



**ICAEW
REGULATORY
BOARD**



ICAEW REGULATORY & DISCIPLINARY COMMITTEES: CANDIDATE INFORMATION PACK

JANUARY 2024

icaew.com/regulatorycommittees

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ICAEW OVERVIEW

ICAEW is a world-leading professional membership organisation representing over 189,500 chartered accountants and students worldwide. We train, develop and support each one of them so that they have the knowledge and values to help build local and global economies that are sustainable, accountable and fair.

We've been at the heart of the accountancy profession since we were founded in 1880 to ensure trust in business. We share our knowledge and insight with governments, regulators and business leaders worldwide as we believe accountancy is a force for positive economic change across the world.

ICAEW's regulatory expertise and history

Regulation has been central to ICAEW's work for more than 130 years. Since our [Royal Charter](#) was granted in 1880, we have been responsible for maintaining the highest professional standards as well as delivering technical excellence in the public interest.

ICAEW members, students, affiliates, employees of member firms and, where applicable, member firms, in all of their professional and business activities, whether remunerated or voluntary must comply with [our bye-laws](#) and regulations and the [ICAEW Code of Ethics](#). We pioneered the principles-based threats and safeguards approach to codes of ethics in the accountancy profession internationally. Ethics is more than merely complying with laws, rules and regulations; it's about doing the right thing in the circumstances. This is fundamental to establishing trust – the complexity of the work our members and firms do means that they must be trusted by their clients and anyone else who could reasonably be expected to rely on their work.

In the last 25 years, our regulatory role has been enhanced by the addition of statutory regulatory roles in the areas of Audit, Practice Assurance, Insolvency, Investment Business and Legal Services.

ICAEW is¹:

- The largest recognised supervisory body and recognised qualifying body for statutory audit in the UK. There are 2,299 firms and 6,692 responsible individuals registered with us under the Companies Act 2006;
- The largest recognised supervisory body for local audit in England. We have 10 firms and 100 key audit partners registered under the Local Audit and Accountability Act 2014;
- The largest insolvency regulator in the UK. We license over 830 insolvency practitioners (out of a total UK population of 1,541) as a recognised professional body under the Insolvency Act 1986;
- A designated professional body under the Financial Services and Markets Act 2000 (and previously a recognised professional body under the Financial Services Act 1986). We license 1,785 firms to undertake exempt regulated activities under this Act; A supervisory body recognised by HM Treasury for the purposes of the Money Laundering Regulations 2017, dealing with around 11,000 firms; An approved regulator and licensing authority for Legal

¹ Data correct as at 31 December 2022
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Services under the Legal Services Act 2007. Over 350 firms are accredited by ICAEW to carry out this reserved legal activity;
and:

- More than 290 firms are accredited to perform ATOL returns work under the ICAEW Licensed Practice scheme for ATOL Reporting Accountant work. This was set up in 2016 after the Civil Aviation Authority gave approval for ICAEW to license, register and monitor firms which perform ATOL returns work.
- Our Practice Assurance scheme provides ICAEW members working in practice with a framework of principles-based quality assurance standards. We monitor around 12,000 firms to ensure they comply with the Practice Assurance standards.

Our role as an improvement regulator is to strengthen confidence and trust in those regulated by ICAEW. We do this by enabling, evaluating, and enforcing the standards expected by the profession, oversight regulators and government.

ICAEW's regulation and conduct roles are separated from ICAEW's other activities through internal governance so that we can monitor, support, and take steps to ensure change if standards are not met. These roles are carried out by the Professional Standards Department and overseen by the ICAEW Regulatory Board and oversight regulators including the Financial Reporting Council, Office for Professional Body Anti-Money Laundering Supervision, the Insolvency Service and the Legal Services Board.

In the same way as we monitor the work of our members, students, affiliates and firms, these oversight bodies monitor our work to ensure we maintain the highest standards in our regulation.

We regularly review our regulatory governance processes to make sure ICAEW remains at the forefront of regulation.

THE REGULATORY AND DISCIPLINARY COMMITTEES

Our professional conduct and regulatory committees support the operation of the Professional Standards Department. The department is responsible for developing, maintaining and supporting high standards of practice and professional conduct.

Statutory regulation

The following committees are responsible for regulatory matters. They oversee the application process for registration to practice in the regulated areas of audit, investment business, insolvency and Legal Services and then monitor compliance with regulatory requirements.

- The Audit Registration Committee
- The Investment Business Committee
- The Insolvency Licensing Committee
- The Legal Services Committee
- The Professional Indemnity Insurance (PII) Committee

The **Professional Indemnity Insurance (PII) Committee** oversees ICAEW's PII requirements for members and firms. The committee is responsible for all matters relating to PII including keeping under review ICAEW's policy on compulsory PII, considering revisions to the PII regulations and minimum approved wording and approving the form and content of contracts underpinning the PII arrangements.

Other committees and boards

The **Practice Assurance Committee** considers reports following Practice Assurance visits. It may require a member firm to take certain remedial action to address concerns, for example, in relation to the handling of client monies or the firm's compliance with the requirements of the Money Laundering Regulations. If the concerns are serious or persistent, the committee can refer the firm to ICAEW's Conduct Department for further investigation. The committee normally meets six times a year.

The **Review Committee** allows members or firms to ask for a review of certain decisions made by the Audit Registration Committee, the Investment Business Committee, Legal Services Committee, or the Insolvency Licensing Committee. Members of the Review Committee sit in panels of three and are made up of two lay members and one ICAEW member.

The **Chartered Accountants Compensation Scheme Board** ICAEW, the Institute of Chartered Accountants Scotland (ICAS) and the Institute of Chartered Accountants Ireland (ICAI) operate a compensation scheme for members of the public who have incurred a financial loss as a result of investment advice given by a firm of chartered accountants which, at the time the advice was given, was authorised or licensed to give such advice by one of the three institutes.

The **ICAEW Regulatory Board** is an independent board that is responsible for ensuring ICAEW's regulatory and disciplinary work, undertaken by the Professional Standards Department) is carried out in the public interest. It also provides assurance to government, oversight regulators and the public that these tasks are carried out independently and objectively.

Disciplinary Committees

The following committees are responsible for disciplinary matters. Once a complaint has been received, they decide whether there has been a breach of the Disciplinary Bye-laws and, if so, what sanction and/or penalties, if any, should be imposed.

- The **Conduct Committee** considers allegations and, if it decides there is a case to answer, it can, among other things, offer a consent order to settle the matter or refer the matter to the Tribunals Committee.
- The **Tribunals Committee** hears cases referred to it by the Conduct Committee and has similar powers to the Conduct Committee. In addition, it can exclude members from membership or prohibit a firm from using the description 'Chartered Accountants'.
- The **Fitness to Practise Committee** was introduced following changes to the Disciplinary Bye-laws. It meets as a panel; each panel comprises two lay members (one of which is the chair) and one accountant. Its primary role is to decide if an ICAEW member is fit to respond to an investigation and/or participate in proceedings and/or fit to practise. Panels also consider applications from individuals registering as provisional members (ACA students) whose applications disclose potential fitness issues, such as previous criminal convictions. The panels also consider applications for readmission to membership. Membership of the Fitness to Practise Committee is drawn from the members of the Tribunals Committee.

Appeals

The Appeal Committee hears appeals from either the Review Committee or the Tribunals Committee.

To achieve a clear separation of responsibility for policy making and enforcement, members of ICAEW's Council are not appointed to serve on any of these committees.

The **Regulatory & Conduct Appointments Committee** is responsible, under powers delegated to it by the IRB, for dealing with all matters relating to the appointment, performance evaluations and remuneration of chairs and members of the IRB and ICAEW's regulatory and disciplinary committees and case file reviewers.

Serving on one of ICAEW's regulatory and disciplinary committees

Each committee meets between 3 and 12 times a year. A quarter of the meetings will be held at the Chartered Accountants Hall or at the International Dispute Resolution Centre. Virtual meetings are held via Zoom. Disciplinary hearings are usually held virtually or at the International Dispute Resolution Centre. We will reimburse travel expenses to and from meetings for all committee members. You will need to undertake some pre-reading and preparation before each meeting.

