

APPLICATION ON PAPERS

CONSENT ORDERS CHAIR OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Mr Alhassan Sulaiman Bangura

Considered on: Wednesday, 12 October 2022

Location: ACCA, The Adelphi, 1-11 John Adam Street, London,
WC2N 6AU via Microsoft Teams

Chair: Mr Andrew Popat CBE

Legal Adviser: Mrs Sobia Hussain

Outcome: Consent Order Granted

DOCUMENTS BEFORE THE COMMITTEE

1. The Chair received a bundle of papers, numbered pages 1-256 including a signed draft Consent Order.

ALLEGATIONS

Mr Alhassan Sulaiman Bangura, an Association of Certified Chartered Accountants (ACCA) member admits the following:

ACCA



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1. Was in respect of the firms referred to in schedule A below, any or all of which were firms where public practice was carried on in the name of the firm, or otherwise in the course of the firm's business;
 - a. a director of that company and/or
 - b. held rights in that company which in effect put him in the position of principal of a firm.
2. By reason of the matters referred to in allegation 1 above failed to comply with Regulations 3(2)(a) and/or 3(2)(b) of the Global Practising Regulations 2003 (as amended) then in force in that at all material times until 29 August 2019 he did not hold a valid practising certificate issued by the Association.
3. Engaged in public practice through one or more of the firms set out in Schedule A and accordingly failed to comply with Regulation 3(1)(a) of the Global Practising Regulations 2003 (as amended) and then in force in that at all material times until 29 August 2019 he did not hold a valid practising certificate issued by the ACCA.
4. Submitted or caused to be submitted CPD declarations to ACCA for the years 2017, 2018 and 2019 in which he incorrectly declared in any or all of those declarations that he had not engaged in public practice activities without holding an ACCA practising certificate in the previous 12 months.
5. In respect of the matters referred to in allegation 4 Mr Bangura's conduct was reckless in that knowing he did not hold an ACCA practising certificate at the relevant time failed to have any or sufficient regard to the terms of the declaration referred to in allegation 4 above and that the declarations he gave in any or all of those years was untrue.
6. Between 26 June 2017 and 29 August 2019, failed to register for anti-money laundering supervision in accordance with the requirements of the

Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

7. By reason of the matters referred to above, Mr Alhassan Sulaiman Bangura is:

7.1 guilty of misconduct pursuant to byelaw 8(a)(i); or in the alternative

7.2 liable to disciplinary action pursuant to byelaw 8(a)(iii), in respect of allegations 1- 3 only.

BACKGROUND

2. Mr Bangura became a member of ACCA on 16 June 2003. He became a Fellow of ACCA on 16 June 2008.
3. Mr Bangura has indicated that in respect of the three trading companies (AL Accounting Solutions Ltd, Cedric Douse Accountants Ltd and LB Accountants Ltd) in 2019 the total turnover was £168,000.
4. It came to ACCA's attention that Mr Bangura appeared to be carrying on public practice without a practising certificate ("PC") and this concern was referred to ACCA's Investigations Department. Searches on the FAME database and Companies House website carried out by the Senior Investigations Officer ('SIO') showed that Mr Bangura was the sole or majority director or shareholder, on the dates set out below, and the majority shareholder owning 75% or more shares in the following accountancy companies. The nature of the companies' business was registered as "*accounting and auditing activities*", which are public practice activities.
5. Further searches conducted by the SIO on 13 April 2020 revealed that the firm AL Accounting Solutions Ltd prepared accounts for 250 different companies which were filed at Companies House after its incorporation.

