

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Ms Sushmitha L B

Heard on: Wednesday, 18 March 2026

Location: Remotely via Microsoft Teams

Committee: Dr Mike Kelly (Chair)
Ms Dorothee Berg (Accountant)
Ms Samantha Lipkowska (Lay)

Legal Adviser Ms Helen Gower

**Persons present
and capacity:** Mr Ryan Ross (ACCA Case Presenter)
Miss Sofia Tumburi (Hearings Officer)

Summary: Allegations 1, 2 3, 4, 5, 7 proved
Student removed from the register with immediate effect.

Costs: £500 awarded in favour of ACCA.

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PRELIMINARY APPLICATIONS

1. The Committee had considered the following documents: a Disciplinary Committee Report and Bundle pages 1-117, an exam video, an incomplete Case Management Form pages 1-15 and a Service Bundle pages 1-21. The Committee had also considered legal advice which it accepted.

SERVICE OF PAPERS

2. The Committee first considered whether the appropriate documents had been served in accordance with the Complaints and Disciplinary Regulations (“the Regulations”). The Committee took into account the submissions made by Mr Ross on behalf of ACCA.
3. The Service Bundle included a copy of the Notice of Hearing dated 18 February 2026, thereby satisfying the 28-day notice requirement which had been sent to Ms Sushmitha L B’s email address as it appears in the ACCA register. The Notice included details about the time, date and remote venue for the hearing and also Ms Sushmitha L B’s right to attend the hearing, by telephone or video link, and to be represented, if she so wished. In addition, the Notice provided details about applying for an adjournment and the Committee’s power to proceed in Ms Sushmitha L B’s absence, if considered appropriate.
4. The Committee was satisfied that the Notice had been served in accordance with the Regulations, which require ACCA to prove that the documents were sent, not that they were received.

PROCEEDING IN ABSENCE

5. The Committee considered the submissions made by Mr Ross and accepted the advice of the Legal Adviser. The Committee bore in mind that although it had a discretion to proceed in the absence of Ms Sushmitha L B, it should exercise that discretion with the utmost care and caution.
6. The Service Bundle included evidence of attempts made by the ACCA Hearings team to contact Ms Sushmitha L B regarding her attendance at today’s hearing. This included a follow-up email dated 25 February 2026, and a further follow-up email dated 04 March 2026 sent by the Hearings Officer. The email

dated 04 March 2026 also included a copy of a telephone attendance note recording the Hearings Officer's attempt to speak to Ms Sushmitha L B to discuss her attendance at the hearing. The call was answered, and the Hearings Officer confirmed that she was speaking to Ms Sushmitha L B, but the call was disconnected, and a further telephone call was unanswered.

7. The Committee was satisfied that Ms Sushmitha L B had voluntarily absented herself and had waived her right to participate in the hearing. The Committee considered that an adjournment would be unlikely to secure her attendance at a subsequent hearing. Given that the allegations against Ms Sushmitha L B were serious, the Committee had regard to the public interest in concluding the case expeditiously.
8. The Committee concluded that it would be fair and proportionate to accede to ACCA's application to proceed in Ms Sushmitha L B's absence.

AMENDMENT OF THE ALLEGATION

9. Mr Ross made an application to amend the stem of the Allegation to change the date of the exam from 06 June 2025 to 02 June 2025 and to change the title of the exam to "Audit and Assurance". Mr Ross also invited the Committee to make a minor typographical amendment to Allegation 5.
10. Mr Ross submitted that the proposed amendment to the stem of the Allegation was to rectify a factual inaccuracy and that it did not change the seriousness of the Allegation or the evidence relied on by ACCA.
11. The Committee decided that the proposed amendment to the stem of the Allegation did not unfairly prejudice Ms Sushmitha L B and that it was appropriate. The Committee was satisfied that Ms Sushmitha L B had not been misled by the error in the stem of the Allegation and that she had understood that the Allegation was based upon the evidence provided by ACCA.
12. The Committee therefore agreed to the application to amend the stem of the Allegation.
13. The Committee also agreed to the minor typographical amendment to Allegation 5.