ABOUT THE ROLE

We are looking for members who can demonstrate high levels of integrity, objectivity and fairness and an ability to look forward and see the bigger picture. The ability to work effectively in a team and hold others to account in a constructive and open manner will be essential.

Please refer to [icaew.com/regulatorycommittees](https://www.icaew.com/regulatorycommittees) for details of current vacancies.

Role of committee members

- Read and assimilate case papers quickly and effectively, with excellent attention to detail.
- Participate in meetings with other panel members, as required, demonstrating tact, respect, discretion, and reasonableness.
- Weigh up the evidence from the paperwork to reach objective, well-reasoned and fair decisions.
- Act lawfully and in the public interest, including exercising sound judgement in seeking legal advice where necessary.
- Ensure that equality and diversity considerations are reflected when considering cases.
- Contribute to, and abide by, the collective committee's decisions.
- Participate, when required, in periodic reviews of delegated powers aimed at improving procedures.
- Participate in training programmes designed for committee members and report any additional training needs to the secretary of the committee.

Qualities required for the role

The table below shows the core competencies and the evidence that we will look for when assessing candidates.

Competence	Attributes
Working effectively as part of a team (all members)	<ul style="list-style-type: none">• ability to work collaboratively with other committee members, while still exercising independence of judgement• ability to make objective, reasoned decisions• ability to listen carefully to the views of others and show respect for the opinions of others• ability to intervene appropriately to clarify issues and to contribute effectively while allowing others to do the same• ability to reach consensus and support collective decisions• respect the need to maintain confidentiality
Tested at:	
✓ Application stage	
✓ Interview	
Demonstrating an understanding of equality, diversity and inclusion (all members)	<ul style="list-style-type: none">• demonstrate an understanding of, and commitment to, equality, diversity and inclusion• demonstrate an understanding of equality and diversity issues, particularly as they relate to fairness in decision-making• demonstrate an understanding of the difference between diversity and inclusion• show a commitment to the principles which underpin the work of ICAEW
Tested at:	
✓ Application stage	
✓ Interview	
Experience and/or understanding of the accountancy profession	<ul style="list-style-type: none">• have experience as a user of accounts (lay members)

and understanding/experience of professional regulation (all members)

Tested at:

- ✓ **Application stage**
- ✓ **Interview**

- be familiar with, or understand, the rules that govern the relevant committee
- demonstrate an understanding of regulatory best practice and the public interest
- demonstrate a desire to positively influence the regulatory framework which governs ICAEW, to protect the public and maintain the integrity and reputation of the profession

Reflective practice (all members)

Tested at:

- ✓ **Application stage**
- ✓ **Interview**

- demonstrate commitment to personal reflection and development
- respond positively to feedback from others
- be committed to training and development

Experience that is not on the Committee (all members)

- ✓ **Application stage**
- ✓ **Interview**

- Demonstrate experience from career/employment that will bring a unique perspective to the membership and working of the Committee.
- Apply knowledge from own career sector to making effective committee decisions.

Ability to manage and use technology (all members)

- ✓

- confirmations at application and interview stage of using an online case-management system

Commitment to attendance at meetings (all members)

- Confirmations at application and interview stage of attendance at virtual and physical meetings and training.

Assessing evidence, analytical skills and making decisions (lay members)

Tested at:

- ✓ **Application stage**
- ✓ **Interview**

- ability to assimilate, analyse and interpret large amounts of complex information in a fair and impartial manner
- excellent attention to detail
- ability to think logically
- experience in weighing evidence, making thoughtful and unbiased evidence-based decisions
- ability to review and understand written reports, relating to several cases, in advance of each meeting
- understand the overarching duty of the relevant committees to protect the public and the public interest, particularly as it relates to decision-making

Demonstrating an understanding of complex accounting concepts and/or regulatory compliance and/or compliance with ethical standards, relevant to at least one of the following practice areas: Tax, DPB compliance (Investment Business)/ Practice Assurance/Legal Services (Probate/Administration of Oaths)/Audit /Insolvency (accountant members)

- Demonstrate clear experience from your career/employment in the relevant practice area of the Committee.

For disciplinary committees, please demonstrate experience from your career/employment of regulatory compliance from any of the highlighted practice areas regulated by ICAEW

Demonstrate an understanding of ICAEW's Quality Assurance Department. This can include examples of managing/involvement in a QAD visit, implementing/oversight of firm risk and compliance systems/breach reporting processes.

Apply knowledge from own career sector to making effective decisions.

Tested at:

- ✓ **Application stage**
- ✓ **interview**

ELIGIBILITY

Entitlement to work in the UK

There is a mandatory UK residency requirement, permission to live and conduct work in the UK is compulsory, due to the nature of the work conducted by the Committee. Therefore, it is a requirement that you currently reside in the UK and are legally entitled to work in the UK.

Disciplinary findings

It is important that you provide details if you have ever been subject to an ICAEW Regulatory or Disciplinary process when submitting your application. Please provide further information on the application form of any other ICAEW regulatory involvement. If you are a lay member who is a regulated professional, it is equally important that you provide details if you have been subject to any adverse findings by your own regulator.

What do we mean by a lay member?

An individual who is not a member, affiliate or employee of ICAEW. To enhance public confidence in the regulatory process, further relevant restrictions may be appropriate for each committee.

What do we mean by an accountant member?

An individual who is a member or affiliate of ICAEW who is not an employee of ICAEW.

DIVERSITY AND EQUALITY OF OPPORTUNITY

We are committed to diversity and inclusion. We believe that the profession, and our own organisation, does best when it reflects the society we serve. We are focused on promoting a fair opportunity for all and therefore all applications are blind sifted. Appointments at ICAEW will always be made on merit. We recognise that we are currently underrepresented in some areas, and we particularly encourage applications from people from ethnic minority backgrounds. If you don't have previous panel experience, please don't let that discourage you from applying. We recognise the value that different backgrounds, work and life experience brings and therefore value experience from a range of different career sectors.

HOW TO APPLY

ICAEW will ensure that the appointment is made in a way that is open, transparent and fair to all applicants. All appointments are made on merit.

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All applicants should carefully review this information pack, before completing an application form for the committee they wish to join.

Alternative formats of this information pack and the application forms are available on request from committeerecruitment@icaew.com.

Lay members

There are two categories of application forms: Disciplinary Committees and Regulatory Committees. Within each form you will be asked to specify which committee (s) you wish to be considered for. You may apply for more than one committee; however you may not sit on more than one committee. Some committees have dual memberships in themselves i.e. the Tribunals Committee also constitutes membership of the Fitness to Practise Committee and the Appeals Committee also constitutes membership of the Review Committee. Please ensure you have read and understood the requirements, eligibility and commitment levels of the role.

Accountant members

Accountant members are not required to submit an application form. Application is by CV and personal statement (no more than one A4 page), explaining why you are interested in the role.

Please email all application forms, CVs and personal statements (Microsoft Word or PDF format only) to: committeerecruitment@icaew.com. We must receive your completed application form before the application closing date. Late applications will not be accepted.

We will acknowledge all applications with an automatic email. If you don't receive an acknowledgement, please ring ICAEW on the number above to check whether your application has been received.

After you apply

After the application closing date your application will be assessed to see whether you have the expertise required at the appropriate level for the post. We will only use the information you provide on your application form to assess your experience, so ensure that you provide evidence to show how you meet all the relevant criteria identified in the 'Qualities required for the role' section. How well you meet these competencies will decide if you will be long-listed and, thereafter, whether you will be invited to interview.

The interview

If you are selected for interview, we will contact you with details as to the date, time and location/joining details. All interviews are currently being conducted remotely. The interview will last approximately 1.5 hours (to include 15 minutes' preparation time for the case study) and it will consist of competency-based questions and case studies. The case studies have been drafted specific to each Committee and are designed to test your analytical and decision-making skills in respect of the kinds of cases you are likely to come across in the Committee. No prior technical knowledge or research is required. For further guidance on what we will be testing at interview and

how to best showcase your skill set, please refer to the section on: Competencies: Hints and Tips for your application and interview.

Successful candidates

Committee member candidates who are successful at interview will be put forward to the Regulatory and Conduct Appointments Committee (RACAC) as a recommendation for appointment; RACAC will make the final decision.