6. ACCA full-time members, in accordance with Membership Regulations 4(5) (as applicable 2016 - 2020), shall make a return to the Association in such form and at such time as the Council may prescribe showing whether or not the member is in public practice and notifying a place of business. The Annual Return must be signed and submitted by 01 January of each year.
7. The form which the member completes relating to Continuing Professional Development ('CPD') also includes a declaration relating to engagement in public practice. Members are also asked to make declarations confirming that they had not practised without a practising certificate and confirmed all CPD was up to date.
8. It was submitted by ACCA that Mr Bangura through his own admissions had failed to complete the requisite declaration at Part 3 of the online form confirming the statement of truth. In November 2020, Mr Bangura was written to regarding this by ACCA and Mr Bangura confirmed in his summary employment record that he had been in practice in relation to AL Accounting Solutions Ltd between 23 October 2006 to 31 May 2019. In relation to Cedric Douse Accountants Ltd he was a director between 21 November 2017 and 31 May 2019.
9. In relation to obtaining a Practising Certificate, ACCA's database shows that Mr Bangura submitted an application for a practising certificate dated 14 June 2019 and confirmed in the application that the date he intended to commence practising was 01 June 2016. The Authorisations team granted the practising certificate on 29 August 2019 and the AML supervision commenced 04 September 2019.

MR BANGURA'S SUBMISSIONS

10. Mr Bangura has responded to the Allegation in its entirety. Mr Bangura's responses were received on 18 November 2020 and also 09 December 2020. His responses set out his working background and explain that he worked from 2006 to the present date and that when he took over Cedric Douse Accountants

(because [Private] passed away in 2017 the company was held dormant but became active years later). He further explained that for 4 years between 2008 and 2012 the company's income was in relation to systems and lecture fees earned as a lecturer to ACCA students. In addition, Mr Bangura explained that accounting services were initially provided part time under the umbrella of local accountants with his services being offered as a self-employed person. It was when clients started to approach him directly that he started to work towards obtaining his practising certificate, although Mr Bangura does not state when that was.

11. Mr Bangura confirmed that in collaboration with another employed CIMA accountant LB Accountants Ltd was formed (this was on 21 March 2014) and that there were only 2 clients and turnover was £5000 per annum. With regards to HK Accountants Ltd, Mr Bangura confirmed the company never traded and was opened without his permission and when Mr Bangura became aware, he asked to be removed as a director. Mr Bangura confirmed the company is now dissolved. It should be noted that while Mr Bangura states he asked to be removed, when checking Companies House filing history, he did in fact remain a director until its' dissolution on 05 March 2019.
12. In relation to his awareness of the requirements to hold a PC and the consequences of failure to do so, Mr Bangura acknowledged that he had a *'...lapse in late submission of my practising certificate application. I was faced with a problem getting someone with the necessary ACCA credentials to work and supervise my practice training record. I got someone [Private] in 2014 we started building up record for my three years supervision (2016- 2018) for my application'*.
13. Mr Bangura further stated that he was not aware he was breaching any ACCA regulations as his *'...focus for a long time was systems and not accountancy services. I made the necessary arrangements as soon as I realised increasing work and responsibility in client accountancy services'*.

14. Mr Bangura also confirmed that he had registered with AAT and later with CIPFA and took an exam on Public Sector Financial Reporting in December 2014 and attended a number of workshops and seminars. AAT confirmed by email on 11 June 2021 that Mr Bangura did not appear to be an AAT member. Mr Bangura admitted that he did sign off accounts and represent clients as an HMRC tax agent. He stated that he always signed as an FCCA accountant and never as a practitioner. Mr Bangura has indicated that in respect of the three trading companies (AL Accounting Solutions Ltd, Cedric Douse Accountants Ltd and LB Accountants Ltd) that in 2019 total turnover was £168,000.
15. Mr Bangura provided a copy of the firm's letterhead 'AL Accounting Services', showing the company name describing itself as "Accountants". Mr Bangura also provided letterhead relating to 'LB Accountants' which also has a description of 'London Business Accountants' and 'AL Accounting Solutions' which on page 180 disclosed the company's registration number and that it is a limited company. No letterhead was provided for Cedric Douse Accountants Ltd.
16. Mr Bangura also provided a copy of a recent engagement in September 2020 (and October 2020) offering services which included accounts, returns as a self-employed individual, VAT services and company services. These documents demonstrate that the Member is conducting know your client checks and that he is requiring proof of identification in accordance with the money laundering regulations.
17. Mr Bangura's LinkedIn profile describes the firm AL Accounting Solutions and references the other company LB Accountants. It also confirms, publicly, that the company was founded in 2006 (page 65). On page 45, the Member's profile disclosed him as "Managing director" at "AL Accounting 13 Solutions Ltd" and "Proprietor" at AL Accounting Solutions and "CEO" of AL Accounting Solutions. In Mr Bangura's practise certificate experience form (page 129) he disclosed that *'As a manager for a firm over ten year (sic) I am directly involved in building up the practice...I was available to provide mentoring role and provide*

professional references ...I have developed ten professional accountants personally'.