ALLEGATIONS (as amended)

Ms Sushmitha L B, an ACCA student, in respect of her on-demand remotely invigilated Audit and Assurance examination taken on 02 June 2025 ('the Exam'):

1. Failed to adhere to ACCA's Exam Guidelines to 'move mobile phones...out of arms reach' and/or possessed an item on or about her desk or person which was not on the list of permitted items in the Exam Guidelines, contrary to Exam Regulation 1.
2. Was in possession of and/or used an unauthorised item, namely a mobile phone with camera, during the Exam, contrary to Exam Regulations 5(a) and/or 5(b) and thereby sought to gain an unfair advantage in the Exam and/or a future exam within the meaning of Exam Regulations 6(b).
3. Used the above referenced item to take photographs and/or recordings of the Exam content, contrary to Exam Regulation 13.
4. Gave the exam proctor false or misleading information about the said unauthorised item, contrary to Exam Regulation 3.
5. In respect of any or all of the above was dishonest in that:
 - a) She intended to use or used an authorised item, a mobile phone with camera, during the Exam to gain an unfair advantage in the exam;
 - b) She provided false or misleading information to the proctor with the intention of deceiving the proctor into believing she was not in possession of and/or using an unauthorised item.
6. In the alternative, on the same facts, with respect to the conduct referred to in any or all Allegations 1-4, Ms L B failed to demonstrate integrity.

7. By reason of any or all of the above, Ms LB is:
- a) Guilty of misconduct pursuant to bye-law 8(a)(i) in respect of any or all of the conduct above, or in the alternative:
 - b) Liable to disciplinary action pursuant to bye-law 8(a)(iii), in respect of any or all of the conduct in Allegations 1 to 4.

BRIEF BACKGROUND

14. Ms Sushmitha L B registered as an ACCA student on 06 March 2024. As an ACCA student she was subject to ACCA's Code of Ethics and Conduct, Bye-laws and Regulations, including the Exam Regulations.
15. On 02 June 2025 Ms Sushmitha L B undertook ACCA's on demand remotely invigilated Audit and Assurance exam, the "exam". During the exam booking process students are required to click to confirm that they agree to the exam regulations and guidelines. This is a mandatory step in the process and exams cannot be booked until the student confirms their acceptance of these conditions.
16. On 06 June 2025 ACCA received a communication from Ms Sushmitha L B as follows:

"Proctor ended exam as I was getting calls to mobile, mobile flashes on silent mode. Proctor thought I was indulged in malpractice and asked me to pause exam. Can I taken exam in a centre?"

17. ACCA responded to this communication on 06 June 2025 advising:

"Sadly, if the proctor ended your exam, we are unable to look into this further until we receive the invigilator report. Unfortunately we're unable to offer a centre exam in place of remote exams as all centre exams for the AA exam took place on Monday 2 June."

Once we receive the invigilator report, we will investigate the issue and take the appropriate steps."

18. The report from the Proctor was received on or around 30 June 2025 and ACCA's Exams Delivery Team notified Ms Sushmitha L B that an Exam Regulation 20 Panel has determined that she should be suspended from sitting any further ACCA exams until the conclusion of the investigation and any disciplinary process. The matter was then referred to ACCA's Investigations Department on 30 July 2025.

19. ACCA's review of the video footage which is 35 minutes and 48 seconds in duration identified that she had a mobile phone in her possession. ACCA noted the key incidents in the video footage as follows:

- 00.05.25 the proctor writes in the chat *"If you have any unauthorised items with you or in your workplace, please remove them now and put them out of arms reach."*
- Ms Sushmitha replies *"Removed sir"*
- At 00.13.34 the exam is launched
- A phone is seen on multiple occasions between 00.14.44 and 00.21.28
- At 00.33.32 the proctor writes in the chat:

"We saw you taking screenshots from your phone. Hence your exam is revoked"

Ms Sushmitha replies *"Sir but i didn't take..i can show you to 360 degree"*
[sic]

The proctor says *"We have the recordings and screenshot available. Please contact ACCA for further updates. We will revoke the exam as per policy."*

- At 00.34.51 the exam is terminated

20. On 13 August 2025 the Investigation Department provided Ms Sushmitha L B with the footage of the exam and wrote to her requesting her comments regarding her appearing to use a mobile phone during the exam.