DATA PROTECTION AND GDPR

Your personal information will be held in accordance with the Data Protection Act 2018 and General Data Protection Regulations. You will not receive unsolicited paper or electronic mail as a result of sending us any personal information. No personal information will be passed on to third parties for any commercial purpose. Your information will be shared internally for the purposes of the recruitment exercise. This includes members of the committees' secretarial and administration team, interviewers involved in the recruitment process, internal and external auditors and IT staff if access to the data is necessary for the performance of their roles.

We ask that you:

- give us accurate information;
- tell us as soon as possible of any changes; and
- tell us as soon as possible if you notice mistakes in the information we hold about you.

If your application is unsuccessful, we will hold your data on file for one year after the end of the relevant recruitment process. If you agree to allow ICAEW to keep your personal data on file, we will do so for a further two years for consideration for future employment opportunities. At the end of that period, or once you withdraw your consent, your data will be deleted or destroyed. If at any time you wish your personal information to be removed from our records, please contact us at:

committeerecruitment@icaew.com

If your application for employment is successful, personal data gathered during the recruitment process will be transferred to your personnel file and retained during your employment. The periods for which your data will be held will be provided to you in a new privacy notice.

POST-APPOINTMENT

Appointment and tenure of office

Members are usually appointed to each committee for a three-year term. Reappointment can be made at the end of the first term for another three years, subject to consistently high performance and the needs of ICAEW. In exceptional circumstances, a member's appointment may be extended for a third term. Each reappointment will be considered, it is not automatic.

Remuneration

Committee members are paid a daily rate of £385 for attendance for each day of a tribunal/panel hearing or meeting. This includes full meetings or hearings which committee members attend by conferencing facilities.

Where a hearing or meeting is concluded in 2 hours or less, a half day fee of £193 will be paid.

All committee members are eligible to claim expenses, for travel and subsistence costs necessarily incurred on ICAEW business. Reasonable allowances will be paid by ICAEW through a non-employee payroll as a one-off payment on receipt of a claim via the committee member self-service portal. Reasonable business expenses will be paid on receipt of a claim via the self-service portal.

Upon appointment all Committee members will be sent a copy of the ICAEW Committee Member Payment Policy, and they will be asked to confirm that they have read and understood the Committee Payment Policy within five working days of their appointment.

Training

We will provide appropriate training. Each successful candidate must attend an induction and the annual committee training day on dates to be arranged, as soon as possible after appointment. The appointee will be invited to observe at least two committee meeting before taking up their duties as a committee member.

Committees' Development Process (CDP).

With a focus on member development we have also launched a new Committees' Development Process, a reciprocal feedback system by which all committee and board members can receive and reflect on their performance feedback. By adopting this evaluation process across all professional standards committees as well as our oversight Board, we aim to empower our members and foster a culture of growth and support at all levels. All committee members are expected to engage in this process. Additionally, Committee Chairs are expected to conduct and receive member evaluations in their own right.

Standards

Committee members are expected to demonstrate high standards of corporate and personal conduct. The successful candidates will be asked to subscribe to a Code of Conduct and the standards of probity required by public appointees.

Committee members are expected to fulfil their duties towards ICAEW in accordance with the following principles, which are based on the Royal Charter and the ICAEW Code of Ethics.

Principles

Selflessness: Committee members should act solely in accordance with their duties to the public interest and to the wider membership of ICAEW. They should never do so in order to gain financial or other material benefit or advantage for themselves, their family, their friends or organisations with which they are associated.

Integrity: Committee members should never place themselves under any financial or other obligation to other individuals/organisations that might influence them in the performance of their duties as a committee member. They should be straightforward and honest in all their ICAEW relationships.

Objectivity: In carrying out ICAEW business, committee members should take decisions on merit alone. While they may be strongly influenced by the views of others, it is their personal responsibility to decide what view to take on any question after full consideration of the issues. They should not allow bias or conflict of interest to override their personal judgement.

Openness: Committee members should be as open as possible about the reasons for their decisions and actions. They should restrict information only when confidentiality clearly so demands, and make it known that they have done so.

Accountability: Committee members are accountable to the membership for their decisions and actions and should be prepared to submit them to appropriate scrutiny.

Honesty: Committee members should declare any material and relevant private or personal interests relating to any of their duties as a committee member. They should never otherwise seek information for their personal gain. They should always take appropriate steps to resolve any conflicts that may arise in a way that protects the public interest and the reputation of ICAEW.

Leadership and example: Committee members should support and promote these principles by leadership and example.

Threats and safeguards

Compliance with these principles may be threatened by a broad range of circumstances, including self-interest threats. Where the threat is anything other than clearly insignificant, you should weigh up the consequences of each possible course of action and determine the appropriate course of action that is consistent with the principles.

Conflict of interest

You should note particularly the requirement to declare any conflict of interest that arises in the course of ICAEW business and the need to declare any relevant business interests, positions of authority or other connections with organisations relevant to the business of ICAEW. The appointment panel will fully explore any actual or perceived conflicts of interest at shortlisting or interview stage.

FURTHER INFORMATION ON EACH OF THE ICAEW COMMITTEES

Commitment to attendance

Committee members are expected to attend all meetings/hearings to which they are invited/allocated. Whilst unforeseen circumstances or certain prior commitments may be unavoidable, it is in the public interest and in the interests of fairness to the members that matters are progressed fairly, efficiently and without delay.

Tribunals Committee

The ICAEW Tribunals Committee has a minimum of 14 members, of whom at least half must be lay members. Members are appointed for a term of three years which may be renewed once.

The primary function of the Tribunals Committee is to consider all formal allegations referred to it in accordance with the Disciplinary Bye-laws and the Investigation and Disciplinary Regulations. Members of the committee are allocated to panels to consider formal allegations about an individual member or member firm. Panels are formed of three committee members, two of whom must be 'lay' and one an ICAEW member. At present, the chair of the panel can be a lay member, who is appointed after serving a term as a panel member. Legal advice is given to the panel by a legal assessor (solicitor or barrister experienced in regulatory matters). The role of a legal assessor is to provide independent advice on the law. They are not involved in the committee's decision making.

It should be noted, however, that a non-legal chair will chair any formal allegations involving Legal Services or reserved legal services, since the definition of 'lay' when dealing with such allegations excludes anyone with a legal qualification.

It should also be noted that there are two 'Chair roles' for the Tribunals Committee. There is the position of the presiding Chair of the Tribunals Committee, whose role is to appoint the Tribunal panels. In addition to this is the role of a Tribunal Panel 'Chair', who sits as a Chair for a particular panel, but who does not have the wider, presiding role. Candidates should carefully read the role that is being advertised for.

Operation of the committee

The quorum for a tribunal, is three members: two lay and one ICAEW member. However, it should be noted that all members of the committee may also be required to attend an annual general meeting. Members also meet more informally at training sessions. The main function of the committee is to supply members to sit on disciplinary tribunal panels, which are required to be constituted of three panel members.

Panels sit over a day/number of days to hear evidence and submissions in relation to the formal allegations against a member/member firm. The format of hearings is set out in the Investigation and Disciplinary Regulations and is similar to that adopted in civil and criminal proceedings, although a more informal approach can be adopted. Regulatory law is a well-established area and the hearings before panels of the Tribunals Committee have much in common with tribunals run by other regulatory bodies, such as the ACCA, GMC and NMC.

Panels may be asked to decide on preliminary issues, such as admissibility of evidence, whether a hearing should be held in public or whether a hearing should be adjourned. They will also have to ensure that their decisions follow the relevant regulations and bye-laws and adhere to the requirements of the ECHR. Decisions of a panel can be appealed to the Appeal Committee.

Decisions of a panel are reached after hearing evidence and submissions by both parties in relation to the formal allegation(s) before them. Decisions are reached on a majority basis, and the decision is reduced to writing in a 'record of decision' which will be sent to the member after the hearing. Currently, the record of decision is drafted by the legal assessor, after discussion with the panel members. The record is then approved by the panel members before being sent to the parties.

