Think Ahead ACCA

CONSENT ORDERS HEARING

CONSENT ORDER CHAIR OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	**Ms Zoe Tanner**
Heard on:	**Tuesday, 17 June 2025**
Location:	**Remote by Microsoft Teams**
Chair:	**Mr Maurice Cohen**
Legal Adviser:	**Ms Giovanna Palmiero**
Decision:	**The Chair made orders in the terms of the Consent Order: Draft Agreement that Ms Zoe Tanner be reprimanded and pay a fine in the sum of £1,500.00 and costs to ACCA in the sum of £2,000.00.**

1. This matter has been referred to a Chair of the Disciplinary Committee of ACCA ("the Chair") pursuant to Regulation 8(8) of The Chartered Certified Accountants' Complaints and Disciplinary Regulations 2014, as amended ("the Regulations") for the Chair to determine, on the evidence before him, whether to approve or reject the draft Consent Order Agreement between ACCA and Ms Zoe Tanner.

2. The Chair had before him a signed draft Consent Order and bundle of documents numbered pages 1- 168, a tabled additionals bundle consisting of 4 pages and a costs schedule.

3. The Chair considered the proposed consent order in the absence of the parties and without a hearing in accordance with Regulation 8(9) of the Regulations.

4. The Chair was satisfied that Ms Zoe Tanner was aware of the terms of the proposed consent order and noted that she had signed the proposed consent order on 29 April 2025.

5. The Chair noted the terms of the 'Consent Order: Draft Agreement' as follows:

"The Association of Chartered Certified Accountants (ACCA) and Ms Zoe Tanner ("the Parties), agree as follows:

1. Zoe Tanner at all material times an ACCA member, between 22 April 2016 and 23 November 2022:

   (a) Carried on public practice, without a practicing certificate, contrary to paragraph 3 (1) (a) of the Global Practising Regulations.

   (b) Was a Director of Firm A where public practice was carried on in the name of the Firm, without a practicing certificate, contrary to paragraph 3 (2) (a) of the Global Practising Regulations.

   (c) Held shares in Firm A where public practice was carried on in the name of the Firm, which in effect put her in the position of a Principal of the Firm, without a practising certificate, contrary to paragraph 3 (2) (b) of the Global Practicing Regulations.

2. Between 26 June 2017 and 19 August 2020, Ms Tanner failed to comply with the Money Laundering, Terrorist Financing and Transfer of Funds (information on the payer) Regulations 2017, in that she failed to arrange for Firm A to be supervised for Anti-Money Laundering (AML) purposes.

3. Submitted Continuing Professional Development (CPD) declarations to ACCA as set out in schedule 1, in which she declared to the effect that she had not engaged in public practice without holding an ACCA practising certificate.

4. Ms Tanner's conduct in respect of allegation 3 was reckless, in that she declared he had not been engaging in public practice without a practicing certificate, without proper regard as to whether this was true.

5. By reason of her conduct Ms Tanner is:

   I. Guilty of misconduct pursuant to bye-law 8(a)(i) or, in the alternative
   II. Liable to disciplinary action pursuant to bye-law 8(a)(iii) in respect of allegation 1 only.

Schedule 1:

2017 Online Declaration-12 December 2017
2018 Online Declaration- 01 January 2019
2019 Online Declaration-06 July 2020
2020 Online Declaration-21 December 2020
2021 Online Declaration-10 November 2021

6. That Ms Zoe Tanner shall be reprimanded and shall pay costs to ACCA in the sum of £2,000.00 and a fine in the sum of £1,500.00.

BRIEF BACKGROUND

6. Ms Tanner became an ACCA student on 28 September 2012 and an ACCA Member on 22 April 2016.

7. On 24 April 2021, a referral was made by ACCA Authorisations Department to ACCA Investigations Department, regarding Ms Tanner being the director of accountancy practice since 01 April 2016. It was noted that Ms Tanner held a practicing certificate with the Association of Accounting Technician (AAT) and was in the process of regularising her position with ACCA, having applied for an ACCA practicing certificate application.

8. An open- source desktop review on Ms Tanner was carried out which revealed she had been the Director and Principal of a Firm called Sytrus Ltd since 01 April 2016 with shares of 50%, then subsequently 100% from 20 February 2020. Ms Tanner was also being referred to as an Accountant on Companies House records and was referring to herself as an ACCA Qualified Accountant on the Firm's website, whilst holding out as being able to undertake and provide accountancy and tax services on her LinkedIn account.

9. A FAME (an online subscription service database which allows search of company records such as auditors, shareholders, directors, etc) search was carried out on 28 October 2021, which produced multiple results in the Firm's name. Three companies were sampled, and it was found that the Firm had produced accounts for these companies between 2017 to 2021.

