



Determination Report for Adjudication Panel

6 June 2016

Mrs Coral Joy Van Zyl, (the Respondent)

On 6 June 2016 the Adjudication Panel considered a complaint that the Respondent:

- 1.1 She failed to comply with the CPD requirements of the 2014/15 CPD reporting year in that she failed to:
 - (a) demonstrate that she had undertaken the appropriate minimum amount of CPD and/or,
 - (b) demonstrate that, due to her personal circumstances, she was exempt from the requirements of the CPD Scheme.

- 1.2 Her actions at 1.1 were in breach of the principles of integrity and/or compliance in the Actuaries Code;

in her actions, in all or any of the above, she failed to maintain and observe the standards of conduct expected of a Member, and, in particular, is in breach of the principles of integrity and/or compliance as set out in principles 1 and 4 of the Actuaries' Code version 2.0 and, in any event, constituting misconduct in terms of Rule 1.6 of the Disciplinary Scheme of the Institute and Faculty of Actuaries (effective 1 August 2010, amended 18 October 2012) being conduct falling below the standards of behaviour, integrity, competence or professional judgement which other Members or the public might reasonably expect of a Member.

Determination

Having considered the case report and the appendices submitted by the Investigation Actuary, the Panel determined that the facts as alleged above amounted to a *prima facie* case of misconduct.

The Panel invited the Respondent to accept that there had been misconduct and the following sanctions:

- A reprimand
- A fine in the amount of £2,000.

The Panel's reasons were as follows:

1. The Respondent was a member of the IFoA and subject to the CPD requirements as set down in the IFoA CPD Scheme 2014/15. The Respondent's correspondence address was in South Africa.
2. During the CPD year 2014/15, the Respondent did not record any CPD activity. She was a Category 2 member and required to complete at least 15 hours of CPD. Category 2 members must record their CPD activities, and any learning outcomes corresponding to private study activities, for the CPD year in their on-line CPD record by 31 July 2016.
3. The Panel recognised that the Respondent failed to respond to the correspondence sent from IFoA, which included a number of targeted reminders and opportunities to rectify the omission between 10 July and 12 October 2015. All correspondence was sent to the email address or the postal address supplied by Mrs Van Zyl; final letters sent on 13 January 2016 and 11 February 2016 were subject to confirmation of delivery receipts.
4. The Respondent failed to provide any form of acknowledgement or explanation for either lack of attendance or recording any compliance with her CPD obligations.
5. It was noted by the Panel that IFoA had complied with its obligations to serve notice of all documents as required by the Scheme under Rule 11.10.
6. The Panel considered that not complying with the CPD Scheme is a serious offence and in all the circumstances this case amounted to a *prima facie* case of misconduct.
7. The level of fine imposed by the Panel reflects the failure by the Respondent to avail herself of the various opportunities to rectify her failure to record sufficient CPD activity or advise of any reason for being exempt from the CPD scheme requirements. The Panel had regard to the fact that, in failing so to do, the Respondent displayed a wilful disregard for the importance of meeting her CPD obligations and, by declining to avail herself of any of these opportunities to resolve the matter at an earlier stage, rendered it inevitable that the matter would proceed through the disciplinary process.