Appeal Committee

The Appeal Committee is responsible for considering appeals against decisions made by the Fitness Committee, tribunals of the Tribunals Committee and panels of the Review Committee. The committee carries out its responsibilities within the framework of the general duties and procedural requirements for committees set out in Annex 6 of the Scheme of Delegations. (It also carries out its responsibilities in accordance with the Disciplinary Bye-laws, the Investigation and Disciplinary Regulations and its Terms of Reference and any guidance issued by the IRB.

The committee has a minimum of 14 members, of whom at least half must be lay members. The requirements of the constitution of the committee are contained in its Terms of Reference. Members are appointed for a term of three years which may be renewed once.

ICAEW officeholders cannot serve on the committee in accordance with Principal Bye-law 44.

Members of Council cannot serve on the committee.

In the case of appeals related to allegations about legal services, while still being chaired by either the chair or the vice-chair of the Appeal Committee, the panel must have a majority of members who are lay members.

It should be noted that, for the purposes of the Appeal Committee, the role of the Vice Chair is such that this individual will always sit as a Chair in their own right on an Appeal Committee panel.

Function of the committee

The committee is responsible for considering appeals against findings, decisions and/or orders of the Tribunals Committee, the Review Committee and the Fitness to Practise Committee (fitness and readmission/re-registration cases). The main function of the committee is to supply members to sit on Appeal and/or Review Panels.

The chair or vice-chair is responsible for the nomination of a referee (King's Counsel) on a request made by the Chartered Accountants Compensation Scheme Limited in accordance with Regulation 10.03(b) of the Compensation Scheme Regulations.

Operation of the committee

The quorum for a meeting of the committee, usually referred to as a panel for the hearing of a case, is five members: two chartered accountant members, two lay members and a chair who must be a barrister or solicitor. The committee only meets once a year at the annual meeting. Members also meet more informally at training sessions.

The format of hearings is set out in the Investigation and Disciplinary Regulations and is similar to that adopted in civil and criminal proceedings, although a more informal approach can be adopted. Regulatory law is a well-established area and the hearings before panels of the ICAEW Appeal Committee have much in common with tribunals run by other regulatory bodies, such as the ACCA, GMC and NMC.

Panels may be asked to decide on preliminary issues, such as whether a hearing should be held in public or whether a hearing should be adjourned. They will also have to ensure that their decisions follow the relevant regulations and bye-laws and adhere to the requirements of the ECHR. Decisions of a panel are judicially reviewable.

Decisions of a panel are reached after hearing evidence and submissions by both parties in relation to the matter before them. Decisions are reached on a majority basis, and the decision is written in a 'record of decision' which will be sent to the member after the hearing. Currently, the record of decision is drafted by the Chair of the panel who is legally qualified, after discussion with the panel members. It is then approved by the panel members before being sent to the parties.

Review Committee

The Appeal Committee and the Review Committee are two distinct committees. However, members of the Appeal Committee have a dual function as members of the Review Committee. The requirements and competencies remain the same for both committees, but it is important for candidates to have an overview of the Review Committee and its purpose as well.

The Review Committee allows members or firms to ask for a review of certain decisions made by the Professional Indemnity Committee, the Legal Services Committee, the Audit Registration Committee, the Investment Business Committee or the Insolvency Licensing Committee. The role of the Review Committee is to review a decision of one of the regulatory committees afresh. A review is not an appeal against the decision of a regulatory committee. A panel will consider the matter afresh, taking into account all relevant matters. The essential elements of this function are:

- to ensure that the proceedings are conducted in accordance with the Principal Regulations and the Review Committee's own regulations and that they are fair to the firm or individual applicant;
- to assess all the evidence, both fact and opinion, if expert opinion is relied upon;
- to ensure that it considers only the papers before it and does not undertake any independent searches for information regarding the case, even if the information is in the public domain;
- to make a decision on the merits of the case; and
- having made a decision, to make an appropriate order in accordance with the powers conferred by the Principal Regulations bearing in mind:
 - the interests of the public;
 - ICAEW's responsibility for maintaining high standards of public practice and conduct;

any other matters which it considers to be relevant in the particular circumstances of the case.

Operation of the committee

Members of the Review Committee sit in panels of three and are made up of two lay members and one ICAEW member. An independent solicitor or barrister (called the legal assessor) advises the panel on procedure and law but doesn't take part in making decisions. The legal assessor will assist the panel in recording its reasons for any decision made and after the hearing will prepare the panel's written record of decision for approval by the panel.

The Review Committee will have the same powers as the regulatory committees and therefore can make any order that the regulatory committees can make. It is important to have the regulatory powers in mind when you are part of a Review Committee panel. The committee is able to not only consider documents, but to hear evidence and also consider evidence which was not considered by the regulatory committee. New information can be provided. Both the Principal Regulations and the Review Committee Regulations also give a review committee panel the power to order an applicant to pay some or all of ICAEW's costs.

Fitness to Practise Committee

The rules governing the Fitness to Practise Committee are contained within [ICAEW's Fitness to Practise Committee Regulations](#).

The primary role of the Fitness to Practise Committee members under these regulations is to determine whether the fitness to respond to an investigation and/or to participate in proceedings, and/or the fitness to practise, of a member, affiliate or relevant person is seriously impaired through their physical or mental health.

The essential elements of this role are:

- To ensure that fitness to practise proceedings are conducted in accordance with the Regulations and that they are fair to the individual and to fairly consider written and/oral representations from all parties;
- To consider any expedited fitness to practise applications;
- To consider any medical reports arising out of an applicant's medical examination;
- To make orders as necessary in respect of suspending or restarting investigation and/or disciplinary proceedings and/or a member's fitness to practise as necessary (including, where conditions or a suspension has been ordered, to consider appropriate time limits for the review of such an order)
- To consider and agree the terms of fitness to practise consent orders where necessary;
- In the absence of an independent medical report, to consider and take into account:
 - ✓ the strength of any medical or other evidence which could support a finding that the fitness of the member, affiliate or relevant person is seriously impaired in either way specified in regulation
 - ✓ whether the member, affiliate or relevant person has been given appropriate notice of the request to attend for a medical examination by an ICAEW appointed expert and an opportunity to explain why they have chosen not to comply with it;

- ✓ the reasons (if any) given for the refusal by the member, affiliate or relevant person to submit to a medical examination by an ICAEW appointed expert and/or to provide the access consents; and:
- ✓ any other relevant circumstances of the case.

Panels also consider applications from individuals registering as provisional members (ACA students) whose applications disclose potential 'fit and proper' issues, such as previous criminal conviction (the rules governing these applications are contained in ICAEW's Provisional Membership Review and Appeal Regulations). The panels also consider applications for readmission to membership (the rules governing these applications are contained in ICAEW's Re-admission and Re-registration Review and Appeal Regulations. Membership of the Fitness to Practise Committee is drawn from the members of the Tribunals Committee.

Operation of the committee

For the purpose of regulations, the required number of lay persons on this Committee must be: a) one half of the total number of members of the Committee; or b) if the total number of members of the Committee is not divisible by two, one half of the first higher number that is so divisible.

The quorum for meetings of the Fitness to Practise Committee shall be 4 members, of whom 2 members shall be ICAEW members and 2 members shall be lay members.

Fitness to Practise Panels shall be convened for the purposes of fitness to practise hearings and shall comprise of 3 members of the Fitness to Practise Committee, being one ICAEW member and 2 lay members. The Fitness to Practise Panel Chair shall be one of the 2 lay members.

Conduct Committee

The primary function of the Conduct Committee is to consider all allegations referred to it in accordance with the Disciplinary Bye-laws, the Investigation and Disciplinary Regulations and its Terms of Reference.

The committee has a minimum of 14 members, of whom at least half must be lay members. Members are appointed for an initial term of three years which may be renewed once. The requirements of the constitution of the committee are set out in the [Disciplinary Bye-laws](#)

The committee sits once per month, and all members of the committee are invited to attend each meeting. The quorum for a meeting of the committee is four members: two lay and two ICAEW members. Currently, the chair of the panel is a lay person. Where required, legal advice is given to the panel by the committee secretary, who is legally qualified. The committee secretary is not a member of the committee making the decision but is available to assist with legal and procedural advice, if needed.