18. Mr Bangura also confirmed that he prepares management accounts on a volunteer basis for his children's secondary school and at the end of each accounting year *'I prepare and present a summarised version of the annual accounts to a larger audience in the annual general meeting comprising of teachers and parent of the school'*. Mr Bangura further explained that *'At the point where I started working for practice, I was engaging clients and explaining the best form of tax status to operate their business'*.
19. Additionally, Mr Bangura explained that *'I have to...provide estimates of taxes under Pay As You Earn (PAYE), Value Added Tax (VAT), Capital Gains tax and other tax areas...'*. And that *'I was able to use an appropriate third-party tax filing software instead of HM Revenue and Customs portal to file all these taxes in one place'*. Mr Bangura also represented a client at a VAT inquiry that he oversaw, which lasted for more than two years. Mr Bangura explained that he was actively involved in communicating with HMRC and the client.
20. Mr Bangura has not provided a copy of each of the firm's professional indemnity insurance arrangements, despite being asked by the SIO in their letter dated 18 November 2020. In addition, no business cards were supplied. Mr Bangura asserted that he *'...did not consider it pertinent to have PI insurance. This has now been addressed and I now fully insured prior to receiving my practicing certificate. Cedric Douse Accountants being a sudden takeover as a result of death did not have PI insurance until prior to my application. LB Accountants Ltd – I did not consider it necessary then and now. HK Accountants ltd – not applicable' (sic)*. Mr Bangura did provide his PII details with his PC application dated 14 June 2019.
21. Mr Bangura was asked who the anti-money laundering supervisor was and copies of documents confirming the firms were subject to supervision and the dates of commencement were requested. Nothing has been forthcoming other than an explanation that he was not *'...aware of the need to have an anti-money*

laundrying supervisor'. Mr Bangura further explained that 'Anti-money laundrying supervisor was not enforced by HMRC until recently when MTD was launched. I am now fully complaint with HMRC money laundrying supervision'.

CHAIR'S DECISION

22. Under Regulation 8(8) of the Complaints and Disciplinary Regulations 2014, the Chair must determine whether, based on the evidence before them, the draft Consent Order should be approved or rejected. The Chair had regard to the Consent Orders Guidance and the Consent Orders Guidance FAQs.
23. The Chair has power to approve the Consent Order and noted that under Regulation 8(12) they shall only reject the signed Consent Order if they are of the view that the admitted breaches would, more likely than not, result in exclusion from membership.
24. The Chair considered the seriousness of the breaches as set out and the public interest, which includes the protection of the public, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and performance. The Chair balanced this against Mr Bangura's interests.
25. The Chair noted the list of aggravating and mitigating factors advanced at paragraphs 41 and 42 of ACCA's summary in the bundle. The Chair also took account of Mr Bangura's response, his personal circumstances at the material times, his apology, his insight and remedial steps taken as a consequence.
26. The Chair had regard to ACCA's Guidance for Disciplinary Sanctions. They were satisfied that there had been early and genuine acceptance of the misconduct and that the risk to the public and profession from Mr Bangura continuing as a member was low.
27. For the reasons set out above, the Chair was satisfied that the admitted breaches would be unlikely to result in exclusion from membership, and

therefore there was no basis for them to reject the Consent Order under Regulation 8(12). The Chair noted the proposed Consent Order, and considering all the information before them, was satisfied that a Severe Reprimand was an appropriate and proportionate disposal of this case.

ORDER

28. The Chair, pursuant to their powers under Regulation 8, made an Order in terms of the draft Consent Order and approved the draft Order made by the ACCA signed by Mr Bangura on 23 September 2022 and signed by the ACCA on 27 September 2022, namely that Mr Bangura be severely reprimanded and pay ACCA's costs of £3000.00 and a fine of £1500.00.

Mr Andrew Popat CBE
Chair
12 October 2022