21. On the same date, Ms Susmitha L B responded stating:

“I am writing to kindly request permission to take my upcoming ACCA exam in a centre-based format.

I would be grateful if you could consider my request and provide guidance on the necessary steps or formalities required to make this arrangement possible.”

22. On 14 August 2025 the Investigations Officer responded to the above, enclosing the initial ER20 email sent by the Exams Team and reminding Ms Sushmitha L B that as she had been suspended she could not sit any further ACCA exams until the conclusion of the investigation and requesting that she respond to the questions raised in the letter of 13 August 2025.

23. No acknowledgement or response was received to the above letter or subsequent chasing email on 29 August 2025.

24. However, on 04 December 2025, Ms Susmitha L B sent an email in which she admitted that she had not kept her phone out of arms reach, had used the phone to take screenshots of the exam content and had provided inaccurate information to the proctor when questioned about taking the screenshots.

25. Ms Sushmitha LB was further asked why she had taken the screenshots of the exam and responded:

“I took photographs of the exam questions due to poor judgment and anxiety during the exam. At the time I did not think clearly about the seriousness of my actions and made a completely wrong decision.

I confirm that I did not take the pictures with any intention to share, distribute, or misuse the exam content in any way. I did not receive any assistance during the exam, nor did I provide exam content to any third party.”

DECISION ON FACTS

Allegation 1

Failed to adhere to ACCA's Exam Guidelines to 'move mobile phones...out of arms reach' and/or possessed an item on or about her desk or person which was not on the list of permitted items in the Exam Guidelines, contrary to Exam Regulation 1.

26. The Committee was satisfied that Ms Sushitha L B had agreed to abide by the Exam Regulations and Guidance when she booked to attend the exam. The documents before the Committee included the video recording and photographic stills from the video recording showed Ms Sushmitha L B holding a mobile phone, an item which was not permitted, during the exam. Ms Sushmitha L B also admitted in her email dated 04 December 2025 that she had possession of a mobile phone during the exam. Ms Sushmitha L B was in possession of a mobile phone which had not been moved out of arms reach. Ms Sushmitha L B therefore failed to adhere to ACCA's Exam Guidelines. Accordingly, Allegation 1 was proved.

Allegation 2

Was in possession of and/or used an unauthorised item, namely a mobile phone with camera, during the Exam, contrary to Exam Regulations 5(a) and/or 5(b) and thereby sought to gain an unfair advantage in the Exam and/or a future exam within the meaning of Exam Regulations 6(b).

27. The Committee was satisfied that the video recording and photographic stills from the video recording showed Ms Sushmitha L B using a mobile phone with camera. Ms Sushmitha L B also admitted her use of the phone in her email dated 04 December 2025. This use of the camera with a mobile phone was a breach of the Exam Regulations 5a) and 5b).
28. Exam Regulations 6b) provides as follows:

"If you breach exam regulation 5a) and/or 5b), or permit another person to act contrary to those exam regulations, it will be assumed that you, and/or the other person, intended to use the 'unauthorised items' to gain an unfair advantage for you or others in the exam and/or a future exam. In any subsequent

disciplinary proceedings, you will have to prove that you, and/or the other person, did not intend to use the 'unauthorised items' to gain an unfair advantage for you, or others, in the exam and/or a future exam."

29. Ms Sushmitha L B was therefore required to prove that she did not intend to use the mobile phone to gain an unfair advantage. Although Ms Sushmitha L B stated that she took photographs of the exam questions without any improper intention, the Committee gave very little weight to this statement. The Committee did not consider that it was credible that anxiety during the exam explained the repeated use of the mobile phone. The Committee decided that Ms Sushmitha L B had not discharged the burden of proof. It therefore concluded that Ms Sushmitha L B sought to gain an unfair advantage in the exam.

