

APPENDIX 2

Seriousness							
What is the culpability of the Relevant Person	What was the motivation for the misconduct	Were the actions planned or unplanned	Was there a breach of trust				
What was the harm caused or risk of harm caused by the relevant person? – Low, Medium or High	Low - There was no loss or quantifiable impact. - There was minimal loss or impact	Medium - There was a moderate loss -There was a moderate impact -There was a risk of moderate loss or impact	High -There was a significant loss or impact - There was a substantial loss and impact - There was a risk of substantial loss or impact.				
Adjustments							
Aggravating Factors	The Relevant Person has failed to co-operate with	The actions of the Relevant Person were reckless or	The Relevant Person knowingly continued the	There was a pattern of misconduct	Vulnerable persons were taken advantage of	There are previous misconduct findings made	

	its Regulator	negligent	misconduct for a sustained period and/or dishonesty was proved and/or there was concealment			by the Tribunal	
Mitigating Factors	The Relevant Person has co-operated with its Regulator	The Actions of the Relevant Person were not intentional or reckless	There was no dishonesty or deception proven	The misconduct was an isolated incident	Was there self-reporting/and or admissions at an early stage of the investigation	Has the Relevant Person attempted to rectify the wrong caused.	Is there demonstrable insight
Proportionality							
Personal Mitigation	Ability to pay a penalty	Character Evidence	Consequences of the financial penalty to the Relevant Person				