



Institute
and Faculty
of Actuaries

Regulatory Round Up and Professional Skills

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Regulatory Round up



What's happening?

- Quality Assurance Scheme launched



- APS X2 – Work Review



What's happening

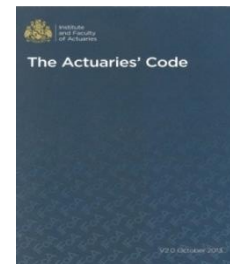
- Skill Sets
- Actuarial Software and Calculations – Professional Responsibilities
- Standards framework review
- New suite of Professionalism materials

What's coming up?

- APS X1 – applying standards
- TAS 100 and review of specific TASs
- Risk Outlook
- Diversity review of CPD and Practising Certificates
- Actuaries' Code review

Wherever, whenever

- “The Code applies at all times to members’ conduct in their work as actuaries, but will also be taken into consideration where their conduct in other contexts could reasonably be considered to reflect on the profession.” - **Actuaries’ Code**



- Have you ever thought how that might apply?

At all Times



Reporting Criminal Convictions

- “Members will act honestly and with the highest standards of integrity” - **Principle 1 of the Code: Integrity**
- Duty to disclose criminal convictions promptly - **Rule 1.19 of the IFoA Disciplinary Scheme**
- Failure to self-disclose could be considered a disciplinary offence with disciplinary action being taken against a Member.

Conduct outside of work

- But what about activities that don't involve a criminal conviction...

Scenario 1

- Your letter to a national newspaper, starting “I am an actuary”, is published. In it you make vitriolic comments about government policy and personal comments about the Prime Minister and chancellor.



Scenario 2

- You got rather carried away at the Rugby World cup and did a streak on the pitch. The press reported as “Actuary reveals his vital statistics”.



Conduct in the office

What about the way you act in the office?

Consider...



Scenario 3

You are working on a review of your company's product lines. It becomes obvious that a particular line is not profitable and unlikely to become so in the near future. The decision will almost certainly be to stop marketing it and make those in the team redundant.

Your friend, the Marketing actuary for this line, recently let you know that since she has now been with the firm for five years, she feels more secure and is going to buy a new house and car.

What would you do?

Forever Whenever Whoever

The expectation is you will do the right thing always



Disciplinary Scheme

- Applies where there is alleged misconduct
- Sets out the processes and procedures that will apply in relation to allegations about members
- Sets out the sanctions available if there is a finding of misconduct
- BUT what is 'misconduct'?

Misconduct

- “misconduct means any conduct by a Member, whether committed in the United Kingdom or elsewhere, in the course of carrying out professional duties or otherwise, constituting failure by that Member to comply with standards of behaviours, integrity, competence or professional judgement which other Members or the public might reasonably expect of a Member having regard to the Bye-laws of the Institute and Faculty of Actuaries and/or to any code, standards, advice, guidance, memorandum or statement on professional conduct, practice or duties which may be given and published by the Institute and Faculty of Actuaries and/or, for so long as there is a relevant Memorandum of Understanding in force, by the FRC (including by the Board for Actuarial Standards in terms thereof, and to all other relevant circumstances.”

IFoA Disciplinary scheme – definition of ‘misconduct’

Misconduct

- Any conduct
- Committed in UK or elsewhere
- In course of carrying out professional duties or otherwise
- Objective standard
- Not a precedent system BUT aims to be consistent
- Applies to former members

The Disciplinary Process

Investigation

- All complaints investigated
- Team: Case Manager, Investigation Actuary and Legal Adviser
- Case Report

Adjudication Panel

- Meet in private
- Three members (two Actuary and one Lay)
- Can make a prima facie finding of misconduct.
- Limited powers of sanction
- Effective only if accepted.

Disciplinary Tribunal Panel

- Public hearing
- Legal representation
- Significant powers of sanction

What should I do?

- As a Respondent:
 - Co-operate with investigation
 - Provide documentation
 - Be honest
 - Show insight
 - Consider legal advice
- As a person making a complaint:
 - Consult with IFoA Disciplinary Team
 - Consider Whistleblowing guidance
 - Keep records
 - Provide clear evidence
 - Consider a chronology
 - Be clear about the remit of the IFoA

Useful Information

The following information can all be found in the Regulation section of the IFoA's website: www.actuaries.org.uk

- [How to complain about a member](#)
- [Information for members subject to a complaint](#)
- [IFoA's Disciplinary Scheme](#)
- [Frequently Asked Questions \(FAQs\)](#)
- [Disciplinary Board's 2014 Annual Report](#)



Questions



Comments

Expressions of individual views by members of the Institute and Faculty of Actuaries and its staff are encouraged.

The views expressed in this presentation are those of the presenters.