30. The Committee therefore found Allegation 2 proved.

Allegation 3

Used the above referenced item to take photographs and/or recordings of the Exam content, contrary to Exam Regulation 13.

31. Having reviewed the video evidence and stills from the video recording the Committee was satisfied that Ms Sushmitha L B had taken photographs and/or recordings of the exam content and that this was contrary to Exam Regulation 13.

32. The Committee therefore found Allegation 3 proved.

Allegation 4

Gave the exam proctor false or misleading information about the said unauthorised item, contrary to Exam Regulation 3.

33. The documents before the Committee included a copy of the log which recorded communication between the exam proctor and Ms Sushmitha L B. When asked whether she had used her mobile phone Ms Sushmitha L B replied that she had not. This information was false because Ms Sushmitha L B had

used her mobile phone, and the provision of false information to the proctor is contrary to Exam Regulation 3.

34. The Committee therefore found Allegation 4 proved.

Allegation 5

In respect of any or all of the above was dishonest in that:

- c) *She intended to use or used an authorised item, a mobile phone with camera, during the Exam to gain an unfair advantage in the exam;*
- d) *She provided false or misleading information to the proctor with the intention of deceiving the proctor into believing he was not in possession of and/or using an unauthorised item.*
35. The Committee had concluded in its findings on Allegation 2 that Ms Sushmitha L B had used a mobile phone to gain an unfair advantage in the exam. Ms Sushmitha L B's actions were deliberate and planned. The Committee was satisfied that the only motive for such behaviour was to cheat in the exam and thereby gain an advantage over those students acting honestly.
36. The Committee was satisfied that Ms Sushmitha L B knew that she should not take photographs of exam questions and that this was contrary to the Exam Regulations. Such conduct would undoubtedly be regarded as dishonest by the standards of an ordinary decent person.
37. The Committee therefore found Allegation 5(a) proved.
38. The Committee was satisfied that Ms Sushmitha L B knew that the information she had provided to the proctor was not true. She knew that she had lied when she was directly asked whether she had used a mobile phone. The Committee was satisfied that there was no plausible explanation for Ms Sushmitha L B's conduct other than her intention to conceal her use of the phone. The Committee concluded that such behaviour is dishonest by the standards of an ordinary decent person
39. The Committee therefore found Allegation 5(b) proved.

Allegation 6

40. Having found Ms Sushmitha L B's conduct to have been dishonest, the Committee did not have to consider Allegation 6 which was alleged in the alternative.

DECISION ON MISCONDUCT

41. The Committee heard submissions from Mr Ross.
42. The Committee considered the context and surrounding circumstances relating to Ms Sushmitha L B's dishonesty. The Committee was satisfied that Ms Sushmitha L B was fully aware of the exam regulations, and that it was therefore wrong for her to have a mobile phone with her, and to use it to photograph exam questions. Ms Sushmitha L B also compounded her dishonesty by lying to the proctor about her use of a mobile phone.
43. The Committee had regard to the partial definition of misconduct in bye-law 8(c) and the assistance provided by the case law on misconduct. It was satisfied that Ms Sushmitha L B's actions brought discredit on her, the Association and the accountancy profession. It was satisfied that dishonesty within a professional exam reached the threshold of seriousness for misconduct. The requirement of being honest and trustworthy is a fundamental tenet of the accountancy profession. Ms Sushmitha L B's conduct in taking photographs of exam questions potentially enabled herself or other individuals to pass the exam without having obtained the skills and knowledge in an appropriate way. Ms Sushmitha L B's conduct therefore had the potential to undermine the integrity of ACCA's examination system and public confidence in those taking the examinations and thus the profession.
44. In the light of its judgment on misconduct, no finding was needed upon liability to disciplinary action. Accordingly, the Committee was satisfied that Allegation 7(a) was proved, and it did not need to consider the alternative of Allegation 7(b).