Operation of the committee

The committee considers around 21 cases per month, being allegations against members and firms in relation to a wide range of matters. Allegations which have been investigated by ICAEW are referred to the committee by the Conduct Department, who produce a detailed report for the

committee, which sets out the allegation(s) against the member/member firm, summarises the relevant facts and matters, along with any arguments advanced by/on behalf of the complainant (if any) and the member/member firm. Attached to the report will be the relevant documents, which will usually include correspondence between the member/member firm and the Conduct Department, any source documents (such as accounts, audit working papers, contracts etc.), and correspondence from the complainant and/or witnesses (if any). The attachments can be numerous, and it is essential that committee members are comfortable with reviewing a large amount of documentation in a relatively short period of time.

In each case the committee decides whether there is a case to answer in relation to the allegation(s) against the member/member firm. If they do find a case to answer it will continue to consider what, if any sanction is appropriate. In doing this, the committee has reference to the Guidance on Sanctions. The committee has the power to impose unlimited fines and direct the member/member firm to pay costs. It can also order that a member/member firm undertake training, receive an unpublicised caution, reprimand or severe reprimand. However, the committee can only make an order with the consent of the member/member firm concerned. For all other matters, if the member does not accept the proposed order (consent order) the member/member firm can exercise their right to an oral hearing before the Tribunals Committee, and in these cases the Conduct Committee will refer the matter to the Tribunals Committee as a formal allegation. For the most serious cases, where the recommended starting point for sanction is exclusion from membership, the committee will refer the allegation(s) directly to the Tribunals Committee as a formal allegation(s) as soon as they have found a case to answer in relation to the matter. This is because the committee does not have the power to exclude a member.

The committee makes its decisions by majority, with the chair having the casting vote, if necessary. Members of the committee will be expected to review the reports and attachments in advance of the meeting and to actively contribute to the discussion of each matter.

Practice Assurance Committee

The Practice Assurance Committee (PAC) is responsible for all operational matters relating to the Practice Assurance Scheme. It is appointed by the ICAEW Council pursuant to Principal Bye-law 49(a).

The committee carries out its responsibilities within the framework of the general duties and procedural requirements for committees set out in Annex 6 of the Scheme of Delegations. It also carries out its responsibilities in accordance with the Practice Assurance Standards and Guidance, the Practice Assurance Regulations, its terms of reference and any guidance issued by the IRB.

The committee comprises of ten members, at least half of whom must be lay. The requirements of the constitution of the Committee are contained in its Terms of Reference. Members are appointed for a term of three years which may be renewed once.

The committee may not include any person who is a member of the Conduct, Tribunals or Appeal Committees. Members of ICAEW Council cannot serve on the committee.

Function of the committee

The primary function of the committee is to consider reports arising from Practice Assurance visits where:

- serious areas of concerns have been identified in the provision of accountancy services to the public, particularly where the firm or practising certificate holder has been unwilling or appears unable to rectify them;
- there are failures by members or firms to comply with their obligations arising from the Practice Assurance Regulations.

The committee is responsible for all operational matters relating to the Practice Assurance Scheme, including:

- a) considering reports arising from Practice Assurance (PA) reviews carried out by ICAEW's Quality Assurance Department;
- b) requesting that PA firms and practising certificate (PC) holders carry out remedial action or activities based on such reports;
- c) obtaining assurances and/or undertakings from PA firms and PC holders to carry out remedial action or activities;
- d) directing, in accordance with regulation 21, that PA firms or PC members be subject to a further monitoring review and determining the fee payable for that review;
- e) considering issues or matters referred to the Practice Assurance Committee by the ICAEW Regulatory Board or ICAEW staff;
- f) making representations to the ICAEW Regulatory Board on policy matters relating to the PA scheme;
- g) referring potential disciplinary matters for investigation to ICAEW's Conduct Department in accordance with regulation 33;
- h) proposing PA penalties to PC holders and PA firms in accordance with regulation 35 with the consent of the individual/firm.

The committee may also take the following action:

- consider issues where staff require practical advice on such matters as interpretation of the guidance and best and acceptable practice;
- consider issues raised by individual members and firms including any dissatisfaction with the handling of visits or other aspects of the Practice Assurance arrangements.

Regulatory penalties

In cases where the supervision of firms highlights an actual or possible breach of its regulatory arrangements, the Practice Assurance Committee will act to protect the public interest and the interests of consumers. This may be through a range of measures outlined above, from obtaining an informal undertaking from the firm or individual to undertake remedial action to offering regulatory penalties for less serious compliance or conduct issues identified during Practice Assurance reviews.

- The penalties are only applied with the consent of the member or firm.

This process allows the PAC to deal with Practice Assurance matters more quickly by applying a sanction where appropriate, for example for AML breaches (at the request of ICAEW's oversight regulators)

Operation of the committee

The committee normally meets six times a year, both remotely and in person. The quorum for a meeting of the Committee, is two lay (non-accountant) and two accountant members.

At each meeting, the committee is assisted by a committees and tribunals officer who provides administrative support. The committee is also assisted by a committee secretary who is legally qualified and who supports the committee by providing both legal and procedural advice, when required.

The committee may also seek advice from any source that it considers appropriate to enable it to discharge its responsibilities.

The committee may delegate its powers to a sub-committee (for instance to enable urgent matters to be considered promptly). A sub-committee must include two lay (non-accountant members) and two accountant members.

Investment Business Committee

The Investment Business Committee is responsible for considering and determining applications for a licence under the Financial Services and Markets Act 2000 and any regulatory action required as a result of monitoring visit reports affecting its areas of responsibility. It also has a continuing responsibility in respect of authorisation granted under the Financial Services Act 1986, pursuant to Statutory Instrument 2657 (SI 2657) made under the Financial Services and Markets Act 2000.

The committee carries out its responsibilities within the framework of the general duties and procedural requirements for committees set out in Annex 6 of the Scheme of Delegations. It also carries out its responsibilities in accordance with the Designated Professional Body (Investment Business) Handbook, the Designated Professional Body (Consumer Credit) Handbook, its Terms of Reference and any guidance issued by the IRB.

The committee has a minimum of eight members, of whom at least half must be lay members. The requirements of the constitution of the committee are contained in its Terms of Reference. Members are appointed for a term of three years which may be renewed once, with a further option for extension for one additional term.

The committee may not include any person who is a member of the Conduct, Disciplinary or Appeal Committees. Members of Council do not serve on the committee.

Function of the committee

Council has delegated operational responsibility to the committee for discharging the responsibilities of ICAEW for matters relating to authorisation granted under the Financial Services Act 1986, pursuant to SI 2657 made under the Financial Services and Markets Act 2000, and the responsibilities of ICAEW as a designated professional body under the Financial Services and Markets Act 2000 including, without prejudice to the generality of the foregoing, as set out in the Designated Professional Body (Investment Business) Handbook:

- granting or refusing applications for a licence
- renewing, withdrawing or suspending a licence
- imposing conditions or restrictions on a licence
- imposing charges where a licensed firm has agreed that it has breached the terms of its licence

- considering returns submitted by firms and reports and investigating any failure to make such returns and reports
- making enquiries concerning a licensed firm
- publishing information concerning a firm's licence

and as set out in the Designated Professional Body (Consumer Credit) Handbook:

- considering whether a consumer credit firm is no longer able to undertake exempt credit-related credit activities
- imposing conditions or restrictions on a consumer credit firm
- imposing charges where a consumer credit firm has agreed that it has breached the terms of the Designated Professional Body (Consumer Credit) Handbook
- considering returns submitted by firms and reports and investigating any failure to make such returns and reports
- making enquiries concerning a consumer credit firm
- publishing information concerning a firm's consumer credit firm's status.

In addition, Council has delegated operational responsibility to the committee for discharging the responsibilities of ICAEW as an accredited body under the Financial Services and Markets Act 2000, including without prejudice to the generality of the foregoing, as set out in the Statement of Professional Standing Regulations:

- granting or refusing applications for a Statement of Professional Standing (SPS)
- renewing or withdrawing an SPS
- imposing restrictions or conditions on an SPS
- considering returns submitted by SPS holders and reports and investigating any failure to make such returns and reports
- making enquiries concerning an SPS applicant or holder
- publishing information about an individual's SPS
- providing the Financial Services Authority with information about individuals whom ICAEW has issued, refused or withdrawn an SPS.

