



Institute  
and Faculty  
of Actuaries

# Guidelines for all Disciplinary Hearing Events on Remote and In Person Hearings

by the Disciplinary Committee of  
the Institute and Faculty of Actuaries

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# Guidelines for all Disciplinary Hearing Events on Remote and In Person Hearings

## 1. Introduction

- 1.1 The purpose of these guidelines is to provide information for users of the [Disciplinary and Capacity for Membership Schemes](#) (“the Scheme”) in understanding whether hearings should take place remotely or in person.
- 1.2 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.
- 1.3 The Disciplinary Committee’s objective in producing these guidelines is to achieve and demonstrate consistency and fairness in the operation of the Scheme. These guidelines are published on the IFoA’s website, to assist the transparency of the procedures.
- 1.4 These guidelines are not directives, nor do they limit the discretion under the Scheme of the relevant Panel or Chair.
- 1.5 The Disciplinary Committee will review this guidance every three years or earlier if the need arises.

## 2. Remote and In Person Hearings

- 2.1 All Adjudication Panels will be held in private, using online conferencing facilities where possible.
- 2.2 As a starting point, all of the following hearings will be arranged as remote hearings using online conferencing facilities:
  - 2.2.1 Interim Orders Panel hearings;
  - 2.2.2 Disciplinary Tribunal Panel hearings, including procedural hearings;
  - 2.2.3 Readmission to Membership hearings;
  - 2.2.4 Appeal Tribunal Panel hearings; and
  - 2.2.5 Capacity for Membership Panel hearings, including review hearings.
- 2.3 Either party may make an application for any of the hearings listed in paragraph 2.2 to take place in person with the parties physically present. The process for making any such application is as follows:
  - 2.3.1 A request for an in person hearing should be submitted in writing to the Judicial Committees Secretary within the following timescales, or in accordance with any directions issued by the Convener or Chair of the applicable Panel:
    - (a) within 14 days of an application for an Interim Order being served;
    - (b) within 14 days of an application for a procedural hearing being served;
    - (c) within 21 days of a Charge being served;

- (d) within 21 days of an application for readmission being submitted;
  - (e) within 21 days of leave to appeal being granted;
  - (f) within 21 days of a matter being transferred to a Capacity for Membership Panel;
  - (g) at least 14 days before a Capacity for Membership Panel review hearing.
- 2.3.2 Where the other party agrees to the application, the hearing will take place in person.
- 2.3.3 Where the other party opposes the application, the application shall be determined by the Convener or Chair of the applicable Panel at a procedural hearing or, with the consent of the parties, by reviewing written submissions from the parties.
- 2.4 Whether or not either party has made a request for a hearing to be held in person, a Convener, Chair or a Panel can direct that the hearing takes place in person.
- 2.5 In deciding whether the hearing should take place in person, the Chair, Convener or Panel should have regard to all the relevant circumstances, including:
- 2.5.1 the right to a fair hearing;
  - 2.5.2 the nature and volume of the evidence to be considered at the hearing;
  - 2.5.3 the safety and well-being of everyone involved in the process;
  - 2.5.4 the requirement for proceedings to be carried out efficiently and timeously;
  - 2.5.5 the IFoA's Diversity, Equity and Inclusion policies.
- 2.6 The decision to accept or reject an application for a hearing in person and the reasons for this should be provided to the parties in writing.
- 2.7 The Convener or Chair should consider whether any reasonable adjustments or practical arrangements should be made to facilitate the hearing.
- 2.8 Where a hearing is scheduled as an in person hearing, the Chair may make directions to allow participants, including the Respondent, the IFoA, witnesses and Panel members, to attend the hearing via video conference or telephone.
- 2.9 Notice of the hearing will be served on the parties in accordance with the relevant provisions of the Scheme.
- 2.10 Notice of the hearing will be published according to the Disciplinary Committee guidance on publication, which is available on the IFoA's [website](#). Members of the public should contact the Judicial Committees Secretary to register their interest in attending.
- 2.11 For remote hearings, the parties and the Panel members will be offered an opportunity to attend a pre-hearing online meeting to show them how to attend and participate in the hearing.
- 2.12 Once a remote hearing has started, a Panel may direct that the hearing should be adjourned and rescheduled as an in person hearing where it is in the interests of justice to do so.
- 2.13 Nothing in this guidance note shall be read as inconsistent with the general principle that the Panel shall have discretion over procedural matters, consistent with the Scheme.

### **3. Further information**

- 3.1 If you have any further questions, please contact the secretary to the Panels, whose contact details are as follows:

Judicial Committees Secretary

Email: [clerk@actuaries.org.uk](mailto:clerk@actuaries.org.uk)