SANCTION AND REASONS

45. The Committee noted its powers on sanction were those set out in Regulation 13(4). It had regard to ACCA's Guidance for Disciplinary Sanctions and bore in mind that sanctions are not designed to be punitive and that any sanction must be proportionate. It accepted the advice of the Legal Adviser.
46. The Committee considered that the conduct in this case was very serious. The Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. Being honest is a fundamental requirement of any accountant.
47. Although Ms Sushmitha L B had made some admissions, these were not at an early stage of the investigation, and the Committee did not consider that she had demonstrated insight into the seriousness of her misconduct. Ms Sushmitha L B had not acknowledged that her conduct was dishonest or unethical and there was no evidence that she had reflected on the impact of her conduct on confidence in her probity or public confidence in the profession.
48. The Committee identified the following mitigating factors:
- Ms Sushmitha L B was of good character with no previous disciplinary record;
 - Ms Sushmitha L B's admissions and her co-operation with the investigation;
 - Ms Sushmitha L B's personal circumstances.
49. The Committee identified the following aggravating factors:
- Limited insight;
 - Potential damage to the examination system.
50. Given the Committee's view of the seriousness of Ms Sushmitha L B's conduct, it was satisfied that the sanctions of No Further Action, Admonishment,

Reprimand, and Severe Reprimand were insufficient to highlight to the profession and the public the gravity of the proven misconduct.

51. In considering a Severe Reprimand, the Committee noted that many of the factors listed in the guidance were not present as the conduct was intentional, involved repetition of dishonest conduct in taking multiple photographs of exam questions, and potentially resulted in Ms Sushmitha L B gaining an unfair advantage over other students. While Ms Sushmitha L B had admitted her conduct, her insight was limited. The Committee was satisfied that in the circumstances a Severe Reprimand was not a sufficient and proportionate sanction given the seriousness of the conduct.
52. The Committee had regard to Section E2 of the Guidance on Sanctions for Dishonesty and the seriousness of such a finding on a professional. In particular at paragraph E2.2 the guidance states:

“The public is entitled to expect a high degree of probity from a professional who has undertaken to abide by a code of ethics. The reputation of ACCA and the accountancy profession is built upon the public being able to rely on a member to do the right thing in difficult circumstances. It is a cornerstone of the public value which an accountant brings”.

The Committee considered the factors set out within this guidance were engaged. In addition, the Committee considered that several of the factors listed at C5 of the Guidance for removal were applicable. Ms Sushmitha L B’s conduct involved a serious departure from professional standards, dishonesty, a breach of the trust placed in her to comply with the Exam Regulations and an attempt to cover up her misconduct. The Committee was satisfied that Ms Sushmitha L B’s conduct was fundamentally incompatible with remaining on the student register. The Committee was satisfied that only removal from the student register was sufficient to mark the seriousness of the misconduct to the profession and the public.

COSTS AND REASONS

53. ACCA claimed costs of £5,769.50 and provided a simple and detailed schedule of costs. The Committee considered the costs to be reasonably incurred.

54. The Committee noted that the normal position is that a member against whom an allegation has been found proved, should pay the reasonable and proportionate costs of ACCA bringing the case. This is based on the principle that the majority of members should not be required to subsidise the minority who, through their own failings, have found themselves subject to disciplinary proceedings.
55. Ms Sushmitha L B did not provide any details of her means. There was, therefore, no evidential basis upon which the Committee could make any reduction on this ground.
56. Ms Sushmitha L B did provide information about her personal circumstances and the Committee considered that paragraph 31 of the Guidance on Costs applied. [PRIVATE].
57. In light of its observations above, the Committee decided to make an order in the sum of £500.

EFFECTIVE DATE OF ORDER

58. The Committee decided that the order should have immediate effect to protect the public given the seriousness of the misconduct and the risk that Ms Sushmitha L B might hold herself out as a student member of ACCA.

Dr Mike Kelly
Chair
18 March 2026