10. On 10 November 2021, a letter with initial inquiries was sent via email to Ms Tanner regarding the breaches and requiring her responses by 24 November 2021.

11. In her responses on the 22, 30 November 2021, and 01 March 2023, Ms Tanner confirmed that Sytrus Ltd provides advanced bookkeeping, management accounting and VAT return services and that she personally prepared accounts for third parties, including the three companies that were sampled above. Ms Tanner also admitted to undertaking tax work for clients i.e. filing CT600 Corporation tax returns and SA100 tax returns for clients and confirmed that neither her or the Firm provide auditing services. She also explained how she was unaware of the requirement to hold an ACCA practicing certificate to conduct accountancy services as she thought this only applied for audit services.

12. Ms Tanner also provided evidence in her responses that the Firm has held professional indemnity insurance, since it began trading on 01 July 2016 and that she has held a practicing certificate and has been Anti- Money Laundering (AML) supervised with the AAT since 20 August 2020. She also clarified that she had submitted annual CPD declarations from 2017 to 2022, declaring she had been engaging in public practice, due to her lack of her understanding around ACCA's requirements and Global Practicing regulations and it was for this reason she failed to obtain AML supervision between 2017 to 19 August 2020.

13. Following the investigation, the case was referred to the Independent Assessor on 31 October 2023.

14. On 23 November 2023, the Independent Assessor made the decision to refer Ms Tanner's case to the Disciplinary Committee.

15. On 02 December 2023, Ms Tanner sent a letter to ACCA requesting a Consent Order. Ms Tanner states:

I believe a disciplinary hearing could be avoided and a Consent Order be appropriate in the circumstances for the following compelling ten reasons:

1. I have no previous disciplinary investigations or findings against me.
2. The misconduct was not intentional and upon awareness of the breach I sought to notify ACCA and rectify.
3. I have demonstrated a degree of insight, admission, and a genuine expression of regret and remorse for all allegations throughout the investigation.
4. There is no evidence or allegation of client harm or adverse consequences arising as a result of the allegations.
5. I fully admit that the conduct which led to the breach of ACCA's codes and regulations was careless, but not deliberate.
6. I brought the breach to ACCA's attention and since then have cooperated fully during the investigation, even seeking to push matters forward during long periods of non-communication from ACCA.
7.The misconduct has been rectified, a Practicing Certificate issued and no misconduct is ongoing.
8. Taking account of the Practicing Certificate renewal fees I accept it appropriate for an amount equivalent to the fees to be included with any sanction. Furthermore, I am willing to pay reasonable costs of ACCA's investigation into the misconduct.
9. In relation to allegation 3 regarding CPD declarations this is admitted; the declaration signed in 2017 was a genuine oversight and a lack of understanding on my part of the significant difference between a member of ACCA and a practitioner. I did not deliberately seek to mislead or deceive anyone. I understand that as a professional I had a responsibility to ensure my declaration was correct and that I understood exactly what I was acknowledging. With regards to subsequent declarations, these were made with the understanding that I had brought matters to the attention of ACCA in 2018, an investigation

was ongoing and I was in continuous contact with various ACCA Officers over the course of the 5-year period. I knew it was of high importance to maintain my CPD and I did not wish to further compound the assertions against me by not maintaining my annual CPD requirements.

10.The final reason for which I request the consideration of a Consent Order is that a full hearing by the Disciplinary Committee protracts the matter further which could otherwise be resolved with significantly less time invested by multiple ACCA employees and crucially minimise ACCA's, and my, cost liability. This investigation has been ongoing for numerous years and has caused considerable stress. I would appreciate any opportunity to bring the disciplinary action to a swift and least costly conclusion.

16. Due to a busy time in the Adjudication department, Ms Tanner's matter was unfortunately overlooked, and no further action was taken by ACCA until December 2024.

17. On 14 February 2025, in a letter dated to Ms Tanner, ACCA proposed disposal of this matter by way of a Consent Order.

18. In an email response on 16 February 2025, Ms Tanner confirmed that she agreed to disposal by consent by stating the following:

"I am content to accept the reprimand for my oversights in 2018 and I am content with the fine of £1,500 and costs of £2,000."

19. ACCA agree that the appropriate sanction is a reprimand.

20. In considering this to be the most appropriate sanction, ACCA's Guidance for Disciplinary Sanctions (Guidance) has been considered and particularly the key principles. One of the key principles is that of the public interest, which includes the following:

- Protection of members of the public;
- Maintenance of public confidence in the profession and in ACCA; and
- Declaring and upholding proper standards of conduct and performance.

