

APPLICATION ON PAPERS

CONSENT ORDERS CHAIR OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Mr Walid Faruq

Considered on: Friday, 13 January 2023

Location: ACCA, The Adelphi, 1-11 John Adam Street, London,
WC2N 6AU (Remotely by MS Teams)

Chair : Mr Michael Cann

Legal Adviser: Mr David Mason

Summary: Consent Order approved. Reprimand and costs of £540

ALLEGATIONS

The Association of Chartered Certified Accountants (ACCA) and Mr Walid Faruq (the Parties), agree as follows: Mr Walid Faruq, at all material times an ACCA affiliate,

- 1) As part of his ACCA Practical Experience Requirement (PER), used the laptop of a work colleague (Person A), to draft statements in support of his nine performance objectives on which laptop Person A had saved such statements for his own PER training record.

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- 2) In using Person A's laptop, Mr Faruq mistakenly copied Person A's statements and uploaded these to his own PER training record claiming them to be his own.
- 3) That Mr Faruq's conduct as described in 1 and 2 above was reckless in that he should have ensured the statements he uploaded to his PER training record were his own, given these are an important element of ACCA's Practical Experience Requirement which, if satisfactorily completed, is part of ACCA's qualification leading to membership.
- 4) Given the above, Mr Faruq is guilty of misconduct pursuant to byelaw 8(a)(i).

BACKGROUND AND FACTS

1. Upon an ACCA student completing all their ACCA exams, they become an ACCA affiliate. Mr Faruq is an affiliate. In order to apply for membership, affiliates are required to obtain at least 36 months practical experience in a relevant role (practical experience), as per Membership Regulation 3.
2. A person undertaking practical experience is often referred to as an ACCA trainee being the term used subsequently in these reasons.
3. An ACCA trainee's practical experience is recorded in that trainee's practical Experience Requirement (PER) training record.
4. As part of their practical experience, each trainee is required to complete nine performance objectives (POs) under the supervision of a qualified accountant. An accountant is recognised by ACCA as a qualified accountant if they are a qualified accountant recognised by law in the trainee's country and/or a member of an IFAC body. Once a trainee believes they have completed a PO, they are required to provide a statement in their training record describing the experience they have gained in order to meet that PO. Given this is a description of their own experience, the statement should be unique to them. The trainee then requests that their practical experience supervisor approves that PO.

5. In addition to approval of their POs, the trainee must ensure their employment where they have gained relevant practical experience has been confirmed by the trainee's line manager who is usually also the trainee's qualified supervisor. This means the same person can and often does approve both the trainee's experience and achievement of PO's.
6. Once all nine POs have been approved by the trainee's practical experience supervisor, their minimum 36 months of practical experience has been signed off and they have completed the Ethics and Professional Skills module, the trainee is eligible to apply for membership.
7. ACCA's Practical Experience Requirement guide refers to the performance objectives and how these should be completed. In particular, it states:
 - *'...The statement allows you to summarise and reflect on your work activity, so that your supervisor can evaluate whether you have achieved the standard required for the performance objective you are trying to achieve...'*
 - *'...Each statement should be a concise explanation of how you achieved the performance objective description...'*
 - *'...Remember that your experience is unique and your statement should be unique too...'*
8. The PER training record for Mr Faruq includes all the statements supporting his performance objectives. It also includes the following:
 - From 02 July 2017 to 31 December 2021 (42 months) he was employed by Firm A as an 'Audit Associate'.
 - His supervisor was Person B who was entitled to approve both his experience and performance objectives. (Person B is a qualified accountant).

- Person B approved Mr Faruq's experience claim and all nine objectives on 09 May 2022.
9. Following the above, Mr Faruq applied for ACCA membership. It was during a review of his application that the matter which is the subject of this order came to ACCA's attention. Mr Faruq therefore remains an ACCA affiliate.
 10. Mr Faruq worked with another ACCA affiliate A, namely 'Person A' as referred to in the Allegations. Person A's PER training record records that he too was employed by Firm A and that his Supervisor was also Person B who signed off both his experience and performance objectives also on 09 May 2022.
 11. The statements supporting the performance objectives in both Person A's and Mr Faruq's PER training records are the same. ACCA's Pakistan office has contacted Person B who has confirmed he acted as supervisor for both Person A and Mr Faruq. Firm A's HR officer has confirmed Mr Faruq was an articulated trainee for the period claimed in his PER training record.
 12. Following ACCA's investigating officer notifying Mr Faruq of this complaint, his response included the following,

'... I left the audit firm (Firm A) on January 01, 2022. As per the firm policy firm provided laptops during employment and we have to submit it back upon contract ending... ..I didn't have a laptop at that time so I was using my friend [Person A's] laptop. We were discussion job related issues and i mistakenly uploaded his PER mu [sic] acca portal. If you can see my PER and [Person A]'s PER are totally matching...'
 13. Attached to Mr Faruq's response were various documents including those relating to his employment at Firm A. In that regard it is accepted by ACCA he was employed by Firm A during the period of his practical experience as claimed in his PER training record.
 14. Person A has confirmed the above in that he has stated, *'...Please note that I do know Mr Walid Faruq. I and Mr. Walid Faruq were in the same group in*

[Firm A]. Now that I have gone through the PER attached in the trailing email from your side, please be informed that Mr. Walid [Faruq] was using my laptop when he was filing the PER (because he was unemployed and did not have any laptop). He first drafted his PER in a word document and my PER was also saved in a word document in my laptop, so by mistake he uploaded my PER...'

15. In his response to ACCA's investigating officer, Mr Faruq has also advised, '*...My PER was rejected due to matching with another person. After this I submitted my revised PER last month...'*
16. ACCA's Investigating Officer has made enquiries with ACCA's Professional Development team regarding this revised PER. An officer from that team has responded by providing a revised PER training record from Mr Faruq. This records that on 02 June 2022 his POs approved on 09 May were declined by ACCA given they were the same as another trainee's, namely Person A's. This revised PER then records that Mr Faruq resubmitted his POs to his supervisor, Person B, for approval on 23 June 2022 who approved them that day. Of the statements supporting all nine POs, it is noted the wording of the statements have been revised, except for the statements relating to POs 5 and 22 which remain unchanged.
17. Mr Faruq was notified this matter was subject to investigation by ACCA in an email dated 21 July 2022. This revised PER training record was therefore completed by Mr Faruq prior to him being notified that this matter was subject to investigation.

DECISION AND REASONS

18. The Chair accepted the advice of the Legal Adviser that the powers of the Committee in relation to the Consent Order were contained in Regulation 8 of the Chartered Certified Accountants Complaints and Disciplinary Regulations 2014 (the Regulations). The Legal Adviser advised that the Chair should be satisfied that the Investigating Officer had carried out a proper investigation and should be satisfied that the Investigating Officer found that there was a real

prospect of the allegation being proved. The Legal Adviser further advised that the Chair could only reject the Consent Order '*...if it is of the view that the admitted breaches would more likely than not result in exclusion from membership or removal from the student register or affiliate register as appropriate.*' (Regulation 8(12)).

19. The Chair approves the signed consent order on the basis they are satisfied the actions of Mr Faruq were reckless and not dishonest. The Chair does not consider it is more likely than not the breaches would result in his exclusion from the register.

Mr Michael Cann
Chair
13 January 2023