance and it was agreed that this would be picked up after the meeting.</p> <p>The Committee discussed feedback provided by a Member who had been a referrer in a disciplinary complaint. This feedback was dealt with under the Committee's complaints statement. Whilst the Member accepted that the outcome in his case would not be changed, he raised several points on the process which the Committee considered at length, particularly in relation to Assessment Panel reasoning. The Committee noted that Assessment Panel training had taken place soon after the conclusion of the referrer's case and there had also been various improvements made to the assessment forms and process.</p> <p>The Committee agreed to respond to the Member thanking him for his helpful feedback and reassuring him that steps have been taken to improve the process.</p> <p>Actions:</p> <ul style="list-style-type: none">• Executive to follow up with CB on Costs Guidance.• Executive to update Costs Guidance.• Executive to draft response to Referrer for the DC Chair's approval.
13.	Risk register <p>SB advised that the Register had been reviewed against the new risk matrix and suggested that the inherent impact of risk DC2 (challenges to process/procedure) should be moderate, rather than major. This would result in a residual risk rating of medium for this risk.</p> <p>The Committee approved this change and confirmed that no other changes were needed.</p>
14.	Matters to raise with Regulatory Board <p>No matters arising from this meeting require to be raised with Regulatory Board.</p>
15.	Schedule of Guidance/Regulations <p>Noted.</p>



Item	Title
16.	Schedule of DC term times Noted.
17.	AOB None.

For information

Dates of Next Meetings:

- Tues 9 Sept 2025
- Tues 9 Dec 2025

Forthcoming Hearings: Details of hearings are published [here](#)