

The decision and reasons of the Regulatory Assessor for the case of Mr Maxwell Foote FCCA and Miss Sian Hill FCCA and Max Foote Associates Limited referred to him by ACCA on 9 July 2021

Introduction

1. Max Foote Associates Limited is the incorporated partnership of Mr Maxwell Foote FCCA, Miss Sian Hill FCCA, Mr Samuel Foote and Mr Charles Foote. Mr Maxwell Foote FCCA and Miss Sian Hill FCCA are ACCA members and are audit qualified directors in the firm. I have considered a report, including ACCA's recommendation, together with related correspondence, concerning Mr M Foote's and Miss Hill's conduct of audit work.

Basis and reasons for the decision

2. I have considered all of the evidence in the booklet sent to me, including related correspondence.
3. In reaching my decision, I have made the following findings of fact:
 - a The firm has had six audit monitoring visits;
 - b The first three visits occurred between 1994 and 2008 and all were satisfactory;
 - c The fourth visit occurred during May 2014 and serious deficiencies were found in the conduct of audit work undertaken;
 - d The fifth visit occurred during May 2018 and serious deficiencies were found in the conduct of audit work undertaken. The firm supplied an action plan to ACCA on how it would eliminate deficiencies in the future.
 - e At the sixth visit held during June 2020, it was found that the firm had not fully made the improvements set out in the action plan supplied to ACCA following the fifth visit and there were significant deficiencies in the work performed and recorded;

The decision

4. I note that Mr M Foote and Miss Hill have not renewed their practising certificate with audit qualification and their firm's auditing certificate. On the basis of the above I have decided pursuant to Authorisation Regulations 7(3)(b) and 7(4) that any future re-application for audit registration by Mr M Foote, or Miss S Hill or by a firm in which they are a principal or director, must be referred to the Admissions and Licensing Committee, which will not consider the application until they has provided an action plan, which ACCA regards as satisfactory, setting out how they intend to prevent a recurrence of the previous deficiencies and they attended a practical audit course, approved by ACCA and, following the date of this decision, should resit and have passed paper P7 (or the equivalent advanced level audit paper) of ACCA's professional qualification.

Publicity

5. Authorisation Regulation 7(6) indicates that all conditions relating to the certificates of Mr M Foote and Miss S Hill and their firm made under Regulation 7(2) may be published as soon as practicable, subject to any directions given by me.
6. I have considered the submissions, if any, made by Mr M Foote and Miss S Hill regarding publicity of any decision I may make pursuant to Authorisation Regulation 7(2). I do not find that there are exceptional circumstances in this case that would justify non-publication of my decision to impose conditions or the omission of the names of Mr M Foote, Miss S Hill and their firm from that publicity.
7. I therefore direct pursuant to Authorisation Regulation 7(6)(a), that a news release be issued to ACCA's website referring to Mr M Foote and Miss S Hill and their firm by name.