Operation of the committee

The committee normally meets three times a year (every four months), usually remotely. The quorum for a meeting of the committee is four: two ICAEW members and two lay members.

At each meeting, the committee is assisted by a committees and tribunals officer and a committee secretary. The committee secretary is legally qualified and supports the committee by providing both legal and procedural advice.

The committee may also seek advice from any source that it considers appropriate to enable it to discharge its responsibilities.

The committee may delegate its powers to a sub-committee (for instance to enable urgent matters to be considered promptly).

Legal Services Committee

The Legal Services Act 2007 (the Act) was introduced in order to improve competition, flexibility, and choice for consumers in the legal services market by enabling entities that are not legal firms to offer legal services. The Act created the Legal Services Board (LSB) which has a duty to promote the regulatory objectives of the Act. The LSB oversees the whole regulatory framework in England and Wales and supervises the work of Approved Regulators and Licensing Authorities which are permitted by law to regulate the supply of legal services, and which also have a duty to promote the regulatory objectives. One of the legal activities reserved under the Act is Legal Services. The ICAEW received designation as an approved regulator and licensing authority for Legal Services in July and August 2014, respectively.

The Legal Services Committee governs the arrangements for ICAEW's Legal Services regulation. It is responsible for undertaking ICAEW's responsibilities as an Approved Regulator and Licensing Authority under the Act for the reserved legal activity of Legal Services. The Committee carries out its responsibilities within the framework outlined by the regulatory objectives in the Act, its terms of reference and the Legal Services regulations. ICAEW is the approved regulator for probate and the administration of oaths.

Function of the committee

The Legal Services Regulations govern the authorisation, licensing and conduct of entities and individuals wishing to undertake Legal Services (Probate and Administration of Oaths) work within the framework of the Act and compensation scheme to provide consumer protection.

The function of the Legal Services Committee is as follows:

- ICAEW's functions as an approved regulator and licensing authority as set out more fully in the Legal Services Regulations, which include:
 - considering and determining applications for Legal Services accreditation;
 - considering and determining applications for authorised individual, Head of Legal Practice, Head of Finance and Administration, non-authorised owner or Legal Services affiliate status;
 - monitoring compliance with the Legal Services Regulations;
 - taking regulatory action as required to secure compliance with the Legal Services Regulations;
 - referring matters to ICAEW's conduct committees as required;
 - compiling and maintaining a register of licensed firms and supplying this information to the Legal Services Board as required.
- ICAEW's functions under the Legal Services Compensation Scheme Regulations in determining applications for grants;
- To be consulted by the IRB in the development of ICAEW policy in relation to Legal Services practitioners.

In cases where the supervision of firms highlights an actual or possible breach of its regulatory arrangements, the Legal Services Committee will act to protect the public interest and the interests of consumers. This may be through a range of measures, from obtaining an informal undertaking from the firm or individual to put things right to the imposition of formal regulatory and disciplinary

sanctions such as the imposition of conditions or restrictions, the suspension or withdrawal of accreditation, disqualification or a fine (the level of which will be guided by the sanctions guidance).

Operation of the committee

The committee is comprised of ten members, five of whom must be lay members and five technical members, the chair being a lay member with a casting vote. Half of the members of the committee will be practitioners with expertise in the regulated areas. For the purposes of this Committee, a lay person is a person who is not and never has been an authorised person in relation to an activity which is a reserved legal activity under the Legal Services Act 2007, for example:

- a) a solicitor or barrister;
- b) a person authorised to provide services which are regulated claims management services under the Compensation Act 2006;
- c) an advocate in Scotland;
- d) a solicitor in Scotland;
- e) a member of the Bar of Northern Ireland; or
- f) a solicitor of the Court of Judicature of Northern Ireland.

The chair of the committee is a lay member and has a casting vote. The requirements of the constitution of the committee are contained in its Terms of Reference. Members are appointed for a term of three years which may be renewed once.

The committee may not include any person who is a member of the Conduct, Tribunals or Appeal Committees. Members of ICAEW Council cannot serve on the committee.

The committee normally meets 3 or 4 times a year and meetings are held both virtually and in person. Currently the meetings are held virtually and will continue to be held as such until further notice. The quorum for the committee is five, of whom the majority of whom must be lay members.

At each meeting, the committee is assisted by a committees and tribunals officer who provides administrative support. The committee is also assisted by a committee secretary, who is legally qualified and who supports the committee by providing both legal and procedural advice, when required.

The committee may also seek advice from any source that it considers appropriate to enable it to discharge its responsibilities.

Insolvency Licensing Committee

Under the Insolvency Act 1986, ICAEW is a recognised professional body, and the Insolvency Licensing Committee (ILC) carries out certain regulatory responsibilities. The main work involves reviewing Quality Assurance Department reports on visits to insolvency practitioners (IPs), responses to these reports and deciding if any regulatory action is needed. The committee may need to consider other information to satisfy itself that IPs remain fit and proper to be licensed. The committee also deals with new applications for an insolvency licence and considers matters against IPs in the regulated area of insolvency.

The committee carries out its responsibilities within the framework of the general duties and procedural requirements for committees set out in Annex 6 of the Scheme of Delegations. It also

carries out its responsibilities in accordance with the Insolvency Licensing standards and guidance, the Insolvency Licensing Regulations, its terms of reference and any guidance issued by the IRB.

The committee has a minimum of eight members, of whom at least half must be lay members. The chair of the committee can either be a lay member or an accountant. For these purposes, a 'lay member' means someone who is not and has never been a member, affiliate or employee of ICAEW or any other accountancy body. The requirements of the constitution of the committee are contained in its Terms of Reference. Members are appointed for a term of three years which may be renewed once.

The committee may not include any person who is a member of the Conduct, Tribunals or Appeal Committees. Members of Council cannot serve on the committee.

Function of the committee

The primary function of the committee is to ensure:

- IPs licensed by ICAEW are fit and proper persons to act and meet acceptable requirements for education, practical training and experience; and
- the good reputation of licensed IPs with the public is maintained.

The committee is responsible for:

- granting applications for authorisation and for insolvency affiliate status;
- granting applications for authorisation and for insolvency affiliate status subject to restrictions or conditions;
- refusing applications for authorisation and for insolvency affiliate status;
- dealing with applications for renewals of insolvency licences;
- granting or refusing dispensation from the requirements of these regulations;
- requesting undertakings from a licence holder;
- imposing restrictions or conditions on the acceptance of appointments or on the conduct of insolvency work by a licence holder;
- ordering a targeted visit to the office or offices of a licence holder and deciding the terms of reference of the visit and the charge or basis of the charge for the visit;
- proposing a regulatory penalty, it considers appropriate to a licence holder;
- withdrawing authorisation and insolvency affiliate status;
- reviewing the returns and reports made under these regulations and investigating failure to make returns or reports;
- making appropriate enquiries into the eligibility of a licence holder or an applicant for authorisation or for insolvency affiliate status (by writing, visiting the office or offices of a licence holder, or in any other way);
- making appropriate enquiries to confirm that a licence holder or insolvency affiliate is complying with these regulations (by writing, visiting a licence holder's offices, using a periodic return, or in any other way);
- reviewing all reports and complaints about a licence holder or insolvency affiliate;
- requiring a licence holder or an applicant for authorisation or for insolvency affiliate status to disclose and/or submit any information which the ILC considers appropriate. Such information

may include books, papers and records about the licence holder or applicant or any firm with which he is connected and about the licence holder's appointments;

- publishing, in any manner it decides, its orders or decisions if it considers this appropriate;
- making such orders as may be necessary to effect an orderly winding down or transfer of appointments.

Operation of the committee

The committee normally meets six times a year, both virtually and in person. The quorum for a meeting of the committee is four members, two of whom are ICAEW members and two lay members.

At each meeting, the committee is assisted by a committees and tribunals officer and a committee secretary. The committee secretary is legally qualified and supports the committee by providing both legal and procedural advice, when required.

The committee may also seek advice from any source that it considers appropriate to enable it to discharge its responsibilities.

