

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Miss Yuan Zhang

Heard on: Friday, 09 May 2025

Location: Remotely via Microsoft Teams

Committee: Mr Maurice Cohen (Chair)
Ms Sue Gallone (Accountant)
Ms Rachel O'Connell (Lay)

Legal Adviser: Mr David Marshall

**Persons present
and capacity:** Mr Mazharul Mustafa (ACCA Case Presenter)
Miss Mary Okunowo (Hearings Officer)

Summary: Removed from student register with immediate effect.

Costs: £5,500.00

1. The Committee heard an allegation of misconduct against Miss Zhang. Mr Mustafa appeared for ACCA. Miss Zhang was not present and not represented.
2. The Committee had a main bundle of papers containing 308 pages, a separate bundle containing 32 pages, an Additional bundle of 23 pages and a service bundle containing 17 pages.

PROCEEDING IN ABSENCE

3. The Committee was satisfied that Miss Zhang had been served with the documents required by regulation 10(7) of The Chartered Certified Accountants' Complaints and Disciplinary Regulations 2014 in accordance with regulation 22. The required documents were contained in the papers before the Committee. There was evidence that they were sent by email on 11 April 2025 to an email address notified by Miss Zhang to ACCA as an address for all correspondence. That was 28 days ago.
4. There had been some engagement with Miss Zhang throughout the investigation. She had completed a Case Management Form, and she had said in that form that she would not be attending this hearing. She consented to it proceeding in her absence. The Committee was satisfied that she had chosen not to take part. It was in her interest and the public interest for this hearing to take place without further delay.
5. The Committee determined to proceed in Miss Zhang's absence.

ALLEGATION(S)/BRIEF BACKGROUND

6. From July 2021 Miss Zhang was an ACCA Affiliate, i.e. a person who has passed her ACCA exams but has not yet demonstrated sufficient practical experience to qualify for full membership. Such a person is commonly referred to as an ACCA trainee. To obtain full membership a trainee is required to demonstrate at least 36 months' practical experience. This is done by the trainee recording relevant practical experience in that trainee's Practical Experience Requirement (PER) training record. This is done using an online tool called 'MyExperience' which is accessed via the student's MyACCA portal. 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 (International Federation of Accountants). Once a trainee believes they have completed a PO, they are required to provide a

statement in their PER training record describing the experience they have gained in order to meet the objective. Given that this is a description of their own experience, the statement should be unique to them. Through the online tool, the trainee then requests that their practical experience supervisor approves that PO.

7. In addition to approval of their POs, the trainee must ensure their employment where they have gained relevant practical experience (being a minimum of 36 months) has been confirmed by the trainee's line manager who is usually also the trainee's qualified practical experience supervisor. This means the same person can and often does approve both the trainee's time and achievement of the POs. If the trainee's line manager is not qualified, the trainee can nominate a supervisor who is external to the firm to supervise their work and approve their POs. This external supervisor must have some connection with the trainee's firm, for example as an external accountant or auditor and also must be familiar with the trainee's work.
8. Once all nine POs have been approved by the trainee's practical experience supervisor (whether internal or external) and their minimum 36 months of practical experience has been approved, the trainee is eligible to apply for membership - assuming they have also passed all their ACCA exams and successfully completed ACCA's Ethics module.
9. During 2023 it came to the attention of ACCA's Professional Development Team that the practical experience supervisors registered to 91 ACCA trainees, shared one of three email addresses despite the names of such supervisors being different. It would not be expected for a supervisor to share an email address with any other supervisor or person. The three email addresses were as follows:
 - REDACTED
 - REDACTED
 - REDACTED
10. On or about 03 February 2023, ACCA received an application for Miss Zhang to be granted membership. The person named as Miss Zhang's supervisor was

Person A. The email given for that person was one of the three set out above. Miss Zhang's case was therefore investigated as part of the group of 91 applicants. Meanwhile her application was put on hold. She remains an affiliate.

11. Following the conclusion of the investigation, Miss Zhang faced the following allegations:

Schedule of Allegations

Miss Yuan Zhang ('Miss Zhang'), at all material times an ACCA trainee:

- 1) On or about 19 December 2021 in relation to her ACCA Practical Experience Training Record caused or permitted a third party
 - a) To register Person A as her practical experience supervisor and further,
 - b) To approve in Person A's name, 66 months of qualifying experience and further,
 - c) To approve in Person A's name, all her nine performance objectives.
- 2) Whether by herself or through a third party applied for membership to ACCA on or about 03 February 2023 and in doing so purported to confirm in relation to her ACCA Practical Experience Training Record she had achieved all or any of the following Performance Objectives:
 - Performance Objective 1: Ethics and professionalism
 - Performance Objective 2: Stakeholder relationship management
 - Performance Objective 3: Strategy and innovation
 - Performance Objective 4: Governance, risk and control
 - Performance Objective 5: Leadership and management
 - Performance Objective 7: Prepare external financial reports
 - Performance Objective 18: Prepare for and plan the audit and

assurance process

- Performance Objective 19: Collect and evaluate evidence for an audit or assurance engagement
- Performance Objective 20: Review and report on the findings of an audit or assurance engagement

