

Chapter 16

Reporting requirements

Guidance notes for Directory persons report in SUP 16 Annex 47AR

1. In (1), the *firm* must specify the date on which the information being submitted about the particular *Directory person* is reported to the *FCA*.

2. In (2), the *firm* must confirm that the information being reported in respect of the particular *Directory person* is accurate and complete. Each *firm* is responsible for ensuring that any information reported about a *Directory person* is accurate and complete.

Even if the *firm* believes or knows that information has been provided to the *FCA* before (whether as part of another notification or otherwise) or is in the public domain, it should be disclosed clearly and fully as part of this report.

It is a criminal offence, knowingly or recklessly, to give the *FCA* and/or *PRA* information that is materially false, misleading or deceptive (see sections 398 and 400 Financial Services and Markets Act).

The *FCA* will not verify the information about *Directory persons* which is reported by the *firm*. If a *firm* becomes aware of any inaccuracies or errors in the information reported about a *Directory person* it must rectify that information as soon as possible in accordance with applicable *data protection legislation*.

The *firm* should be aware that, while advice may be sought from a third party (e.g. legal advice), the *firm* has responsibility for the accuracy of information, as well as the disclosure of relevant information in the report. For *certification employees*, the Senior Manager with responsibility for certification (PRb) is accountable for the accuracy of the information submitted in this report.

3. It is only necessary to report a *Directory person's* individual reference number (IRN) in (3) if the *person* has one.

4. The information in (4), (5) and (6) will be used to cross-check the identity of the *Directory person* against other information held by the *FCA*. It will not be published on the *Directory*. It is only necessary to report a *Directory person's* passport number and nationality in (4) where:

(a) the *Directory person* does not hold an NI number; or

(b) the *firm* has previously provided us with a passport number, and not an NI number, for a *Directory Person*. This is to enable the *Directory person's* records to be correctly matched.

5. In (10) and (11), for each role which the *Directory person* performs, specify the dates when the individual starts and stops performing the role.

6. In (12), the *firm* should specify every role performed by the *Directory person*:

(a) For a *certification employee* this will be the particular *certification function* or functions which the individual has been assessed as being fit and proper to perform and performing for which the employee has a certificate at the time of the report.

(b) For a *non-SMF director Directory person* this will be "Director of firm who is not a certification employee or a SMF manager".

(c) For a *sole trader Directory person*, this will be "Sole trader dealing with clients for which they require a qualification".

(d) In respect of an *appointed representative Directory person*, this will be “Appointed representative dealing with clients for which they require a qualification”.

7. Although a *firm* does not need to issue multiple certificates for any employee who performs several different *certification functions* (see ■ SYSC 27.2.14G(6)), in (12) the *firm* must select all relevant *certification functions* which are performed by the individual (both *FCA certification functions* and *PRA certification functions*).

8. In (13) select all the relevant qualifications (see ■ TC App 1.1 (Activities and Products/Sectors to which TC applies subject to Appendices 2 and 3)) which the *Directory person* requires and holds so as to carry on the role that they perform.

9. For example, if the *Directory person* is an *appointed representative* who holds the necessary qualifications to be able to *advise on investments* and *advise on regulated mortgage contracts* but has been appointed by the *firm* only to *advise on regulated mortgage contracts*, the *firm* should select only “20. Advising or arranging (bringing about) regulated mortgage contracts for a non-business purpose”.

10. In relation to (14), the engagement methods (online, telephone, face to face) offered by a *Directory person* only need to be reported where the *Directory person* deals with customers and requires a qualification under ■ TC App 1.1 to do so.

11. In relation to (15), workplace location (post code) only needs to be reported where the *Directory person* offers face to face engagement and requires a qualification under ■ TC App 1.1 to do so. The *FCA* will use the post code provided to publish a *Directory person's* workplace location at town or city level, the post code itself will not be published on the Directory.

Where a *firm* has reason to believe that making public a *Directory person's* workplace location would put them at risk, that *firm* may not report the information required in (15) or may provide the post code for its head office.

12. In relation to (16), “relevant accredited body membership” is membership of any of the following professional bodies: CFA Society of the UK; The Chartered Institute for Securities and Investment (CISI); The Chartered Banker Institute (CBI); The Chartered Insurance Institute (CII); and The London Institute of Banking and Finance (LIBF). Relevant accredited body membership only needs to be reported where the *Directory person* deals with customers and requires a qualification under ■ TC App 1.1 to do so.