All decisions relating to the granting of applications (unless otherwise delegated) and to the restriction or withdrawal of a licence may be dealt with by a sub-committee but must be ratified by the full committee (which does not, however, need to meet for the purpose).

Audit Registration Committee

The Audit Registration Committee is responsible for considering and determining applications for audit registration and any regulatory action required as a result of monitoring visit reports affecting its area of responsibility. It is appointed by the Council pursuant to Principal Bye-law 49(a) [icaew.com/DBLs](https://www.icaew.com/DBLs)

The committee carries out its responsibilities within the framework of the general duties and procedural requirements for committees set out in Annex 6 of the Scheme of Delegations. It also carries out its responsibilities in accordance with the Audit Regulations, its terms of reference and any guidance issued by the IRB.

The committee comprises of not less than eight members, of whom at least half must be lay members. Members are appointed for a term of three years which may be renewed once.

The committee may not include any person who is a member of the Conduct, Tribunals or Appeal Committees. Members of ICAEW Council cannot serve on the committee.

Function of the committee

Council has delegated operational responsibility for the following activities to the Committee, which are set out in detail in the Audit Regulations:

- granting or rejecting applications for Registered Auditor status;
- withdrawing or suspending registration;
- imposing conditions or restrictions on a Registered Auditor;
- granting or refusing dispensation from eligibility requirements;
- reviewing returns and reports and investigating any failure to make such returns and reports;

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- making enquiries re: eligibility and compliance;
- publishing orders and decisions;
- maintaining the Register of Auditors.

The Committee is also responsible for discharging the functions set out the Crown Dependencies' Rules and Guidance, and the ICAEW Licensed Practice Handbook. In addition, the Committee is responsible for providing guidance to firms in relation to any matters associated with audit regulation and recommending matters for consideration by the Joint Audit Committee.

Operation of the committee

The committee normally meets every five weeks, both virtually and in person. A meeting will be quorate if at least two ICAEW members and two lay members are present.

At each meeting, the committee is assisted by a committees and tribunals officer and a committee secretary. The committee secretary is legally qualified and supports the committee by providing both legal and procedural advice, when required.

The committee may also seek advice from any source that it considers appropriate to enable it to discharge its responsibilities.

The committee may delegate its powers to a sub-committee (for instance to enable urgent matters to be considered promptly).

The Professional Indemnity Insurance Committee

The Professional Indemnity Insurance (PII) Committee oversees ICAEW's PII requirements for members and firms. The committee is responsible for all matters relating to PII including keeping under review ICAEW's policy on compulsory PII, considering revisions to the PII regulations and minimum approved wording and approving the form and content of contracts underpinning the PII arrangements.

Function of the committee

The [ICAEW PII Regulations](#) set out ICAEW's PII requirements for members and firms, including the requirement to hold "qualifying insurance" with a participating insurer which is underwritten in the same terms as the minimum approved wording.

Practising without PII or with insurance that does not meet the requirements of the PII Regulations is a serious matter. ICAEW's Quality Assurance Department is responsible for monitoring individuals' and firms' compliance with bye-laws and regulations; compliance with the PII Regulations is monitored during the course of these reviews. Members are also required to provide details regarding their PII arrangements as part of the Annual Return.

If a firm is unable to obtain PII in the open market it can apply to enter the Assigned Risks Pool (ARP) for emergency cover for a period of up to two years so that it can continue to practise or comply with the minimum requirements for run-off cover set down in the PII Regulations. The ARP is effectively an insurance of last resort, and every participating insurer has agreed to subscribe to the ARP in proportion to its market share. Premiums are considerably higher than those charged in the

open market. If a firm enters the ARP, ICAEW will also arrange a practice review to identify reasons for the inability to obtain cover and recommend actions to assist firms obtaining cover in the open market. Firms are free to leave the ARP at any time and if there have not been any claims/notifications there is the potential for a partial return of premium.

Operation of the committee

The PII Committee must consist of at least four members and its quorum is three. From February 2022 there will be 9 members of the Committee. As well as the PII Committee members, representatives from Marsh, who advise ICAEW relating to insurance issues and manage the participating insurer sign up and ARP also attend the meeting, as well as the PII committee secretary, ICAEW's PII & regulatory manager and case manager.

The ICAEW Regulatory Board

The IRB's primary objective is to ensure ICAEW's regulatory and disciplinary work is carried out in the public interest and to provide assurance to government, oversight regulators, media and members of the public that each task is carried out objectively without any bias shown either towards or against the interests of an ICAEW member or firm.

The IRB was established in 2015 (meeting for the first time in 2016) to enhance the distinction between ICAEW's representative and regulatory roles following an independent review of ICAEW's regulatory governance.

The IRB superseded the Professional Standards Board. To enforce the principle of independence within ICAEW's governance structure which separates regulatory and membership activities, ICAEW office holders, ICAEW Board and Council members are not allowed to sit on the IRB or regulatory and disciplinary committees.

Function of the board

The IRB has a wider objective at the heart of its work. This is the quest to promote and maintain the highest professional standards among ICAEW members and firms and for ICAEW to act, and be seen to act, as an improvement regulator. It seeks to ensure that the work of the PSD achieves this by its Regulatory Practice & Policy team enabling only appropriately trained and experienced individuals to carry out the highest risk work, and the Quality Assurance Department pointing out areas for improvement at the end of quality assurance monitoring reviews and running webinars for members and firms on problem areas. There is also an important role to be played by the Conduct Department in its work by ensuring that there is an effective deterrent against poor conduct or poor-quality work.

The IRB also has general oversight of the performance of ICAEW's regulatory and disciplinary committees. These committees are not answerable to the IRB for their decisions in individual cases.

Operation of the committee

The IRB has 12 members, including the chair. For accountancy oversight purposes, it has an equal number of lay and non-lay members. For legal services oversight purposes, it has a lay majority where a lay member is someone who is not legally qualified.

Regulatory & Conduct Appointments Committee

The Regulatory & Conduct Appointments Committee (RACAC) is responsible, under powers delegated to it by the IRB, for dealing with all matters relating to the appointment, performance evaluations and remuneration of chairs and members of the IRB and the regulatory and disciplinary committees and case file reviewers. The RACAC reports to the IRB on its activities but is independent of the IRB.

Function of the committee

The RACAC has the duty and responsibility generally to ensure the IRB and the committees have good quality members (and good quality chairs) and that plans are in place to fill positions becoming vacant on the IRB and committees in the future.

Operation of the committee

The RACAC comprises six members as follows:

- The chair
- The chair of the IRB
- Alternate chair of the IRB
- A lay member
- Two Chartered Accountant members of ICAEW

The chair of the RACAC is independent of ICAEW and lay for all matters including legal services.

Chartered Accountants' Compensation Scheme Board

ICAEW, the Institute of Chartered Accountants Scotland and the Institute of Chartered Accountants Ireland operate a compensation scheme for members of the public who have incurred a financial loss as a result of investment advice given by a firm of chartered accountants which, at the time the advice was given, was authorised or licensed to give such advice by one of the three institutes.

Function of the board

The Chartered Accountants Compensation Scheme administers and manages the scheme. It also considers claims arising from investment business conducted by authorised/licensed firms under the investment business rulebooks.

Operation of the board

The board acts as the management board of the Chartered Accountants' Compensation Scheme Ltd. To determine claims, the company appoints a Compensation Committee which comprises all members of the Board of Directors of the company plus one other accountant and four non-accountant members. Upon receipt of a claim by the company, the chair (or the vice-chair) appoints a panel from the committee's members, of which at least one member must be a non-accountant, to determine the claim.

The board comprises seven members, a chair (who is a member of the majority shareholder) and two each from each of the shareholders. The quorum for each meeting of the board shall be one member from each of the shareholders. The chair is appointed by the President of the ICAEW following consultation with the presidents of the other two institutes of Chartered Accountants.

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COMPETENCIES: HINTS AND TIPS FOR YOUR APPLICATION AND INTERVIEW

Competency-based applications are designed to test one or more of the skills or competencies that are an essential requirement for the role. The interviewer has a list of set questions, each focusing on a specific skill, and your answers will be compared against pre-determined criteria and marked accordingly.