21. Another key principle is that of proportionality, that is, balancing the member's own interests against the public interest. Further the aggravating and mitigating features of the case have been considered.

22. In deciding that a reprimand is the most suitable sanction paragraphs C3.1 to C3.5 of ACCA's Guidance have been considered and the following mitigating factors have been noted:

    14. ACCA has considered the other available sanctions and is of the view that they are not appropriate. A reprimand proportionately reflects Ms Tanner's conduct and the public policy considerations which ACCA must consider in deciding on the appropriate sanction

DECISION AND REASONS

23. Under Regulation 8(8) of the Regulations the Chair must determine, on the evidence before him, whether it is appropriate to approve or reject the draft consent order or to recommend any amendments.

24. The Chair was satisfied that there was a case to answer and that the Investigating Officer had followed the correct procedure. The Chair considered the bundle of documents together with Ms Tanner's admissions and found Allegations 1a, 1b, 1c, 2, 3 ,4 and 5(I) proved. The Chair was also satisfied that Ms Tanner's actions and omissions amounted to misconduct and had brought discredit to herself, the Association and the accountancy profession.

25. The Chair noted that under Regulation 8(12), he should only reject the signed consent order if he is of the view that the admitted breaches would, more likely than not, result in exclusion from membership.

26. The Chair considered the seriousness of the allegations 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. He balanced the public interest against Ms Tanner's own interests.

27. In considering this matter the Chair accepted the advice of the Legal Adviser and paid due regard to the ACCA documents 'Guidance for Disciplinary Sanctions' and 'Consent Orders – Frequently Asked Questions'.

28. The Chair found the following to be aggravating factors:

- Ms Tanner provided accountancy and taxation services without money laundering supervision between 26 June 2017 to 19 August 2020.
- Ms Tanner's reckless declarations in her CPD declarations.
- The conduct which led to Ms Tanner being the subject of these proceedings fell below the standards expected of a qualified ACCA member.

29. The Chair found the following to be mitigating factors:

- Ms Tanner has complied with ACCA's directions and advice.
- There is no evidence Ms Tanner's conduct as set out in this order was dishonest or a deliberate breach of ACCA's regulations. Rather, based on her response to the complaint, it would appear to have been inadvertent.
- There is no evidence that the consequences of Ms Tanner's conduct had caused material distress, inconvenience or loss to any clients.
- Ms Tanner has shown insight by making admissions.
- There has been early and genuine acceptance that misconduct had been committed.
- Ms Tanner fully cooperated with the investigation and regulatory process.
- The investigation has not found evidence suggesting Ms Tanner's conduct was in deliberate disregard of his professional obligations.
- There does not appear to be any continuing risk to the public.

30. The Chair was satisfied that the allegations admitted by Ms Tanner would be unlikely to result in her exclusion from membership of ACCA and that, under Regulation 8(12), there was no basis for him to reject the Consent Order.

31. The Chair paid due regard to ACCA's Guidance for Disciplinary Sanctions (updated 14 February 2024). He found the following factors in relation to the sanction of a reprimand were relevant in this case:

a. The misconduct was as a result of misunderstanding on Ms Tanner's part, rather than a deliberate attempt to circumvent ACCA's rules and regulations.
b. The misconduct ceased as soon as Ms Tanner became aware that she was engaging in public practice without being the holder of a practising certificate and as soon as she became aware that she required to have AML supervision.
c. Ms Tanner has demonstrated a willingness to comply with directions and advice provided by ACCA.
d. Corrective steps have been taken by Ms Tanner and the Firm to ensure that there is no repeat of the misconduct.
e. There appears to have been no adverse consequence – the misconduct has not caused material distress, inconvenience or loss.
f. There has been early and genuine acceptance of the misconduct and Ms Tanner made early admissions to his misconduct.

32. The Chair, having considered all the documentary evidence before him, was satisfied that the sanction of a reprimand was the appropriate and proportionate sanction in this case. The Chair noted that Ms Tanner had agreed to pay ACCA costs in the sum of £2,000.00 and a fie in the sum of £1,500.00. The Chair, accordingly, pursuant to his powers under Regulation 8 of the Regulations, made an Order in the terms of the draft Consent Order.

ORDER

i. Ms Tanner shall be reprimanded.
ii. Ms Tanner shall pay costs to ACCA in the sum of £2,000.00.
iii. Ms Tanner shall pay a fine in the sum of £1,500.00.

33. By virtue of Regulation 8(17) there is no right of appeal against this Order. The Order will, therefore, come into effect immediately.

Mr Maurice Cohen
Chair
17 June 2025