3) Miss Zhang's conduct in respect of the matters described above was:

- a) In relation to Allegation 1 a), dishonest in that Miss Zhang knew her supervisor, Person A, had been falsely registered as her practical experience supervisor.
- b) In relation to Allegation 1 b), dishonest in that Miss Zhang knew her supervisor, Person A, had not approved her qualifying experience.
- c) In relation to Allegation 1 c), dishonest in that Miss Zhang knew Person A had not approved her nine performance objectives.
- d) In relation to Allegation 2, dishonest in that Miss Zhang knew she had not achieved all or any of the performance objectives as described in the corresponding performance objective statements or at all.
- e) In the alternative, any or all of the conduct referred to in Allegations 1 and 2 above demonstrates a failure to act with Integrity.

4) In the further alternative any or all of the conduct referred to in Allegations 1 and 2 above was reckless in that:

- a) Miss Zhang failed to ensure that her Practical Experience training Record was approved in all material respects by her practical experience supervisor.
- b) Miss Zhang paid no or insufficient regard to ACCA's requirements to ensure that the statements corresponding with the performance objectives referred to in Allegation 2 accurately set out how each

objective had been met.

- 5) By reason of her conduct, Miss Zhang is guilty of misconduct pursuant to ACCA bye-law 8(a)(i) in respect of any or all the matters set out at 1 to 4 above.

DECISION ON FACTS/ALLEGATION(S) AND REASONS

12. There was no oral evidence at the hearing. Mr Mustafa relied on the witness statements and documents in the bundle. The evidence included witness statements from:
 - (a) A Senior Administrator in ACCA's Member Support Team who explained the application process;
 - (b) The Professional Development Manager with the Professional Development team, part of the Quality and Recognition department.
13. Mr Mustafa identified the resources available to ACCA trainees to understand exactly what was required to gain ACCA membership. These included written instructions and also interactive resources. The information was mainly in English although some was available in Mandarin. Trainees always take their ACCA exams in English so would be expected to have sufficient fluency to understand the English language instructions and questions.
14. Miss Zhang did not submit a witness statement or written submissions, but she did complete a Case Management Form, and she had written some emails to ACCA during the investigation. The Committee considered these.
15. In the Case Management Form Miss Zhang raised a point which could be regarded as a preliminary point. The Committee decided to deal with it first. In the section of the form dealing with the reasons for not admitting Allegation 1 Miss Zhang wrote:

I have been deceived because I am not familiar with the rules of ACCA's

membership application (the specific reasons have been explained in detail in the previous email communication). But I had applied for PO exemption through an approved employer in September 2023, and ACCA has approved my exemption (I received an exemption confirmation email in September 2023 with the title "Approved Employee PER confirmation form-[REDACTED] Yuan Zhang [Incident: [REDACTED]]". Please confirm it within ACCA.) I could have been exempted directly, I don't need to cheat when applying for membership

16. The emails referred to were an email from Miss Zhang on 16 September 2023 making an application on a different basis from her pending application. This was the 'approved employer PER' route. That application would not have given her membership but, if successful, would have exempted her from having to submit PER statements. On 18 September 2023, an ACCA employee emailed Miss Zhang:

I'm happy to confirm your Approved Employer PER confirmation form has been received and processed in full.

I can now confirm you've met the ACCA Practical Experience Requirements (PER) and your objectives will reflect within your MyExperience via your myACCA account.

Looking at our records, I can now advise that you're eligible to apply for ACCA membership - Congratulations!

17. Of course, Miss Zhang already had an application for membership pending. On 28 June 2024, ACCA wrote to Miss Zhang:

I am writing regarding correspondence you received from ACCA on 18 September 2023 (copy attached) advising (i) your Approved Employer PER Confirmation form had been processed, (ii) you had met the requirements of the PER and (iii) you could continue to apply for membership.

In ACCA's email to you of 15 August 2023 (copy attached) you were advised your membership application was under review. Given this, the advice in ACCA's email to you referred to above was incorrect and therefore made in error, for which ACCA apologises.

I therefore confirm your membership application remains on hold pending the

outcome of ACCA's investigation into your PER training record and any disciplinary action resulting from that investigation.

18. Miss Zhang either did not understand or did not accept this.
19. The Committee was satisfied that any misunderstanding created did not affect the issues in this hearing for many reasons (set out in the submissions) and particularly the fact that even if Miss Zhang had obtained a PER exemption, it would not have affected the allegation that she had been dishonest in relation to her earlier application for membership.

Allegation 1

20. The Committee was satisfied, on the balance of probabilities, that Person A was not, in fact, Miss Zhang's practical experience supervisor at the relevant time or as set out in the PER record. Therefore, that person could not approve her period of qualifying experience or her performance objectives. Miss Zhang admitted in an email dated 24 April 2024 that she found a third party on the Internet who enabled her to complete the application forms without approaching anyone who had actually supervised her. The Committee found Allegation 1 proved.

Allegation 2

21. It was clear from the documents that the nine Performance Objectives listed were the ones that Miss Zhang relied on. (It is to be noted that they were not exactly the same as the Performance Objectives listed in her later PER exemption application.) Miss Zhang purported to have achieved these. The Committee found Allegation 2 proved.