Competency-based interviews work on the principle that past behaviour is the best indicator of future performance. They differ from normal or unstructured interviews, which tend to be more informal. A competency-based interview is more systematic, and each question targets a skill needed for the job.

The STAR approach

The STAR interview method is a technique you can use to prepare for competency-based interview questions. STAR stands for: situation, task, action and result. As competency-based interviews use past behaviour as a strong indicator of future performance, you can use this method help you prepare clear and concise responses using real-life examples.

The STAR method consists of the following:

Situation – set the stage for the story by sharing context around the situation or challenge you faced.

Task – describe your responsibility or role in the situation or challenge. In other words, discuss the goal or task set out for you.

Action – explain the specific actions you took to handle the situation or overcome the challenge.

Result – what was the outcome you reached through your actions? Discuss, including any feedback points you took from the outcome.

Guidance on effective and ineffective behaviours at interview

The points below apply only to competencies that will be tested at interview. They are not exhaustive; they are provided as a guide to assist you in preparing for your interview.

Competence	Examples of effective and ineffective behaviours
Working effectively as part of a team	<p>Effective:</p> <ul style="list-style-type: none">• provides examples of working collaboratively, collective decision making, intervening appropriately• demonstrates awareness of the need to respect confidentiality <p>Ineffective:</p> <ul style="list-style-type: none">• No relevant examples given

- No indication of collaborative working
- No understanding of confidentiality

Assessing evidence, analytical skills and making decisions **Effective:**

- Provides examples of ability to assimilate, analyse and interpret large amounts of complex information in a fair and impartial manner
- Demonstrates clear understanding of the public interest
- Deals with case studies in a clear, concise manner and provides relevant answers.

Ineffective:

- No relevant examples given
- No indication of awareness of public interest
- Poorly answered case studies

Demonstrating an understanding of Equality, Diversity and Inclusion **Effective:**

- Provides examples that demonstrate an understanding of, and commitment to, equality, diversity and inclusion
- Evidence of knowledge of conscious and unconscious bias

Ineffective:

- No relevant examples given
- No understanding of the difference between diversity and inclusion

Experience and/or understanding of the accountancy profession and professional regulation **Effective:**

- Provides relevant examples

Ineffective:

- No relevant examples given
- No indication of understanding of regulatory best practice

Reflective practice **Effective:**

- Provides examples of implementation/application of reflective practice
- Demonstrates commitment to continual learning and development

Ineffective:

- No relevant examples given
- No indication of what reflective practice entails

Commitment to attendance at meetings **Effective:**

- Simple understanding of the importance of attendance and confirmation sufficient. Any difficulties in meeting the attendance requirements should be outlined

Demonstrating an understanding of complex accounting concepts and/or regulatory compliance and/or compliance with ethical standards, relevant to at least one of the following practice areas: Tax, DPB compliance (Investment Business)/ Practice Assurance/Legal Services (Probate/Administration of Oaths)/Audit /Insolvency (accountant members)

Effective:

- Provides examples of ability to assimilate, analyse and interpret large amounts of complex information in a fair and impartial manner
- Demonstrates clear understanding/working knowledge of regulatory compliance
- Has had experiences of management of QAD visits/provides experience of implementation of improved systems/processes.
- Demonstrates an understanding of fundamental compliance requirements.
- Deals with case studies in a clear, concise manner and provides relevant answers.

Ineffective:

- No relevant examples given
- No indication of awareness of public interest
- Poorly answered case studies
- No experience in the relevant practice area

CHAIR AND VICE CHAIR APPLICATIONS

Role description

The role of the chair (and the vice chair, in the chair's absence) may have some extra requirements specific to that particular committee; generally, the role of chair/vice chair includes the following:

- Upon taking the chair at a meeting, the chair becomes vested with authority to regulate and control proceedings for purposes of the meeting. The powers and duties of committee chair are not prescribed by the bye-laws. He or she derives authority from the meeting.
- It is the duty of the chair to preserve order, and to take care that the proceedings are conducted in a proper manner, and that the sense of the meeting is properly ascertained with regard to any question which is before it. Committees will generally adopt a standard format of reports to assist in focusing the committees' attention on the key issues to be addressed.
- Chairs should consider whether there has been adequate consultation, particularly with members, and whether the issue is sensitive and should be escalated to IRB for decision.
- Specifically, it is the chair's responsibility to:
 - determine that the meeting is properly constituted and that a quorum is present;
 - inform himself or herself as to the business and objects of the meeting;
 - preserve order in the conduct of those present;
 - confine discussion within the scope of the meeting and reasonable limits of time;
 - decide points of order and other incidental questions which require decision at the time;
 - ascertain the sense of the meeting by: putting relevant questions to the meeting and taking a vote thereon (and if so minded giving a casting vote); and declaring the result;
 - approve the draft of the minutes or other record of proceedings;
 - adjourn the meeting when circumstances justify or require that course;
 - declare the meeting closed when its business has been completed.

- Work collaboratively with the committee secretary to review and approve the written minutes of the meeting in a timely manner, ensuring that all relevant matters are accurately recorded.

In the absence of the chair or in the event of the chair's unavailability for any matters outlined above, the vice-chair assumes the responsibilities on behalf of the chair.

Application process

Chair applications are considered directly by the Regulation and Conduct Appointments Committee (RACAC). Vice chair applications are considered by the committees and tribunals' recruitment team and candidates who are successful at interview are put forward to RACAC as a recommendation for appointment; RACAC then makes the final decision. Candidates are reminded that the competency requirements for chair/vice chair applications are different to those of a committee member and thus the application forms and interview questions will differ. Previous chairing experience is desirable, and candidates are reminded that some chair/vice chair roles will be looking for a particular specialism or level of experience.

ICAEW's regulatory and conduct roles

Our role as an improvement regulator is to strengthen confidence and trust in those regulated by ICAEW. We do this by enabling, evaluating and enforcing the standards expected by the profession, oversight regulators and government.

ICAEW's regulation and conduct roles are separated from ICAEW's other activities through internal governance so that we can monitor, support and take steps to ensure change if standards are not met. These roles are carried out by the Professional Standards Department and overseen by the ICAEW Regulatory Board and oversight regulators including the Financial Reporting Council, Office for Professional Body Anti-Money Laundering Supervision, the Insolvency Service and the Legal Services Board.

We:

- **authorise** firms and individuals to undertake work regulated by law: audit, local audit, investment business, insolvency and probate;
- **support** professional standards in general accountancy practice through our Practice Assurance scheme;
- **provide** robust anti-money laundering supervision and monitoring;
- **monitor** registered firms and individuals to ensure they operate in accordance with laws, regulations and expected professional standards;
- **investigate** complaints and hold ICAEW Chartered Accountants and students, ICAEW-supervised firms and regulated and affiliated individuals to account where they fall short of the required standards;
- **respond** and comment on proposed changes to the law and regulation; and
- **educate** through guidance and advice to help ICAEW's regulated community comply with laws, regulations and expected professional standards.

Chartered accountants are talented, ethical and committed professionals. ICAEW represents more than 202,450 members and students around the world. All of the top 100 global brands employ ICAEW Chartered Accountants.*

Founded in 1880, ICAEW has a long history of serving the public interest and we continue to work with governments, regulators and business leaders globally. And, as a world-leading improvement regulator, we supervise and monitor around 12,000 firms, holding them, and all ICAEW members and students, to the highest standards of professional competency and conduct.

We promote inclusivity, diversity and fairness and we give talented professionals the skills and values they need to build resilient businesses, economies and societies, while ensuring our planet's resources are managed sustainably.

ICAEW is the first major professional body to be carbon neutral, demonstrating our commitment to tackle climate change and supporting UN Sustainable Development Goal 13.

ICAEW is a founding member of Chartered Accountants Worldwide (CAW), a global family that connects over 1.8m chartered accountants and students in more than 190 countries. Together, we support, develop and promote the role of chartered accountants as trusted business leaders, difference makers and advisers.

We believe that chartered accountancy can be a force for positive change. By sharing our insight, expertise and understanding we can help to create sustainable economies and a better future for all.

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*includes parent companies. Source: ICAEW member data
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