Allegation 3(a), (b), (c)

22. The Committee was satisfied, on the balance of probabilities, that Miss Zhang knew perfectly well that Person A was not a person who had actually supervised her or who had knowledge of her work as set out in her PER record. This is

clear from her emails. Person A therefore could not be named as a practical experience supervisor and could not approve her qualifying experience or her nine performance objectives.

23. The Committee was satisfied that her conduct would be regarded as dishonest by the standards of ordinary, decent people.
24. The Committee found Allegations 3(a), (b) and (c) proved.

Allegation 3(d)

25. All nine practical experience statements which supported Miss Zhang's application were identical, or very similar, to statements submitted by previous applicants. The Committee was satisfied, on the balance of probabilities, that they could not have been true statements of Miss Zhang's experience. They were copied from other documents.
26. The Committee was satisfied, on the balance of probabilities, that when submitting the application Miss Zhang knew that the statements were false. That was dishonest by the standards of ordinary decent people. The Committee found Allegation 3(d) proved.
27. Allegations 3(e) and 4 were in the alternative so did not need to be considered.

Allegation 5: misconduct

28. The Committee considered that Miss Zhang's dishonesty in relation to her application for membership was a very serious breach of her obligations as an affiliate of ACCA. It was an attempt to become a Member without having to demonstrate her competence. Her conduct fell far below the standards expected. The Committee was satisfied that her actions amounted to misconduct.
29. The Committee found Miss Zhang guilty of misconduct.

SANCTION(S) AND REASONS

30. The Committee considered what sanction, if any, to impose in the light of its findings, having regard to ACCA's Guidance for Disciplinary Sanctions. It first sought to identify aggravating and mitigating factors.
31. It considered the question of insight. Miss Zhang had shown no awareness that she had done wrong. She said that she was a victim. She said some words of regret, but they carried little conviction.
32. The misconduct found was extremely serious. As well as the absence of insight and remorse, aggravating factors were her premeditation and planning to find a way to gain full membership illegitimately.
33. In mitigation, she had engaged with ACCA's process in a limited way and had no previous disciplinary findings against her.
34. The Committee was quite satisfied that a sanction was required in this case. It considered the available sanctions in order of seriousness.
35. The Committee first considered the sanctions of admonishment and then reprimand but the guidance made it clear that these were not sufficient. For reprimand, the guidance states 'This sanction would usually be applied in situations where the conduct is of a minor nature and there appears to be no continuing risk to the public'. Submitting a false membership application cannot be described as a minor matter.
36. The Committee next considered the sanction of severe reprimand. The guidance states that this sanction would usually be applied in situations where the conduct is of a serious nature but there are particular circumstances of the case or mitigation advanced which satisfy the Committee that there is no continuing risk to the public, and there is evidence of the individual's understanding and appreciation of the conduct found proved. Those elements were not present in this case. The Committee went through the list of suggested factors in the guidance. Apart from previous good character, hardly any of the factors supporting a severe reprimand was present. Even if combined with a

fine, a severe reprimand would not be sufficient to mark the seriousness of the misconduct in this case.

37. The Committee considered that Miss Zhang's dishonest conduct was fundamentally incompatible with remaining as an ACCA affiliate and that the minimum sanction it could impose was removal from the student register.
38. An affiliate who has been removed can normally apply to be re-admitted after one year. The Committee considered whether to extend this period but decided that it was not necessary. If Miss Zhang does apply for readmission her application will be scrutinised by the Admissions and Licensing Committee.

COSTS AND REASONS

39. Mr Mustafa applied for costs totalling £6,214. Mr Mustafa accepted that the hearing today would take less time than had been estimated so some reduction might be appropriate.
40. The Committee was satisfied that the proceedings had been properly brought, and that ACCA was entitled in principle to its costs. The Committee considered that the time spent, and the sums claimed were reasonable, subject to any reduction for the length of hearing time.
41. Miss Zhang had submitted a statement of financial position showing that her income was less than her outgoings. The Costs Guidance says that supporting evidence should be provided. Miss Zhang provided a very brief typed document headed 'Income Certificate'. It stated the name of a company but not any contact details. It did not have the appearance of being a genuine employment document. Given that this is a case about dishonesty the Committee was not prepared to accept the statement of means.
42. Allowing for the reduced hearing time the Committee assessed the costs at £5,500.

EFFECTIVE DATE OF ORDER

43. Miss Zhang was currently an ACCA affiliate and as such could hold herself out as part-qualified. The Committee considered that in these circumstances she would represent a risk to the public during the period before this order came into effect. That would put her in a privileged position and enable her to obtain positions of trust to which she was not entitled. The Committee determined to order immediate removal.

ORDER

44. The Committee **ordered** as follows:
- (a) Miss Yuan Zhang shall be removed from the student register of ACCA.
 - (b) Miss Yuan Zhang shall pay a contribution to ACCA's costs assessed at £5,500.
 - (c) This order shall have immediate effect.

Maurice Cohen
Chair
09 May 2025